

MEETING

PLANNING COMMITTEE

DATE AND TIME

THURSDAY 14TH JULY, 2016

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

TO: MEMBERS OF PLANNING COMMITTEE (Quorum 3)

Chairman: Councillor Melvin Cohen LLB

Vice Chairman: Councillor Wendy Prentice

Councillor Maureen Braun

Councillor Tim Roberts

Councillor Stephen Sowerby

Councillor Eva Greenspan

Councillor Mark Shooter

Councillor Jim Tierney

Councillor Claire Farrier

Councillor Agnes Slocombe

Councillor Laurie Williams

Substitute Members

Councillor Anne Hutton

Councillor Reema Patel

Councillor Dr Devra Kay

Councillor Gabriel Rozenberg

Councillor Sury Khatri

Councillor Hugh Rayner

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

Andrew Charlwood – Head of Governance

Governance Service contact: Sarah Koniarski sarah.koniarski@barnet.gov.uk 020 8359 7574

Media Relations contact: Sue Cocker sue.cocker@barnet.gov.uk 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of the Last Meeting	To Follow
2.	Absence of Members	
3.	Declarations of Members' Disclosable Pecuniary Interests and Non-pecuniary Interests	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	Garages at Basing Way, Land Between 98-108 and 182-192 Basing Way, London N3 3BP (Finchley Church End Ward)	1 - 28
7.	Elmshurst Crescent Garages, Land Adjacent to 90-100 Elmshurst Crescent and 35 Pulham Avenue, London N2 0LR (East Finchley Ward)	29 - 56
8.	Land Adjacent to 1-15 Warwick Close, Barnet EN4 9SF (East Barnet Ward)	57 - 76
9.	Westbrook Crescent Garages, Barnet EN4 9AP (East Barnet Ward)	77 - 94
10.	Quinta Drive Garages, Barnet EN5 3BW (Underhill Ward)	95 - 122
11.	Ryecroft Crescent Garages, Barnet EN5 3BP (Underhill Ward)	123 - 148
12.	Any item(s) that the Chairman decides are urgent	

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Location **Garages At Basing Way Land Between 98-108 And 182-192
Basing Way London N3 3BP**

AGENDA ITEM 6

Reference: **16/3250/FUL**

Received: 17th May 2016

Accepted: 20th May 2016

Ward: Finchley Church End

Expiry 19th August 2016

Applicant:

Proposal: Demolition of existing garages and redevelopment to provide a 4 storey building comprising 14no. self-contained flats for affordable rent with associated landscaping, car parking, cycle and refuse storage; and enclosure of existing electrical substation within a new structure.

Recommendation: Approve subject to conditions

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

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

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

15-290-02 D01-001 Rev A; 15-290-02 D01-002 Rev A; 15-290-02 D01-010 Rev A; 15-290-02 D01-011 Rev A; 15-290-02 D01-050 Rev A; 15-290-02 D01-051; 15-290-02 D01-100 Rev A; 15-290-02 D01-101 Rev A; 15-290-02 D01-200 Rev A; 15-290-02 D01-201 Rev A; 15-290-02 D01-202 Rev A; 15-290-02 D01-203 Rev A; 15-290-02 D01-300 Rev A; 15-290-02 15-290-02 D01-500; Design and access statement (BPTW); Ecological Assessment (AGB Environmental); Land contamination assessment (AGB Environmental); Statement of Community Involvement (BPTW); Sunlight/daylight and overshadowing assessment (HTA); Sustainability Statement with energy statement (BBS Environmental); Transport Statement with parking survey (Campbell Reith); Tree survey/Arboricultural impact assessment method statement (AGB Environmental); Utilities - site investigation report (Premier Energy Services); Drainage Strategy (7 Engineering Consultancy).

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).

- 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 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).

- 5 Prior to the commencement of development, details of the proposed fenestration including details of materials, glazing bars and frames and reveal depths shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed with the approved details.

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.

- 6 Details of rainwater goods, soil and vent pipes, fixtures and fittings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of the development. The development hereby approved shall be carried out in accordance with the approved details.

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.

- 7 Notwithstanding the approved plans and elevations, prior to the commencement of development, a proposed roof plan shall be provided indicating the design and position of the proposed photovoltaic panels to be installed on the roof surface of

the proposed development. The development shall be constructed in accordance with these approved details and be retained permanently thereafter.

Reason: To ensure that the proposed development contributes to sustainable development and to ensure that the design and appearance of the proposed PV array does not harm the character and appearance of the building and the wider area to ensure that the development 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 Refuse and recyclables storage shall be provided and made ready for use prior to the first occupation of the proposed development and shall be retained permanently 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 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).

- 9 Prior to the first occupation of the proposed development, the relocated refuse and recyclables storage and residents' stores for existing residents shall be constructed and made ready for use. These structures shall be retained permanently 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 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).

- 10 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).

- 11 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed 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 Sustainable Design and Construction SPD (adopted April 2013) and the Residential Design Guidance SPD (adopted April 2013).

12 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.

13 The development shall be carried out in accordance with the details, recommendations and measures of the submitted Tree Survey/Arboricultural Impact Assessment and Method Statement (AGB Environmental)

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.

14 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan (2015).

- 15 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies 5.2 and 5.3 of the London Plan (2015)."

- 16 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent, the units at ground floor level only shall all have been constructed to meet and achieve all the relevant criteria of Part M4(3) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter. All other units shall be constructed in accordance with M4(1) of the Building Regulations.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8, 7.2 and 7.6 of the London Plan (2015) and policies DM02 and DM03 of the Barnet Development Management Policies document (2012)."

- 17 The proposed development of 14 new residential units shall be provided and retained in use as units of affordable housing in perpetuity in accordance with the Planning Statement (BPTW: May 2016). In accordance with the approved planning statement, these units shall be provided as affordable rent with a rent level of 65% for the purposes of accommodating residents of the Borough through a nominations process.

Reason: To ensure that the proposed development of affordable housing is permanently retained for the benefit of residents of the Borough in order to meet the the housing needs of the London Borough of Barnet and to comply with policies DM01, DM08 and DM10 of the London Borough of Barnet Local Plan Development Management Policies DPD (2012).

- 18 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to

the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

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

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

19 a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.

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

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2015.

20 a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing where the noise background level for outdoor amenity areas will be likely to exceed 55dBA

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

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2015.

21 a) No development shall take place until details of mitigation measures to show how the development will be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from the substation as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

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 mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or 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 the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2011.

22 Before development commences, a report should be carried out by a competent electromagnetic radiation consultant and submitted to the LPA for approval, that assesses the likely electromagnetic radiation impacts from the substation on the residential development. The report shall also clearly outline mitigation measures for the development to reduce these radiation impacts to acceptable levels. It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied/ the use commences).

Reason: To ensure that the health of the residents at the residential premises are protected from electromagnetic radiation from the substation in accordance with

Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2011.

- 23 Notwithstanding the plans submitted, before development commences, details of the car park layout and the access to the car parking area shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out nor shall it be subsequently operated otherwise than in accordance with the approved details.

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

- 24 Before the development hereby permitted commences a Car Parking Management Scheme shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that parking is provided and managed in line with the council's standards in the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 25 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of

highway and pedestrian safety in accordance with policies CS9, CS13 , CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

- 26 Details of refuse collection must be submitted to and approved in writing by the Local Planning Authority. Refuse collection points should be located within 10 metres of the Public Highway, at ground floor level, otherwise, the development access needs to be designed and constructed to allow refuse vehicles to access the site and turn around within the site, including access road construction to adoptable standards.

Reason: To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 27 Prior to commencement of any construction or demolition works detailed application shall be submitted to Highway Authority for approval of amendments to vehicular access from public highway and the access shall be constructed in accordance with the approved plans.

Reason: To ensure that the access is satisfactory in terms of highway safety and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 28 The development should discharge surface water runoff as high up the discharge hierarchy as possible. Where it is not possible to achieve the first hierarchy, discharge through the ground, applicants must demonstrate in sequence why the subsequent discharge destination was selected. Proposals to dispose of surface water into a sewer, highway drain, surface water body or another drainage system must be accompanied by evidence of the system having spare capacity downstream and acceptance of the surface water by the appropriate authority(ies).

Reason: To ensure that the development discharges surface water from the site in a manner that takes into consideration the statutory duties, legislation and regulatory requirements of authority(ies) receiving surface water and ensures that downstream flood risk is mitigated in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, Approved Document Part H of the Building Regulations 2010) and Paragraph 80 of Planning Practice Guidance.

- 29 The surface water drainage strategy for the site must be accompanied by evidence of an Adopting Authority accepting responsibility for the safe operation and maintenance of SuDS within the development. The Adopting Authority must demonstrate that sufficient funds have been set aside and / or sufficient funds can be raised to cover operation and maintenance costs throughout the lifespan of the development. The Adopting Authority shall be responsible for satisfying themselves of the suitability of the adopted SuDS prior to adoption, and shall keep records of operation and maintenance activities, for possible inspection by the Council.

Reason: To ensure that the surface water drainage system and SuDS are constructed appropriately and are adopted by an Adopting Authority responsible for

the safe operation and maintenance of the system throughout the lifetime of the development. Appropriate construction of SuDS should take into consideration S13 of the Non-statutory Technical Standards for Sustainable Drainage Systems. Operation and maintenance of SuDS should take into consideration the Written Ministerial Statement of 18 December 2014 and Planning Practice Guidance Paragraphs 81 and 85.

- 30 The surface water drainage strategy shall use SuDS to manage peak surface water runoff rates in accordance with S2 and S3 of the Non-statutory Technical Standards for Sustainable Drainage Systems. SuDS shall be used to provide volume control in accordance with S4, S5 and S6 of the Non-statutory Technical Standards for Sustainable Drainage Systems.

Reason: To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the development in accordance with in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems) and best practice design guidance

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.

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.

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.
- 5 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
 - 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
 - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
 - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
 - 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
 - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
 - 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

- 6 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 7 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 30dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

- 8 The applicant is advised that legal changes under The Water Industry (Scheme for the Adoption of Private Sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes, we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/near-to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit www.thameswater.co.uk.
- 9 The applicant is advised that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

- 10 The applicant is advised that it is their responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0800 009 3921. The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.
- 11 Informative: If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

Informative: The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

Informative: Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Informative: The applicant is advised that for construction works adjacent or affecting the public highways, the council's First Contact should be contacted on 0208 359 2000 for any necessary Highways Licenses or any highway approvals deemed necessary.

Informative: The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Informative: Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard

their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

Informative: The applicant is advised that any works required on public highway to facilitate the development will require a separate agreement with the Highways Authority under S184 or S278 of the Highways Act 1980.

- 12 Prior to the commencement of the development hereby approved, details and statutory orders of any highways required to be stopped up to facilitate the development shall be made under Section 247 of the Town and Country Planning Act 1990. These shall be submitted to and agreed with the Local Planning and Highway Authority.

Officer's Assessment

Officer's Assessment

1. Site description

The application site is located on the northern side of an established residential estate in East Finchley known as the Basing Way Estate. The estate is enclosed by East End Road to the east, the North Circular along the southern side, Amberden Road to the west and the Sternberg Centre to the north.

The estate consists of a central spine road that connects East End Road with Amberden Road. The residential development to the north of the site consists predominantly of three storey residential apartment blocks, while to the south of this estate road, the predominant form of development comprises of terrace two storey dwelling houses. The pattern of development follows a primarily linear form following the path of this road.

The proposed development location is situated close to the northern perimeter of the site, close to the junction with the Sternberg Centre. The site constitutes the enclosure of the existing parking and garage courtyard and infills a gap in the of development that runs along the boundary with the Sternberg Centre.

The car park and the garage block are accessed from the main estate road a short distance to the west. There is also an electricity substation and a caretaker's office within the site.

Land levels through the site change markedly and rise in a direction from southeast to north west and to some extent from the southwest to the northeast. The boundary with the Sternberg Centre consists of a group of mature trees, which are subject to a Tree Preservation Order. Part of the boundary between both sites is also listed. The

Car parking is provided for 14 cars in a surface car park as well as the provision of 10 garages. The site has a PTAL 1b rating which constitutes poor access to passenger transport.

2. Site history

C13088 - Conditional planning permission granted for the conversion of two disused first floor laundry rooms to form 2 one bed flats, replace flat roof with pitched roof and alterations to elevations (14.01.1998)

C13088A - Conditional planning permission granted for the replacement of existing windows with UPVC windows (08.05.2008).

F/05871/13 - Conditional planning permission granted for the conversion of existing garages into a caretaker's office (14.02.2014)

3. Proposal

Planning permission is sought for the demolition of the existing garages block, caretaker's office and the erection of a four storey block of 14 self contained flats, the enclosure of the existing substation and the laying out of a new surface car park of 32 spaces including 2 disabled parking spaces.

The proposed accommodation comprises 12 x 2 bedroom, 3-person units and 2 x 2 bedroom, 3 person wheelchair flats designed to standard M4(3). All of the proposed units are designed to be dual aspect and will meet or exceed the London Plan minimum space standards.

Each of the units would be provided with a private balcony on the upper floors or a private terrace on the ground floor. Screens have been added to on some balconies to prevent opportunities for overlooking to the adjacent blocks.

The area of car parking will be re-organised and extended to provide a total of 32 car parking spaces. Cycle storage for new residents will be provided on the ground floor of the proposed building. There would be space for 28 cycles.

The existing substation will be rehoused in a permanent structure and will remain in its current position and access will be maintained to the structure at all times from the car park. Refuse and recycling storage for existing residents is to be re-provided in purpose built collection points arranged around the car parking area. Refuse and recycling storage for new residents will be provided within the ground floor level of the new building and will benefit from level access.

In order to implement the proposed development, it is proposed to remove one un-designated tree. Two trees subject to a Tree Preservation Order would be pruned but would be retained.

4. Public consultation

Consultation letters were sent to 223 neighbouring properties.
5 responses have been received comprising 5 letters of objection.

The comments received can be summarised as follows:

- o The site boundary lies within 7m of the proposed building line which would infringe the separation requirements set out in the Residential Design Guidance.
- o There is a planning application being considered by the London Borough of Barnet for a new boundary treatment which may be compromised by the proposed development.
- o The proposed car parking is considered to be inadequate.
- o The proposed development threatens the peaceful character and nature of the area
- o Where will parking take place during the course of construction.
- o The proposed car park area increases the area of developed land surrounded by the existing buildings which would detract from the character and appearance of the area.
- o There is likely to be asbestos within the garages and an appropriate prevention and mitigation strategy should be provided to ensure that no harmful contamination takes place.
- o The proposed development is likely to reduce the light that the estate receives.
- o The woods behind the garages is a habitat to a wide range of wildlife which may be lost.
- o The proposed development may make the car parking area harder to reach and to use for people of limited mobility.
- o Construction traffic will pass very close to people's windows
- o Traffic flow in the area would be significantly increased.

- o The addition of a larger building may affect the local micro climate.

Highways - No objection subject to conditions

Environmental Health - No objection subject to conditions

Capita Drainage - Objections raised

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 2015

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 2050. 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, CS9, CS10, CS11, CS15

- Relevant Development Management Policies: DM01, DM02, DM04, DM08, 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.

Policy DM04 states that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted. Mitigation of noise impacts through design, layout, and insulation will be expected where appropriate.

Policy DM17 states that the council will ensure that the safety of all road users is taken into account when considering development proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users. The council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be:

- i. 2 to 1.5 spaces per unit for detached and semi detached houses and flats (4 or more bedrooms);
 - ii. 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and
 - iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom).
2. Residential development may be acceptable:
- i. with limited or no parking outside a Controlled Parking Zone (CPZ) but only where it can be demonstrated through a survey that there is sufficient on street parking capacity.
 - ii. with limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the applicant will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

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 the principle of the development is acceptable
- 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.
- Whether the proposals would provide an acceptable level of amenity for future residents
- Whether the proposals would have an acceptable impact on highway and pedestrian safety
- Whether the proposals would have an acceptable impact on security in the vicinity of the site
- Whether the proposals would make adequate provision for drainage
- Sustainability Issues

Whether the Principle of the Development is Acceptable

Planning permission is sought for the erection of a four storey building to provide fourteen flats enclosing a parking area on its northern side. The proposed development would comprise of twelve, two bed flats and two, two bed wheelchair flats. The development

would be for the benefit of Barnet Homes and all fourteen units would be provided as affordable housing utilising an affordable rent product.

The National Planning Policy Framework promotes a presumption in favour of sustainable development requiring local authorities to permit development which accords with the development plan. A fundamental principle of achieving sustainable development, is the ability of a developer to provide housing, which is affordable and which meets local identified need on a previously developed site.

Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision. Policy DM10 (Affordable housing contributions) seeks the maximum reasonable amount of affordable housing to be provided on all new sites that provide 10 or more units, having regard to the Borough wide target for 40% affordable housing provision.

The site to which this application relates is considered to be previously developed land given that the development is to be carried out within the curtilage of an already existing residential development on an area of hardstanding. Furthermore, the all the proposed units are for affordable rent, exceeding the policy requirement for 40% on site affordable housing and exceeding the policy target for 60% of affordable housing to be social or affordable rent. The affordable rent level proposed for these units is 65% of the local market rent level which is lower than the 80% market rent threshold as defined in national planning policy. The units are therefore more affordable for future occupiers and will make a more significant contribution to a mixed and balanced community.

The recommendation for planning permission would be subject to a planning condition which would secure the units within the proposed development for the purposes of being affordable housing on an affordable rent product basis.

It is considered that the proposed development would provide a compelling factor in the planning balance when the evaluation of all the material considerations is undertaken.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

Policy DM01 (Protecting Barnet's Character and amenity) states that proposals should preserve or enhance local character and should respect the appearance, scale, height and pattern of the surrounding area.

The existing estate is characterised by two distinct parts which are separated by the central estate road. The buildings to the north of this road principally consist of large conjoined residential apartment blocks which wrap around formal parking areas. Given the changes in land levels across the estate, some elevations consist of a significant area of brick between ground level to ground floor windows which emphasises the size and scale of these blocks.

The proposed development provides one building of similar massing, design and roof profile which would fully enclose the courtyard which is currently enclosed on three sides. In the context of the site and its surroundings, the proposed building would correspond with the gradient change and step up from southwest to northeast providing continuity in the building form.

The proposed building depth would be similar to existing blocks within the estate, would follow an established building line and would retain a similar separation between the rear elevation to the boundary with the Sternberg Centre to the rear. As such, it is considered that the proposed development would be consistent with the pre-existing built form in the estate. Furthermore, it would be largely obscured from Basing Way (the central estate route) by existing blocks to the south and as such would not be harmful to the wider streetscene and estate character.

The demolition of the existing garage block and the removal of the means of enclosure around the existing car park would allow for a more spacious character between the three existing blocks and the additional block. The scheme provides an opportunity to provide additional landscaping within the parking courtyard that would ameliorate the visual impact that the proposed development might generate. In addition, the proposed development gives rise to an opportunity to fully enclose the existing substation which would improve its appearance and would reduce any visual impact that this structure may have.

Although the site is not located in a conservation area, the adjoining site to the northwest, incorporating Manor House within the Sternberg Centre is a listed building. The boundary around the site is therefore part of the listed curtilage. This runs along the northwestern side of the Basing Way estate and has part collapsed. A mesh fence also runs along this boundary closer to the Basing Way estate. A planning application (16/2455/FUL) and a Listed Building Consent (16/2456/LBC) have been submitted to the London Borough of Barnet for their restoration. It is considered that the proposed development would not affect the setting, interest or value of this heritage asset.

On this basis, the proposed development is considered to be acceptable to the character and appearance of the immediate surroundings and would not harm or detract from the visual amenity of the area.

Whether Harm Would be Caused to the Living Conditions of Neighbouring Residents

The design and layout of the proposed building has been developed to have regard to the amenity of the existing occupiers of the adjoining blocks.

The proposed development is situated over 40m away from the facing elevation of the block to the southeast and as a result, it is considered that there would not be any harm to privacy arising from overlooking for these blocks at 134 - 156 Basing Way. However, the blocks that lie perpendicular to the proposal at 110 - 132 Basing Way and 158 - 180 Basing Way would be affected particularly closer to the proposed development. Proposed balconies would therefore be fitted with side screens to prevent overlooking to these residents. Any windows to the flank elevation would be obscured glazed.

In respect of daylight and sunlight, the most affected blocks are 170 - 192 to the southwest and 98 - 120 to the northeast. The application has been supported by a daylight and sunlight assessment which has been carried out in accordance with the Building Research Establishment (BRE) guidelines for daylight and sunlight in site layout planning and development. The assessment has reviewed the likely impact on daylight using the Vertical Sky Component which suggests that this should not be any less than 27%. These daylight levels have mainly been achieved. However, where there is not the case, this is mitigated by the fact that affected windows are either not habitable rooms or are the secondary windows to rooms where a window meets the assessment standards. Given the

position and orientation of the development it would not be required to undertake an assessment for loss of sunlight to the proposed development.

The existing car park is surrounded by an area of green space which to some extent serves as a grassed amenity area around the car park. The proposed development would significantly reduce this amenity. However, the application brings forward an area of newly landscaped communal amenity to the rear of the new development. In addition, an opportunity exists to provide new compensatory landscaping elsewhere in the Basing Way estate within future development schemes.

New tree planting will be provided within the scheme and the new car parking area will be surrounded by planting to ensure that the visual amenity is ameliorated.

The scheme proposes the enclosure of the existing substation which would be retained in situ. The enclosure of this facility would reduce the level of impact on existing adjoining buildings in relation to noise and electro magnetic current. As a result, this should be seen to be a planning benefit in this context.

An objection has been raised against the proximity of the proposed development to the boundary of the site on the basis that the rear elevation would be less than 10.5m from the rear boundary. Although it is acknowledged that the site is less than 10.5m from the shared boundary, it is not relevant to subject the proposal to this test on the basis that this elevation would not give rise to an impact on adjoining residential properties and there is a robust and obscure screen between the sites.

Whether the Proposals Would Provide an Acceptable Level of Amenity for Future Residents

Each of the proposed fourteen new residential units exceed the standards for internal floorspace set out in the London Plan (as modified in March 2016). Each two bed, three person unit would have an internal floor area of 62sq.m while the two wheelchair units on the ground floor would have a floor area of 73sq.m which is greater than the standard of 61sq.m set out in the London Plan (MALP 2016).

Each unit benefits from either a private balcony facing southeast at the first to third floors. Each of the two ground floor units have a screened private garden area. All occupants would benefit from communal open space situated to the rear of the building.

All units would be dual aspect with living rooms, kitchens and dining rooms facing southeast and would therefore be in receipt of daylight. Bedrooms would face towards the northern boundary of the site and the Sternberg Centre which is considered to be acceptable given the lesser demand for daylight and sunlight within these rooms. No primary room windows would need to be obscure glazed.

A daylight and sunlight assessment has been provided with the application which considers the average daylight factor and daylight distribution for each room based on the BRE Guidelines for sunlight and daylight in respect of site layout planning. The site is constrained by the dense tree planting situated on the boundary to the Steinberg Centre to the northwest and the substation to the front of the block some of which is subject to Tree Preservation Orders. In addition, there is a substation to the front of the property which would be retained in situ. As such, these two factors are considerations in respect of the ability of proposed units to receive an acceptable standard of daylight and sunlight. However, it should be noted that the planning application 16/2455/FUL proposes that six

trees would be felled close to the mutual boundary between the site and the Sternberg Centre including two substantial trees directly to the rear of the proposed footprint. Nevertheless, this application is still pending consideration and is only a material consideration of minor weight in the overall planning balance. However, irrespective of the proposed development's siting and layout, the submitted daylight and sunlight assessment demonstrates full compliance for every window in respect of the BRE guidelines set out above.

The proposed development retains a substation which would be within 7m of the nearest residential units. Industry standards suggest that this separation distance should be at least 10m. However, suitable mitigation measures would assist in preventing harm to amenity or health. A planning condition will be imposed on the planning permission to require the provision of information to demonstrate that the substation would not give rise to any harm in respect of the noise impact. Furthermore, the Environmental Health officer has recommended that a condition should be imposed on the planning permission to require the submission of a report for Local Planning Authority Approval in respect of the electromagnetic radiation impacts and the implementation or introduction of necessary mitigation measures if necessary. Furthermore, the Environmental Health officer recommends the undertaking of a ground investigation report in relation to contamination.

Whether the Proposals Would Have an Acceptable Impact on Highway and Pedestrian Safety

Policy DM17 states that for one and two bedroom units, parking should be provided at a ratio of up to 1 space per unit. This would result in the need to provide twelve car parking spaces for the development. The provision of two wheelchair units would also require the provision of two disabled car parking spaces which are provided adjacent to the proposed development and have step free access to the units which they serve.

The applicant has advised that the 10 existing garages on the site are not suitable for the parking of modern cars and access to them when situated within the garage. There is no restriction on the way that garages which have been let to residents can be used and as a result, Barnet Homes has assumed that some garages may not be used for the purposes of car parking. Furthermore, of these 10 garages, four are being used for the purposes of storage by Barnet Homes. Eighteen car parking spaces are being provided expressly for the new development with the remaining parking being compensatory parking for the 15 existing parking spaces within the development.

The applicants have also commissioned a parking survey which took place on the 23 - 24 February (during school term) in accordance with policy DM17 and established methodology which has determined that the parking stress does not exceed 83% and is therefore acceptable to accommodate any overspill parking that may occur.

Information provided with the application demonstrates that refuse and emergency vehicles would satisfactorily access the proposed development and service the existing properties within this part of the estate.

Whether the Proposals Would Make Adequate Provision for Sustainable Drainage and Flood Risk Alleviation

The site is highly vulnerable development. However, it is located in a Flood Risk Zone 1 area and is therefore appropriately sited to eradicate risks of flooding to residents living on the ground floor of the proposed development.

As the application is for a major development (of 10 or more units), a Sustainable urban drainage system would be required in compliance with the Government's Written Ministerial Statement of 18 December 2014, policies 5.13 and 5.14 of the London Plan and policy CS13 of the Local Plan Core Strategy (2012).

The application has provided water storage of approximately 400litres within the rear garden. The Council's drainage consultee has requested that additional rainwater storage should be provided. In addition, a detailed strategy for surface water run off should also be provided within the planning application. The recommendation for planning permission set out in this report will therefore also include conditions which require the provision of further information, prior to the commencement of development.

Sustainability

The applicant's energy strategy has demonstrated that the proposed development would result in a decrease of over 35% in respect of Carbon Dioxide above and beyond the 2013 building regulations. The substantial part of the proposed saving arises from the use of photovoltaics at roof level. No details of the photovoltaics at roof level are provided on the submitted proposed roof plan and a condition would be required for detailed drawing showing the position and orientation of this provision.

Changes to the accessibility standards which replace Lifetime Homes, which were introduced in 2015 now require developments to provide step free access to dwellings. Where these entrances are above the ground level access, these should then be provided with a lift to provide access. In this case, two flats at the ground floor would be M4(3) compliant while the twelve flats at the 1st, 2nd and 3rd floor level would not be M4(2) or M4(3) compliant. The London Plan states in policy 3.8 that where it can be demonstrated that the provision of a lift may cause practical difficulties, have implications for the viability of schemes or the affordability of service charges, the scheme can fall back to the implementation of standard M4(1). Given that the proposed development would need to provide a lift which would undermine the objective of delivering 100% affordable housing, affordable to tenants who are nominees from the London Borough of Barnet, it is considered that that policy 3.8 of the London Plan supports the provision of units complying with standard M4(1).

The planning statement confirms that the proposed development would accord with the London Plan Standard in relation to water usage per occupant.

Trees and Landscaping

An arboricultural impact assessment as well as a landscaping plan and strategy have been provided to support this planning application. The application is supported by a tree constraints plan which identifies two trees of Category B (moderate quality) just beyond the rear boundary with a canopy overhanging the site. Each of these trees are approximately 14m - 15m in height and have a canopy radius of approximately 7m. The report suggests that no work would be carried out to these trees to facilitate development. Tree protection measures would be implemented to ensure that construction would not conflict with the viability and vigour of these trees. The report does however, suggest that some reduction may be required to the southeastern crowns to retain suitable building clearance. However, it is considered that this would not be harmful to these trees which are not subject to protections because of their amenity value and are not highly prominent in the public realm. A third tree within the site area is recommended for removal on the

basis that it is of poor quality and has a high risk of tree failure. It is considered that the trees situated within the Sternberg Centre, subject to a Tree Preservation Order would not be affected by the proposed development.

The application proposes a number of replacement trees within the development, and these are identified to be located within a landscaping strip in the new car park. Notwithstanding this proposed landscape plan which is considered to be largely indicative, recommendation for planning permission should be supported by a new condition requiring details of landscaping including species of planting and new trees where appropriate.

CIL

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail.

The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sq.m on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sq.m.

However, as the development is for social housing floorspace, the CiL regulations (2010) exempt such development from being liable.

Response to Public Consultation

Concerns have been raised in relation to the impacts on amenity arising out of the construction process. This includes the introduction of new vehicles, plant and structures associated with the process of development, the impact of noise, the loss of privacy and damage that may be caused to buildings by development. The recommendation for planning permission is supported by a condition requiring a Method of Construction Statement.

An objection has been raised in relation to the impact of the proposed development on wildlife. The application has been supported by an ecological impact assessment. A habitats survey was carried out in relation to the habitat potential of the existing buildings within the site and also what potential was sustained by the natural landscape at the rear of the site and the potential for the site to act as a corridor to and from known habitats in the wider area.

The survey has established that the area of woodland beyond the boundary has been designated as priority deciduous woodland habitat which acts as a natural buffer between sites and should be retained and protected throughout development. The Tree Protection Plan would secure this. There are bat habitats in the wider area beyond the site, however, the survey has established that there is negligible bat roosting potential within the site, although the woodland beyond the site boundary may have potential for commuting, foraging or roosting bats. Therefore any lighting should not be directed towards the woodland. No potential for fauna was established within the site and it is concluded that the site would not accommodate this. As such, subject to an appropriate control of lighting, there would not be any impact on known ecology. Nevertheless, a range of recommendations are outlined to protect some species of flora and fauna. The report also

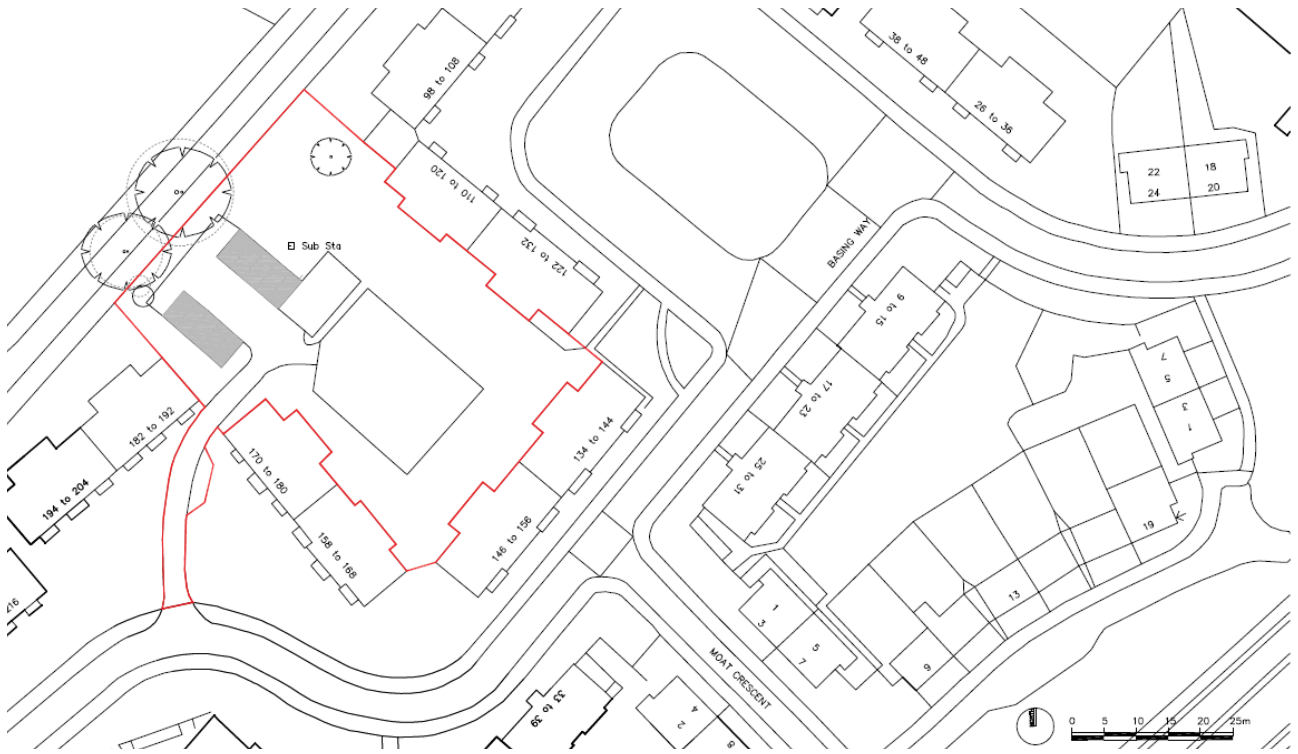
sets out a list of recommendations for habitat enhancement to improve the future biodiversity potential of the site.

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.

Conclusion

Having taken all material considerations into account, it is considered that the new application satisfactorily addresses the previous reasons for refusal and is therefore considered subject to recommended conditions to comply with the Adopted Barnet Local Plan, London Plan and National Planning Policy Framework policies. This application is therefore recommend for approval.



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Location **Elmshurst Crescent Garages Land Adjacent To 90-100 Elmshurst Crescent And 35 Pulham Avenue London N2 0LR** **AGENDA ITEM 7**

Reference: **16/3252/FUL** Received: 17th May 2016
Accepted: 20th May 2016
Ward: East Finchley Expiry 19th August 2016

Applicant:

Proposal: Demolition of existing garages and redevelopment to provide a 3 storey building comprising of 11no. self-contained flats and 2no. two-storey semi-detached dwellinghouses for affordable rent with associated access, amenity space, landscaping, car parking, cycle and refuse storage.

Recommendation: Approve subject to conditions

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

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

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

15-290-02 D02-001 Rev A; 15-290-02 D02-002 Rev A; 15-290-02 D02-010 Rev A; 15-290-02 D02-011 Rev A; 15-290-02 D02-050 Rev A; 15-290-02 D02-100 Rev A; 15-290-02 D02-101 Rev A; ; 15-290-02 D02-102 Rev A; ; 15-290-02 D02-103 Rev A; ; 15-290-02 D02-104 Rev A; 15-290-02 D02-200 Rev A; 15-290-02 D02-201 Rev A; 15-290-02 D02-202 Rev A; 15-290-02 D01-300 Rev A; 15-290-02 15-290-02 D01-500; Design and access statement (BPTW); Ecological Assessment (AGB Environmental); Land contamination assessment (AGB Environmental); Statement of Community Involvement (BPTW); Sunlight/daylight and overshadowing assessment (HTA); Sustainability Statement with energy statement (BBS Environmental); Transport Statement with parking survey (Campbell Reith); Tree survey/Arboricultural impact assessment method statement (AGB Environmental); Utilities - site investigation report (Premier Energy Services); Drainage Strategy (7 Engineering Consultancy).

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).

- 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 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).

- 5 Prior to the commencement of development, details of the proposed fenestration including details of materials, glazing bars and frames and reveal depths shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed with the approved details.

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.

- 6 Details of rainwater goods, soil and vent pipes, fixtures and fittings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of the development. The development hereby approved shall be carried out in accordance with the approved details.

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.

- 7 Notwithstanding the approved plans and elevations, prior to the commencement of development, a proposed roof plan shall be provided indicating the design and

position of the proposed photovoltaic panels to be installed on the roof surface of the proposed development. The development shall be constructed in accordance with these approved details and be retained permanently thereafter.

Reason: To ensure that the proposed development contributes to sustainable development and to ensure that the design and appearance of the proposed PV array does not harm the character and appearance of the building and the wider area to ensure that the development 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 Refuse and recyclables storage shall be provided and made ready for use prior to the first occupation of the proposed development and shall be retained permanently 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 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).

- 9 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).

- 10 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.

- 11 The development shall be carried out in accordance with the details, recommendations and measures of the submitted Tree Survey/Arboricultural Impact Assessment and Method Statement (AGB Environmental)

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.

- 12 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan (2015).

- 13 a) No site works (including any temporary enabling works, site clearance and demolition) or development shall be commenced until details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.

c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2011.

- 14 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35% in carbon dioxide emissions when

compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies 5.2 and 5.3 of the London Plan (2015)

- 15 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent, one unit at ground floor level only shall all have been constructed to meet and achieve all the relevant criteria of Part M4(3) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The two semi detached dwelling houses shall have been constructed to meet the relevant criteria of Part M4(2) of Schedule 1 of the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future).. The development shall be maintained as such in perpetuity thereafter. All other units shall be constructed in accordance with M4(1) of the Building Regulations.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8, 7.2 and 7.6 of the London Plan (2015) and policies DM02 and DM03 of the Barnet Development Management Policies document (2012)."

- 16 The proposed development of 13 new residential units shall be provided and retained in use as units of affordable housing in perpetuity in accordance with the Planning Statement (BPTW: May 2016). In accordance with the approved planning statement, these units shall be provided as affordable rent with a rent level of 65% for the purposes of accommodating residents of the Borough through a nominations process.

Reason: To ensure that the proposed development of affordable housing is permanently retained for the benefit of residents of the Borough in order to meet the the housing needs of the London Borough of Barnet and to comply with policies DM01, DM08 and DM10 of the London Borough of Barnet Local Plan Development Management Policies DPD (2012).

- 17 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

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

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

18 a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.

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

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2015.

19 Before the development hereby permitted is occupied the car parking spaces as shown on Drawing No. 15-290 D02.50 Rev. A shall be provided and shall not be

used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 20 Before the development hereby permitted is occupied cycle parking spaces as per the submitted planning application shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 21 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

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

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

- 22 Details of refuse collection must be submitted to and approved in writing by the Local Planning Authority. Refuse collection points should be located within 10 metres of the Public Highway, at ground floor level, otherwise, the development access needs to be designed and constructed to allow refuse vehicles to access the site and turn around within the site, including access road construction to adoptable standards.

Reason: To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

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

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 24 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 any elevation at first floor level.

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).

- 25 The surface water drainage strategy shall use SuDS to manage peak surface water runoff rates in accordance with S2 and S3 of the Non-Statutory Technical Standards for Sustainable Drainage Systems

Reason: To ensure that surface water run off is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost effective to operate and maintain over the design life of the development in accordance with policy CS13 of the Barnet Local Plan Core Strategy, Policies 5.13 and 5.14 of the London Plan , and changes to the SuDS planning policy in force 6 April 2015.

- 26 The surface water drainage strategy for the site must be accompanied by evidence of an Adopting Authority accepting responsibility for the safe operation and maintenance of SuDS within the development. The Adopting Authority must demonstrate that sufficient funds have been set aside and / or sufficient funds can be raised to cover operation and maintenance costs throughout the lifespan of the development. The Adopting Authority shall be responsible for satisfying themselves of the suitability of the adopted SuDS prior to adoption, and shall keep records of operation and maintenance activities, for possible inspection by the Council.

Reason: To ensure that the surface water drainage system and SuDS are constructed appropriately and are adopted by an Adopting Authority responsible for the safe operation and maintenance of the system throughout the lifetime of the development. Appropriate construction of SuDS should take into consideration S13 of the Non-statutory Technical Standards for Sustainable Drainage Systems.

- 27 Prior to the commencement of the development, details showing the preparation of the ground for the creation of new soft landscaping, amenity areas and tree planting shall be submitted to and approved in writing to the Local Planning Authority. These details shall indicate how the land levels shall be re-made to ensure that the new grassed areas and replacement tree planting can thrive and mature including root development and penetration to moisture within the soil.

Reason: To ensure that replacement planting and landscaping constitutes a permanent feature within the streetscene and to enhance the character of the area 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.

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.

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.

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 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

- 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.

- 6 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, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.

- 7 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 8 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 30dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

- 9 The applicant is advised that legal changes under The Water Industry (Scheme for the Adoption of Private Sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes, we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/near-to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit www.thameswater.co.uk.
- 10 The applicant is advised that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should

be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

- 11 The applicant is advised that it is their responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0800 009 3921. The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.
- 12 Informative: If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

Informative: The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

Informative: Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Informative: The applicant is advised that for construction works adjacent or affecting the public highways, the council's First Contact should be contacted on 0208 359 2000 for any necessary Highways Licenses or any highway approvals deemed necessary.

Informative: The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Informative: Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

Informative: The applicant is advised that any works required on public highway to facilitate the development will require a separate agreement with the Highways Authority under S184 or S278 of the Highways Act 1980.

Officer's Assessment

Officer's Assessment

1. Site description

The application site is located at the junction of Elmshurst Crescent and Pulham Avenue, within an established housing estate in East Finchley. The estate is accessed from East End Road to the north. The area is predominantly residential in character however, there is a school situated to the west of the housing estate and there are two care homes for the elderly and the infirm to the north. Land levels change substantially across the site, particularly to the south and east.

The estate is not located in a conservation area and the site is not located within the setting of any listed buildings or locally listed buildings. The character of the area beyond the site consists of a mixture of semi detached dwellings within generous and mature gardens. There are also a large number of three storey flatted residential blocks along East End Road. Elmshurst Crescent and Pulham Avenue features a mixture of large, visually dominant three blocks. These are mainly situated along the eastern and southern side of Elmshurst Crescent.

The western side of Elmshurst Crescent and the northern side of Pulham Avenue features two storey terraced dwelling houses while the southern side of Pulham Avenue comprises a terrace of bungalows. Situated sporadically around the estate are a number of garage blocks although residents' car parking primarily takes place on street. Some terraced properties particularly in Pulham Avenue have front forecourt off street parking.

The application site is situated at the junction of Pulham Avenue and Elmshurst Crescent and the land within this site is currently occupied by a garage block comprising 13 garages. To the southwest of this garage block is a grassed amenity area containing two substantial mature trees. To the immediate south of the red line application site is a three storey block and another garage block accessible from Elmshurst Crescent.

The site has a PTAL 1a rating which constitutes very poor access to passenger transport.

2. Site history

There is no relevant planning history for the site

3. Proposal

Planning permission is sought for the demolition of the existing garage block and the erection of a three storey flat block comprising 11 flats fronting on to Elmshurst Crescent and two, two bed houses fronting onto Pulham Avenue. The application also proposes the demolition of a further garage block to the south between the two blocks at 54 - 64 Elmshurst Crescent and 90 - 100 Elmshurst Crescent where a new area of open space will be provided and laid out.

The principal development forming 11 self contained flats would be constructed from red/brown brick and would address the street through street facing gable ends on the north and west elevations. A street facing gable end would bookend each end of the development as it turns the corner from Pulham Avenue into Elmshurst Crescent. While a ridge roof would be present and visible from Pulham Avenue, a flat roof would separate

the gable ends in Elmshurst Crescent. External amenity space will be provided by way of recessed balconies at the corners of the building and within the Elmshurst Crescent façade. At ground floor, units would have private enclosed terraces with a communal garden to the rear. Each property would be a two bed, four person flat, with the exception of a 2 bed three person wheelchair unit on the ground floor.

In order to transition successfully from the three storey massing to the single storey bungalows, the scheme also proposes the erection of a pair of two bedroom four person semi detached dwellings with private garden on Pulham Avenue.

24 garages would be demolished to make way for the proposed development and for the compensatory open space provision. In lieu of this loss of car parking, the proposed development would provide 31 new car parking spaces including some orientated parallel to the highway in Elmshurst Crescent with the rest laid out perpendicular to the street.

The scheme would result in the removal of the group of mature trees at the corner of Elmshurst Crescent and Pulham Avenue.

4. Public consultation

Consultation letters were sent to 262 neighbouring properties.

10 responses have been received 8 letters of objection and two additional representations

The objections and comments received can be summarised as follows:

- o The development will have an adverse impact on a pre-existing difficult parking situation with cars already parking on pavements.
- o The estate already accommodates 180 households and does not require any more accommodation.
- o More parking and open space would be required rather than new development.
- o Loss of established mature trees
- o Replacement planting would take too long to mature.
- o Loss of garage parking which is able to accommodate car parking.
- o The development results in a loss of tenant and communal facilities such as garages. The nearest other garages are too far away and too expensive.
- o The scheme had not considered adequately the extent of the impact on 90 - 100 Elmshurst Crescent.
- o There would be an unacceptable impact on the level of light being able to enter that block. The block would also be overlooked and overshadowed.
- o There would be a reduction in the availability of open space for residents in the wider estate.
- o The development would be too big.
- o It would have an impact on the character and appearance of the wider area.
- o The plans do not interpret correctly the changes in levels between blocks.
- o The plans are unclear with respect to the provision of new amenity areas.
- o The scheme results in overdevelopment
- o Any new mansion block should respect the existing buildings.
- o The proposed development should respect covenant obligations.
- o Documentation submitted with the application fails to consider the impacts of the proposed development on 29 and 30 Pulham Avenue.
- o Occupants in balconies would have a clear line of sight into the windows of 29 - 30 Pulham Avenue.
- o The development would have poor drainage

- o The scheme would harm daylight and sunlight and would contravene the right to light set out in the Prescriptions Act 1832.
- o A better location for the proposed development would be the southern garage block.
- o The trees form the dominant streetscene feature at the corner and not the garages and the loss of the trees is more harmful than the loss of the garages.
- o The area which is currently used as an amenity space for play and picnics.
- o The replacement trees will not survive.
- o The trip generation statistics are not considered to be realistic.
- o There is unmet parking demand in the area.
- o The parking stress survey is not sufficiently detailed and was carried out at the wrong time of the week.
- o There are general inaccuracies in the various documents.
Pulham Avenue provides vehicular access for a school which may be compromised during the construction period.

Highways - No objection subject to conditions

Environmental Health - No objection subject to conditions

Drainage - Objections raised

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 2015

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 2050. 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, CS9, CS10, CS11, CS15
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, 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.

Policy DM04 states that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted. Mitigation of noise impacts through design, layout, and insulation will be expected where appropriate.

Policy DM17 states that the council will ensure that the safety of all road users is taken into account when considering development proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users. The council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be:

- 2 to 1.5 spaces per unit for detached and semi detached houses and flats (4 or more bedrooms);
- 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and
- 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom).

2. Residential development may be acceptable:

- with limited or no parking outside a Controlled Parking Zone (CPZ) but only where it can be demonstrated through a survey that there is sufficient on street parking capacity.
- with limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the applicant will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

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 the principle of the development is acceptable
- 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.
- Whether the proposals would provide an acceptable level of amenity for future residents
- Whether the proposals would have an acceptable impact on highway and pedestrian safety
- Whether the proposals would have an acceptable impact on security in the vicinity of the site
- Whether the proposals would make adequate provision for drainage
- Sustainability Issues

Whether the principle of the development is acceptable:

Planning permission is sought for the erection of a three storey block to provide 11 self contained flats and the erection of a pair of two storey semi detached dwellings on land at the junction of Elmshurst Crescent and Pulham Avenue. The proposed development would comprise of two bed four person units as well as a wheelchair units. The development would be for the benefit of Barnet Homes and all 13 units would be provided as affordable housing utilising an affordable rent product.

The National Planning Policy Framework promotes a presumption in favour of sustainable development requiring local authorities to permit development which accords with the development plan. A fundamental principle of achieving sustainable development, is the ability of a developer to provide housing, which is affordable and which meets local identified need on a previously developed site.

Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision. Policy DM10 (Affordable housing contributions) seeks the maximum reasonable amount of affordable housing to be provided on all new sites that provide 10 or more units, having regard to the Borough wide target for 40% affordable housing provision.

The proposal is partly located on previously developed land given that the scheme would result in the loss of an existing garage block at the site. The development would also be located on a grassed amenity area which accommodates mature trees. As a result, the use of the garage block for redevelopment would be acceptable. However, the loss of open space would nominally be contrary to the Development Plan which seeks to protect open space unless, this can be re-provided with equivalent quantity, quality and function in the locality. The application proposes to re-provide this amenity space immediately to the southeast, following the demolition of a second garage block. It is considered that the new area is of equivalent function and quantity. Considerations pertaining to open space, landscaping and planting will be considered in more detail below.

Both the London Plan (2016) and the Housing SPG (2016) emphasise the necessity to deliver more housing across London as a whole. The SPG states that London urgently requires more affordable homes that meet the needs of people on a range of incomes all built to a decent standard. At the same time the SPG states that Boroughs must assess

the impacts of policy on the deliverability of sites. Such sites can be delivered in a number of ways. One of these is the release of surplus public sector land for housing development which to some extent is proposed within this planning application for this site.

Ultimately, the London Plan requires sites to be optimised for their ability to deliver new housing without unduly harming character and amenity and carrying out this development in a sustainable way to demonstrate compliance with the core principles of the NPPF. As such, the impact on amenity and character are essential concerns and considerations, however the scarcity of truly affordable housing being delivered is an overriding planning consideration in the planning balance.

All the proposed units are for affordable rent, exceeding the policy requirement for 40% on site affordable housing and exceeding the policy target for 60% of affordable housing to be social or affordable rent. The affordable rent level proposed for these units is 65% of the local market rent level which is lower than the 80% market rent threshold as defined in national planning policy. The units are therefore more affordable for future occupiers and will make a more significant contribution to a mixed and balanced community.

The recommendation for planning permission would be subject to a planning condition which would secure the units within the proposed development for the purposes of being affordable housing on an affordable rent product basis.

It is considered that the proposed development would provide a compelling factor in the planning balance when the evaluation of all the material considerations is undertaken.

The density of development within the scheme is 31 units per hectare or 93 habitable rooms per hectare. Both measurements are below the relevant range on the density matrix set out in the London Plan. To some extent this recognises the changes to the housing standards which as well as reflecting the character of Elmshurst Crescent and Pulham Avenue estate which combines qualities of spaciousness and a wide variety of building forms. However, more importantly it recognises that the preservation of existing residents' amenity.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality:

Policy DM01 (Protecting Barnet's Character and amenity) states that proposals should preserve or enhance local character and should respect the appearance, scale, height and pattern of the surrounding area.

The existing estate encompasses a large of land to the southwest of East End Road comprising entirely of residential use. The estate is essentially divided into two parts with Pulham Avenue to the north comprising of terraced two storey dwellings and Elmshurst Crescent to the centre and south predominantly comprising of large visually imposing blocks of flats set within green amenity space areas. The marked gradient changes particularly within Elmshurst Crescent amplify the bulk and massing of these blocks particularly to the southeast of the estate.

It is within this transitional context that the proposed development is located with two storey dwellings to the west and north, bungalows to the east and apartment blocks to the south. As such the proposed development would respond to the character of the area. The erection of a three storey block would respect the character and form of existing buildings within the estate.

When viewed from the junction of Elmshurst Crescent and Pulham Avenue, the proposed development would step down, taking advantage of the land level change along the side return into Elmshurst Crescent. The use of a flat roof section rather than a continuation of a ridge would avoid the development appearing too dominant within the streetscene, given that unlike other neighbouring buildings, the proposed development would not be set back considerably from the edge of pavement. This allows the ridge and gable end to be set down in height to accord with the gradient. When viewed from Pulham Avenue, the proposed development would step up from bungalows in gentle progressive fashion towards the junction with Pulham Avenue. Although the building largely occupies a square footprint, the design and form of the building allows it to be read as a linear block to some extent. However, it is considered that the proposed development responds both the character of standalone blocks and the terrace properties and the elevation and façade treatment allows this building to achieve this.

The use of inset balconies would introduce a new feature in the area in respect of providing private amenity space. Nevertheless, it is considered that this does not detract at all from the character and appearance of the area.

The proposed semi detached dwelling pair within Pulham Avenue consists of two discreet and modest sized dwellings which provide a sufficient mediation between the bungalows and the increase in size and scale of buildings both proposed in this application and also already in existence in the area.

The proposed development results in the loss of two garage blocks which are in use mainly for storage purposes given that the garages are of narrow width despite them being largely of modern appearance. The removal of the garage blocks permits the development to go ahead in one location as well as the ability to create a compensatory area of open space. This allows the immediate surroundings to retain the spaciousness that is evident around the estate.

On this basis, the proposed development is considered to be acceptable to the character and appearance of the immediate surroundings and would not harm or detract from the visual amenity of the area.

Whether harm would be caused to the living conditions of neighbouring residents:

The design and layout of the proposed building has been developed to have regard to the amenity of the existing occupiers of the adjoining blocks.

It is considered that the proposed pair of semi detached dwellings would by virtue of their orientation, siting and layout in the context of the adjoining series of bungalows would not affect the amenity of the occupiers of the adjoining properties.

Understandably, the proposed development at the corner of Pulham Avenue and Elmshurst Crescent would generate the most significant level of amenity concern for adjoining properties. Scoping the surroundings to the development, it is considered that the most likely affected existing properties would be 78 - 88 Elmshurst Crescent and 90 - 100 Elmshurst Crescent which are flatted blocks to the southeast, 143 - 149 Elmshurst Crescent to the west and 27 - 32 Pulham Avenue to the north.

The impact on 78 - 88 and 90 - 100 Elmshurst Crescent

The first block is located 24m to the rear elevations of the semi detached pair which demonstrates the lack of harm that this part of the development would cause. The proposal is also 27m to the nearest window at the larger flatted block. On this basis, it is considered that the proposed amenity impact would not be significant particularly in respect of loss of privacy through overlooking. The proposed development is situated predominantly to the north of this block and as such, there would not be any impact on sunlight. It is also considered that the distance of separation would also limit the impact on residential amenity to this block.

90 - 100 Elmshurst Crescent is close to the proposed development. It is orientated in such a way that the front elevation of the building which largely faces west to northwest, slants away from the proposed development. As such, it is the northern end of this façade and the entrance projection that would be most affected by the most southerly elevation of the development. This elevation features three windows including one secondary window to a living room and the only windows to each of the two bedrooms of the flats on ground, first, second and third floor level. The closest window is 17 to 18m from the front façade windows of 90 to 100 Elmshurst Crescent. These are the only windows to have any demonstrable impact on the front façade of this proposed development. Nevertheless, the bedroom windows do serve habitable rooms and there is an expectation that at least the principal bedroom should be served with a clear glazed window.

It is undisputable that the anticipated separation between windows is below the standard set out in the Council's Residential Design Guidance SPD. Nevertheless, it is a material consideration that the relationship between buildings elsewhere in this estate is significantly less than 18m. Regard is had to the provisions of the London Plan Housing SPG. Referencing design standards set out in the London Plan Policy 7.6b which requires new development to avoid causing unacceptable harm to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing. An appropriate degree of flexibility should be applied in relation to the use of the BRE guidelines. This should take into account the local circumstances, the need to optimise housing capacity and the scope for the character and form of an area to change over time. The SPG goes on to say that the degree of harm on adjacent properties should be assessed drawing on broadly comparable residential typologies within the area. Finally, it states that the local authorities should recognise that fully optimising the housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm. This proposed development recognises the typology in the area, the existing relationships between buildings and the level of harm that may otherwise occur which should be considered in that context. While the degree of separation is less than that required by the Council's own SPG, it is considered that the harm is not so significant that there would be overwhelming and overriding harm to existing amenity as regards to overlooking and loss of privacy.

The application has been supported by a daylight and sunlight assessment. This has considered the impact on existing and proposed dwellings. The assessment for daylight has utilised the Vertical Sky Component test for the blocks at 78 - 100 Elmshurst Crescent. Modelling has established that the VSC would exceed the standard threshold of 27% in all respect including the ground floor level windows.

In respect of sunlight, the proposed development would be located to the north of these blocks and as a result, the BRE guidelines indicate that this testing cannot be undertaken.

It is considered that the removal of the garage blocks and their replacement with new parking areas, mainly situated adjacent to the roadway would have a neutral impact on residential amenity.

143 - 149 Elmshurst Crescent

These properties are two storey dwelling houses situated to the west of the site. These properties have a front façade 19m away from the front façade of the proposed development. Again this is slightly less than the standard provided for within the SPD. However, given spatial form, character and layout of this estate, it is considered that this relationship would be acceptable. Again, the proposed development should be subject to the similar considerations which relate to the flatted blocks above. In respect of sunlight and daylight, the submitted assessment would also exceed the standards required by the BRE.

27 - 32 Pulham Avenue

The considerations for these properties are largely identical to those which apply to the dwelling houses in Elmshurst Crescent. However, the orientation of these properties requires that the impact of the proposed development on sunlight levels currently enjoyed by these properties. The daylight and sunlight assessment also demonstrates that the sunlight would not be reduced to unacceptable levels.

Open space amenity

The proposed development would result in the removal of a significant area of open space from the public realm as well as a small number of trees of significant height and maturity at the street corner. This space is partly reflective of the character within the streetscene of this estate, particularly in Elmshurst Crescent. This is less characteristic within Pulham Avenue. Nevertheless, the area of open space is of amenity importance and makes a contribution to the area.

However, it is considered that as the proposed development is able to re-provide an area of open space to the south beyond 90 - 100 Elmshurst Crescent, that any loss in this regard is minimal. There is no loss of functionality and it is considered that the replacement is equivalent.

In preparing this area of open space, regard must be had to the fact that this area would replace an area of land that has previously been developed and built on with buildings and a hard surface. Taking this into account, all debris arising from demolition as well as materials from hardstanding should be removed from site and replaced with appropriate soils and natural materials to ensure that this space can thrive as it matures, particularly if it is to accommodate replacement trees to mitigate the loss of those removed from the site.

Whether the proposals would provide an acceptable level of amenity for future residents:

Each of the proposed fourteen new residential units exceed the standards for internal floorspace set out in the London Plan (as modified in March 2016). Each two bed, four person unit would have an internal floor area of either 70sq.m or 71sq.m while the one wheelchair unit on the ground floor would have a floor area of 78sq.m which is greater than the standard of 70sq.m set out in the London Plan (MALP 2016).

Each unit benefits from either a private balcony at the first to third floors. Each of the ground floor units have a screened private garden area. All occupants would benefit from communal open space situated to the rear of the building.

All units would be dual aspect. A daylight and sunlight assessment has been provided with the application which considers the average daylight factor and daylight distribution for each room based on the BRE Guidelines for sunlight and daylight in respect of site layout planning. The submitted daylight and sunlight assessment demonstrates full compliance for every window in respect of the BRE guidelines set out above.

Whether the proposals would have an acceptable impact on highway and pedestrian safety:

Policy DM17 states that for one and two bedroom units, parking should be provided at a ratio of up to 1 space per unit. This would result in the need to provide car parking in the range of 13 - 20 spaces. The provision of a wheelchair unit would also require the provision of a disabled car parking space. The site is located in a PTAL 1b location is very poor in respect of access to passenger transport.

Demolition of two garage blocks would be required to accommodate the development. The existing garage accommodation includes 23 garages, of which 16 are occupied. However, the garage survey has established that this is mostly for residents' storage rather than for the parking of cars. This results in a limited overspill of parking into the highway network. An officer's site visit established that there are significant parking levels within the estate during the course of the working day taking place on street.

Given that the existing garages are too small to accommodate cars, it is assumed that all parking demand is catered for by on street parking within Elmshurst Crescent by way of parallel parking along the kerbside. Based on the linear dimension of a parking space on the proposed plan, there would only currently be space to accommodate 16 cars along the current application site frontage. The revised scheme provides accommodation for 22 vehicles along the kerbside. Nine additional spaces are provided between the development and 90 - 100 Elmshurst Crescent. Therefore for the development to be parking impact neutral, the development would need to provide suitable accommodation for the existing 16 spaces plus available space for at least a further 13 units including one disabled car parking space. The parking programme sets out parking provision for 31 vehicles which is an additional 15 beyond the 16 retained spaces. It is considered that this is acceptable provision. A parking stress survey was carried out during the school term time over two consecutive days at midnight to 1.00am. The surveys established that parking stress of unrestricted parking on street parking was 91% which is high. Nevertheless, the parking provision and the impact on on street parking was considered by the highways officer and it is their view that the proposed parking provision would be acceptable. 26 cycle parking spaces will be provided within the development.

Whether the proposals would make adequate provision for sustainable drainage and flood risk alleviation:

The site is highly vulnerable development. However, it is located in a Flood Risk Zone 1 area and is therefore appropriately sited to eradicate risks of flooding to residents living on the ground floor of the proposed development.

As the application is for a major development (of 10 or more units), a Sustainable urban drainage system would be required in compliance with the Government's Written

Ministerial Statement of 18 December 2014, policies 5.13 and 5.14 of the London Plan and policy CS13 of the Local Plan Core Strategy (2012).

A drainage statement has been provided which has considered the SUDS hierarchy in relation to the control and mitigation of surface water. The strategy has also considered sewerage and storm water run off rates to ensure that surface water flooding is prevented. The hierarchy sets out preferential methods for the storage and or management of surface water. The proposal can only provide mitigation at point four in the hierarchy through storage tanks below ground for limited release. It is considered that this is appropriate given the size and location of the proposed development. Adequate mitigation is provided in respect of the surface, sewer and storm water run off.

Sustainability:

The applicant's energy strategy has demonstrated that the proposed development would result in a decrease of over 35% in respect of Carbon Dioxide above and beyond the 2013 building regulations. The substantial part of the proposed saving arises from the use of photovoltaics at roof level. No details of the photovoltaics at roof level are provided on the submitted proposed roof plan and a condition would be required for detailed drawing showing the position and orientation of this provision.

Changes to the accessibility standards which replace Lifetime Homes, which were introduced in 2015 now require developments to provide step free access to dwellings. Where these entrances are above the ground level access, these should then be provided with a lift to provide access. In this case, one flat at the ground floor would be M4(3) compliant while the nine flats at the 1st, 2nd and 3rd floor level would not be M4(2) or M4(3) compliant. The other ground floor flat and the two dwellings would be M4(2) compliant. The London Plan states in policy 3.8 that where it can be demonstrated that the provision of a lift may cause practical difficulties, have implications for the viability of schemes or the affordability of service charges, the scheme can fall back to the implementation of standard M4(1). Given that the proposed development would need to provide a lift which would undermine the objective of delivering 100% affordable housing, affordable to tenants who are nominees from the London Borough of Barnet, it is considered that that policy 3.8 of the London Plan supports the provision of units complying with standard M4(1).

The planning statement confirms that the proposed development would accord with the London Plan Standard in relation to water usage per occupant.

Trees and landscaping:

An arboricultural impact assessment as well as a landscaping plan and strategy have been provided to support this planning application. There are three trees within the red line area of the site comprising an Ash and a Sycamore tree situated close together at the junction of Pulham Avenue and Elmshurst Crescent, a Sycamore, a short distance to the south. Closer to 90 - 100 Elmshurst Crescent, there is a Scots Pine which has been damaged within the trunk. Finally there is an additional tree adjacent to the bungalows, which is a cherry tree.

The application proposes the removal of all these trees as they would be located within the footprint of the proposed development with the exception of the Scots Pine which is damaged. These trees are not subject to a Tree Preservation Order, although consideration has been given to their formal protection. These trees are currently in leaf

and make a positive contribution to the area. All trees are considered to be of Category B which equates to moderate or good value. However, in the absence of an overwhelming requirement for the retention of these trees for their contribution to landscape value, these trees will be lost. The Local Plan Development Management Policies DPD recognises the value that trees have in the streetscene and in place making. However, it is considered that the loss of trees in respect of this application is outweighed by the importance of the scheme delivering on affordable housing. Given that the scheme is able to provide replacement trees by condition, it is considered that the proposed loss is on balance acceptable.

The application proposes a number of replacement trees within the development, and these are identified to be located within a landscaping strip in the new car park. Notwithstanding this proposed landscape plan which is considered to be largely indicative, recommendation for planning permission should be supported by a new condition requiring details of landscaping including species of planting and new trees where appropriate.

CIL

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail.

The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sq.m on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sq.m.

However, as the development is for social housing floorspace, the CiL regulations (2010) exempt such development from being liable.

Response to public consultation:

The principal material planning objections raised by the application have been considered above in the body of the report. Other points are considered herewith below:

Matters of covenant and obligation between residents and Barnet Homes are not planning matters and cannot be considered in this planning application.

It is acknowledged that the extract from the planning statement fails to label 29 – 30 Pulham Avenue as being of active frontage as it does for other properties. However, this does not limit or reduce the assessment carried out by either the Council or the applicants in this regard.

The objection against the creation of a landscaping regime that only features turf or grass is acknowledged. This is not the aim here. Replacement trees are sought in mitigation.

The availability of broadband for future and existing occupiers should not be seen as a compelling factor in the consideration of the application. The availability of these facilities should be a consideration between the service providers, developers and customers.

Right to Light is a convention set out in the Prescriptions Act of 1832 and is based on a principle that all should have the right to benefit from the provision of light accrued through

the longevity of that benefit. Daylight and sunlight in respect of planning, is an assessment of the degree of change in the light enjoyed and a judgement as to whether that is tolerable. The standards and thresholds are set out in recognised guidelines as referred to above in the report.

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.

Conclusion:

Having taken all material considerations into account, it is considered that the new application satisfactorily addresses the previous reasons for refusal and is therefore considered subject to recommended conditions to comply with the Adopted Barnet Local Plan, London Plan and National Planning Policy Framework policies. This application is therefore recommend for approval.



Location **Land Adjacent To 1-15 Warwick Close Barnet EN4 9SF**

Reference: **16/3259/FUL**

Received: 17th May 2016

Accepted: 20th May 2016

Ward: East Barnet

Expiry 15th July 2016

AGENDA ITEM 8

Applicant:

Proposal: Demolition of existing pram sheds and garages and erection of a 3-storey building comprising 6no. self-contained flats for affordable rent with associated car parking and access, cycle storage, refuse storage, with landscaping and additional surface car park

Recommendation: Approve subject to conditions

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

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

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

15-290-02 D03-001 Rev A; 15-290-02 D03-002 Rev A; 15-290-02 D03-010 Rev A; 15-290-02 D03-011 Rev A; 15-290-02 D03-050 Rev A; 15-290-02 D03-051; 15-290-02 D03-100 Rev A; 15-290-02 D03-101 Rev A; 15-290-02 D03-200 Rev A; 15-290-02 D03-201 Rev A; 15-290-02 D03-202 Rev A; 15-290-02 D03-203 Rev A; 15-290-02 D03-204 Rev A; 15-290-02 D03-300 Rev A; 15-290-02 D03-301 Rev A; 15-290-02 D03-500 Rev A; Design and access statement (BPTW); Ecological Assessment (AGB Environmental); Land contamination assessment (AGB Environmental); Statement of Community Involvement (BPTW); Sunlight/daylight and overshadowing assessment (HTA); Sustainability Statement with energy statement (BBS Environmental); Transport Statement with parking survey (Campbell Reith); Tree survey/Arboricultural impact assessment method statement (AGB Environmental); Utilities - site investigation report (Premier Energy Services).;

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).

- 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 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).

- 5 Prior to the commencement of development, details of the proposed fenestration including details of materials, glazing bars and frames and reveal depths shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed with the approved details.

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.

- 6 Details of balustrades, fixtures and fittings shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be carried out in accordance with the approved details.

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.

- 7 Refuse and recyclables storage shall be provided and made ready for use prior to the first occupation of the proposed development and shall be retained permanently 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

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).

- 8 Prior to the first occupation of the proposed development, the relocated refuse and recyclables storage and residents' stores for existing residents shall be constructed and made ready for use. These structures shall be retained permanently 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 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).

- 9 Notwithstanding the approved plans, prior to the commencement of development, details of replacement communal washing lines shall be submitted to and approved in writing by the Local Planning Authority. The replacement facilities shall be erected prior to the commencement of development and shall be maintained permanently thereafter.

Reason: To ensure that the facilities and amenities for the existing residents at 1 - 15 Warwick Close are satisfactorily maintained. Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 10 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).

- 11 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed 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

Sustainable Design and Construction SPD (adopted April 2013) and the Residential Design Guidance SPD (adopted April 2013).

- 12 Prior to the commencement of development of the proposed dwelling units, the existing garages within the site at its eastern end shall be demolished and the land resurfaced and laid out as parking for nine car parking spaces as indicated on drawing 15-290 D03 050 Revision A.

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.

- 13 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.

- 14 The development shall be carried out in accordance with the details, recommendations and measures of the submitted Tree Survey/Arboricultural Impact Assessment and Method Statement (AGB Environmental)

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 Notwithstanding the approved plans and elevations, prior to the commencement of development, a proposed roof plan shall be provided indicating the design and position of the proposed photovoltaic panels to be installed on the roof surface of the proposed development. The development shall be constructed in accordance with these approved details and be retained permanently thereafter.

Reason: To ensure that the proposed development contributes to sustainable development and to ensure that the design and appearance of the proposed PV array does not harm the character and appearance of the building and the wider area to ensure that the development 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).

- 16 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan (2015).

- 17 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies 5.2 and 5.3 of the London Plan (2015)."

- 18 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent, the units at ground floor level only shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter. All other units shall be constructed in accordance with M4(1) of the Building Regulations.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8, 7.2 and 7.6 of the London Plan (2015) and policies DM02 and DM03 of the Barnet Development Management Policies document (2012)."

- 19 a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise from the adjoining premises on the development and measures to be implemented to address its findings 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 amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2011.

- 20 The level of noise emitted from the adjoining potentially noise generating premises hereby approved shall result in a noise level that would be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a dwelling house within the proposed development.

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

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

- 21 The proposed development of six new residential units shall be provided and retained in use as units of affordable housing in perpetuity in accordance with the Planning Statement (BPTW: May 2016). In accordance with the approved planning statement, these units shall be provided as affordable rent with a rent level of 65% for the purposes of accommodating residents of the Borough through a nominations process.

Reason: To ensure that the proposed development of affordable housing is permanently retained for the benefit of residents of the Borough in order to meet the the housing needs of the London Borough of Barnet and to comply with policies DM01, DM08 and DM10 of the London Borough of Barnet Local Plan Development Management Policies DPD (2012).

- 22 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no

risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

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

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

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.

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. Y

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.
- 5 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, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.
- 6 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');

- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

- 7 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 30dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

- 8 The applicant is advised that legal changes under The Water Industry (Scheme for the Adoption of Private Sewers) Regulations 2011 mean that the sections of pipes

you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes, we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/near-to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit www.thameswater.co.uk.

- 9 The applicant is advised that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
- 10 The applicant is advised that it is their responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0800 009 3921. The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.

Officer's Assessment

1. Site description

The site consists part of an established residential development on the northern side of Warwick Close, near to the junction with Victoria Road and East Barnet Road. The site is tightly surrounded by low rise low density industrial uses to the immediate north and west of the site boundary. Within Warwick Close, the street is principally a residential street with two storey dwelling houses on the southern side of Warwick Close. On the northern side of Warwick Close, the site is dominated by a three storey block of flats. To the rear of this building is an area of hardstanding which accommodates residents' stores, refuse storage and washing lines for residents. To the southern side of the building are areas of communal amenity space which are functional as communal garden space and also for the purposes of visual amenity. At the eastern end of Warwick Close is a garage block. Layby parking is also available along Warwick Close. Land levels across the site are largely flat. The site is located a short distance from New Barnet railway station and there are bus stops in the locality. These facilities support a PTAL 3 rating for the site and its immediate surroundings. In addition, the site is located a short distance from New Barnet town centre where there is a range of retail uses available.

The site is not located within a conservation area and there are no listed buildings which would be affected by the proposed development. There are no Tree Preservation Orders relating to the site.

2. Site history

B/03199/09 - Conditional planning permission granted for the replacement of existing windows with white uPVC windows (02.11.2009).

B/03200/09 - Conditional planning permission granted for the replacement of existing windows with white uPVC windows (02.11.2009).

B/01145/14 - Prior approval granted for the demolition of existing garages (01.04.2014)

3. Proposal

Planning permission is sought for the erection of a three storey building comprising of six flats comprising of three, one-bed units and three, two-bedroom units on land currently used for the drying of residents' washing at the western end of the hardstanding area. The proposed development would be situated close to the western and northern boundary wall of the site and would be situated a short distance away from the northwestern elevation of the existing building. The proposed development would be arranged as two gable ends facing north and south. The north elevation would have no activity with the exception of a column of obscure glazed windows. On the southern elevation, there would be an active frontage in respect of balconies and windows to habitable rooms over one gable end. The other gable end would be situated directly opposite the gable end of the existing building. The eastern elevation of the building would face outwards over the area of hardstanding. As a result the units would effectively be single aspect, however, the aspect would be either south facing or east facing. The proposed development would be constructed from brick to match the adjoining development. New residents' stores and bin stores would be provided elsewhere within the site. Nine spaces at the far eastern end of Warwick Close would be rationalised and the scheme would provide an additional six spaces on a grassed area at the western end of the site.

4. Public consultation

Consultation letters were sent to 346 neighbouring properties.
5 responses have been received with 5 letters of objection.

The comments received can be summarised as follows:

- o The wider area has seen vast amount of new building work and is becoming over crowded with the character of the plan changing significantly
- o Although the proposed development is not as attractive as the previous scheme, this proposal would be far better than the current site conditions which contains a construction site.
- o Children's safety will be affected.
- o The street cannot accommodate any more traffic.
- o The planned parking will affect safety within the street.
- o The playground in the middle of the site should not be supported as it might attract people from outside of the site.
- o The proposed development would not give rise to anti social behaviour.
- o The angle of the new development would directly look over into people's homes and would exacerbate shadowing of the site.
- o Additional residents would give rise to further noise.
- o The scheme would remove residents' amenities from the site.
- o The street is already of excessively dense development.
- o The public consultation event was not an effective forum to allow residents to influence the form of development taking place on the site.
- o Overlooking and loss of light to residential properties and gardens in Victoria Road.

Highways - No objection subject to conditions

Environmental Health - No objection subject to conditions

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 2015

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 2050. 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, CS9, CS10, CS11, CS15
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, 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.

Policy DM04 states that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted. Mitigation of noise impacts through design, layout, and insulation will be expected where appropriate.

Policy DM17 states that the council will ensure that the safety of all road users is taken into account when considering development proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users. The council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be:

- i. 2 to 1.5 spaces per unit for detached and semi detached houses and flats (4 or more bedrooms);
 - ii. 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and
 - iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom).
2. Residential development may be acceptable:
- i. with limited or no parking outside a Controlled Parking Zone (CPZ) but only where it can be demonstrated through a survey that there is sufficient on street parking capacity.
 - ii. with limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the applicant will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

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 the principle of the development is acceptable
- 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.
- Whether the proposals would provide an acceptable level of amenity for future residents
- Whether the proposals would have an acceptable impact on highway and pedestrian safety
- Whether the proposals would have an acceptable impact on security in the vicinity of the site
- Whether the proposals would make adequate provision for drainage
- Sustainability Issues

Whether the principle of the development is acceptable:

Planning permission is sought for the erection of a three storey building to provide six flats adjoining an existing residential apartment block. The proposed development would comprise of three, one bed flats and three, two bed flats. The development would be for the benefit of Barnet Homes and all six units would be provided as affordable housing utilising an affordable rent product.

The National Planning Policy Framework promotes a presumption in favour of sustainable development requiring local authorities to permit development which accords with the development plan. A fundamental principle of achieving sustainable development, is the ability of a developer to provide housing, which is affordable and which meets local identified need on a previously developed site.

Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision. Policy DM10 (Affordable housing contributions) seeks the maximum reasonable amount of affordable housing to be provided on all new sites that provide 10 or more units, having regard to the Borough wide target for 40% affordable housing provision.

The site to which this application relates is considered to be previously developed land given that the development is to be carried out within the curtilage of an already existing residential development on an area of hardstanding. Furthermore, the all the proposed units are for affordable rent, exceeding the policy requirement for 40% on site affordable housing and exceeding the policy target for 60% of affordable housing to be social or affordable rent. The affordable rent level proposed for these units is 65% of the local market rent level which is lower than the 80% market rent threshold as defined in national planning policy. The units are therefore more affordable for future occupiers and will make a more significant contribution to a mixed and balanced community.

It is considered that the proposed development would provide a compelling factor in the consideration of all the relevant matters in the planning balance.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

The proposed development would be located at the western end of the site on an area of hardstanding that is used for residents' washing lines. There is secondary but inferior area to the east of the site. This part of the site adjoins an area of low rise commercial uses which are used for the sales, repair and servicing of cars. The site is surrounded by an unduly high boundary wall to separate the residential building from the commercial uses. The western boundary of the site features a line of mature leylandii trees which fall within the ownership of the adjoining car business.

The existing estate forms its own character as a standalone form of development within the immediate area, given that surrounding residential streets such as Victoria Road and the southern side of Warwick Close comprise two storey terraced dwellings. The proposed development has been designed to relate to a three storey block with ridged roofs and gable ends. The block is orientated from southeast to northwest and the development is proposed to continue this orientation with an opposing gable end before the block then fills in the western corner of the site with the development arranged over three storeys. The proposed development is of a similar architectural form using a gable end and a ridged roof. The proposed development would not appear out of keeping with its immediate surroundings. The proposed development would draw from a similar palette of materials and would not be unduly dominant from either the street or from beyond the site boundaries. The site is not located within a conservation area and there are no statutorily or locally listed buildings within close proximity to the site which may be affected by the proposed development.

The proposed development also provides for additional car parking and changes to existing car parking within Warwick Close. It is noted that Warwick Close is extensively parked and the carriageway width is narrow which may relate to its layout as a cul-de-sac. A garage block would be demolished and would be laid out as 9 surface car parking spaces. This would reduce the quantum of development within the site and would permit more effective parking within the street. A new area of off street parking would be provided at the far western end of the site on existing green space. This would result in a reduction in the green amenity area available. However, it is considered that this green area, detached from the principal buildings would not have significant open space value and it is considered that the parking is on balance an acceptable use of this land in this part of this site.

Whether harm would be caused to the living conditions of neighbouring residents:

The design and layout of the proposed building has been developed to have regard to the amenity of the existing occupiers of the block. The windows in the projecting gable end facing north which would be separated by a short gap to the proposed development are bathroom windows and do not enjoy protections in respect of the amenity relating to light and outlook.

The rear (or north facing) principal elevation of the development would also not be affected, with the closest three window columns closest to the position of the development being a communal staircase, bathrooms and kitchens which are not rooms for which the amenity impact should be prevented and as a result, it is considered that there would not be any harmful loss of outlook. There would be very limited and therefore insignificant sense of enclosure and impact on visual amenity. The southwestern elevation of the existing development consists of windows serving habitable room windows, however, it is

considered that their orientation away from the proposed development and positioned to their northwest would result in no harm to these windows.

The northeast facing elevation of the proposed development would feature windows facing out over the existing hard landscaped area. These windows face out perpendicular to those on the rear elevation of the existing block. However it is considered that the principal aspect would be along the rear of the block over the area of hardstanding.

An area of soft landscaping within the site would be lost following its development as car parking. The loss of this open space would normally be contrary to Development Plan policy which seeks to both protect and enhance open space within a development. However, it is considered that the loss of a grass area is acceptable on the basis that with the background of affordable housing provision, the area of open space in question is not functional or of any significant streetscene quality. In addition, the proposal seeks to enhance the existing retained the open space within the development.

Beyond the site to the north is a large site used as a car repairs, sales and servicing centre. As well as using a large area of land between Warwick Close and Victoria Road, this use is accommodated within a series of extended storey properties. As a result, the nearest property in Victoria Road to the site is situated at 179 Victoria Road, a distance of 27.5m from boundary to boundary. A property at 173 Victoria Road from which an objection has been received on amenity grounds (overlooking and loss of light) is 40m to the north. As such, there would be very limited impact on amenity.

Whether the proposals would provide an acceptable level of amenity for future residents:

Each of the proposed six new residential units exceed the standards for internal floorspace set out in the London Plan (as modified in March 2016).

The proposed one bed units across the development would be provided with either an enclosed private garden at the ground floor or recessed balconies at the first and second floor. The ground floor two bedroom unit would be provided with an enclosed garden, However, the first and second floor units would each be provided with no private amenity space. The development takes advantage of a provision within the London Plan Housing SPG which allows for a lack of private amenity space to be compensated for by an increase above the standard in relation to internal amenity space. Nevertheless, all existing and future occupiers would be provided with access to communal open space across the development which would benefit from improve landscaping.

Units would have a primary aspect facing southwards or southwest. Two bedroom units would have another significant elevation facing east to northeast. The one bedroom units would be most constrained by the boundary wall and the off-site conifer/leylandii trees to the west. Each window within the proposed development has been subjected to an assessment of the average daylight factor and the daylight distribution. The average daylight factor in seven rooms including the kitchen, dining and living room areas in the two bed flats and the same room use in the ground floor one bed unit is substandard. The daylight distribution assessment is also substandard in respect of the kitchen, living room and dining for the two bed units on the ground floor and also one bedroom on the ground floor. However, sunlight to all rooms would be acceptable.

Although provision of acceptable daylight to new units would not meet appropriate standards for all rooms, it is accepted that given that these deficiencies relate to new

development which would be for much needed affordable housing, it would not be appropriate on balance to refuse this planning application.

The scheme is situated immediately adjacent to car sales, servicing and repair uses. At times, this use which would generally be undertaken during day time hours, may operate at increased noise levels. It is recommended that the development should be subject to background noise levels condition.

Whether the proposals would have an acceptable impact on highway and pedestrian safety:

Policy DM17 states that for one and two bedroom units, parking should be provided at a ratio of up to 1 space per unit. This would result in the need to provide six car parking spaces for the development. An area is to be provided off street at the western end of the site by way of six spaces orientated perpendicular to the course of the highway. Vehicles would therefore have to turn off the street to access these. These spaces are located at a position where on street restrictions are in place. This prevents the loss of on street parking spaces. This would therefore meet the needs of the development without any implications on existing parking within Warwick Close.

The garage block at the far end of the site would also be demolished and replaced by nine car parking spaces. This would allow for parking to be provided to meet needs more generally where at present, garages may not necessarily be used for parking. This should free up space on street for the purposes of parking.

Whether the proposals would make adequate provision for sustainable drainage and flood risk alleviation:

The site is highly vulnerable development. However, it is located in a Flood Risk Zone 1 area and is therefore appropriately sited.

Sustainability:

The applicant's energy strategy has demonstrated that the proposed development would result in a decrease of over 35% in respect of Carbon Dioxide above and beyond the 2013 building regulations. A large part of this saving arises from the use of photovoltaics at roof level.

Changes to the accessibility standards which replace Lifetime Homes, which were introduced in 2015 now require developments to provide step free access to dwellings. Where these entrances are above the ground level access, these should then be provided with a lift to provide access. In this case, the four flats at the 1st and 2nd floor level would not be M4(2) or M4(3) compliant. The London Plan states in policy 3.8 that where it can be demonstrated that the provision of a lift may cause practical difficulties, have implications for the viability of schemes or the affordability of service charges, the scheme can fall back to the implementation of standard M4(1). Given that the proposed development would need to provide a lift which would undermine the objective of delivering 100% affordable housing, affordable to tenants who are nominees from the London Borough of Barnet, it is considered that that policy 3.8 of the London Plan supports the provision of units complying with standard M4(1)

The planning statement confirms that the proposed development would accord with the London Plan Standard in relation to water usage per occupant.

Trees and landscaping:

An arboricultural method statement has been provided which demonstrates protection measures for existing trees on the site. Landscaping enhancements and new tree planting is also proposed for the site. The hard landscaped area to the rear would be retained and some storage facilities would be relocated.

;

Other matters

Washing and drying lines for residents are an important facility and amenity resource for residents. The proposed development is located on the site of the most exposed facility. The other facility is surrounded by trees and development and is less effective. The planning permission carries a planning condition which will seek details for the relocation of these facilities to a more appropriate location prior to the commencement of development.

CIL

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail.

The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sqm.

However, as the development is for social housing floorspace, the CiL regulations (2010) exempt such development from being liable.

Response to public consultation:

The matters raised through the public consultation process which are considered to be material planning considerations have been addressed in the report.

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.

Conclusion:

Having taken all material considerations into account, it is considered that the new application satisfactorily addresses the previous reasons for refusal and is therefore considered subject to recommended conditions to comply with the Adopted Barnet Local Plan, London Plan and National Planning Policy Framework policies. This application is therefore recommend for approval.



Location **Westbrook Crescent Garages Barnet EN4 9AP**

Reference: **16/3385/FUL**

Received: 24th May 2016

Accepted: 25th May 2016

Ward: East Barnet

Expiry 20th July 2016

Applicant: Mr

Proposal: Demolition of existing garages and erection of 2no semi-detached dwellinghouses for affordable rent with associated car parking and access, cycle storage, refuse storage and landscaping

AGENDA ITEM 9

Recommendation: Approve subject to conditions

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

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

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

D-15-290-D10.01 Rev A; D-15-290-D10.02 Rev A; D-15-290-D10.10 Rev A; D-15-290-D10.11 Rev A; D-15-290-D10.50 Rev A; D-15-290-D10.100 Rev A; D-15-290-D10.101 Rev A; D-15-290-D10.102 Rev A; D-15-290-D10.200 Rev A; D-15-290-D10.300 Rev A; D-15-290-D10.500 Rev A; Design and access statement (BPTW); Flood Risk Assessment (Campbell Reith); Land contamination assessment (AGB Environmental); Planning statement (BPTW); Sunlight, daylight and overshadowing assessment (HTA); Sustainability statement (BBS Environmental); Transport Statement with parking survey (Campbell Reith); Tree survey/Arboricultural impact assessment with method statement (AGB Environmental) Topographical Survey (MSurv); Utilities - Site investigations report (Premier Energy Services);

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).

- 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 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).

- 5 Prior to the commencement of development, details of the proposed fenestration including details of materials, glazing bars and frames and reveal depths shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed with the approved details.

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.

- 6 Details of rainwater goods, soil and vent pipes, fixtures and fittings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of the development. The development hereby approved shall be carried out in accordance with the approved details.

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.

- 7 Refuse and recyclables storage shall be provided and made ready for use prior to the first occupation of the proposed development and shall be retained permanently 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 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).

- 8 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).

- 9 The parking to be provided on the site for the purposes of serving the parking needs of the proposed development shall be provided and made ready for use prior to the first occupation of the site.

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.

- 10 a) 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.

b) 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.

- 11 The development shall be carried out in accordance with the details, recommendations and measures of the submitted Tree Survey/Arboricultural Impact Assessment and Method Statement (AGB Environmental)

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.

- 12 Notwithstanding the approved plans and elevations, prior to the commencement of development, a proposed roof plan shall be provided indicating the design and position of the proposed photovoltaic panels to be installed on the roof surface of the proposed development. The development shall be constructed in accordance with these approved details and be retained permanently thereafter.

Reason: To ensure that the proposed development contributes to sustainable development and to ensure that the design and appearance of the proposed PV array does not harm the character and appearance of the building and the wider area to ensure that the development 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).

- 13 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 any elevation at first floor level.

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).

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

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 15 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan (2015).

- 16 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission

Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies 5.2 and 5.3 of the London Plan (2015).

- 17 The proposed development of two new residential units shall be provided and retained in use as units of affordable housing in perpetuity in accordance with the Planning Statement (BPTW: May 2016). In accordance with the approved planning statement, these units shall be provided as affordable rent with a rent level of 65% for the purposes of accommodating residents of the Borough through a nominations process.

Reason: To ensure that the proposed development of affordable housing is permanently retained for the benefit of residents of the Borough in order to meet the the housing needs of the London Borough of Barnet and to comply with policies DM01, DM08 and DM10 of the London Borough of Barnet Local Plan Development Management Policies DPD (2012).

- 18 Part 1

Before development commences other than for investigative work:

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

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

- c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements,

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

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

- 19 a) No development other than demolition work shall take place unless and until a Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme has been submitted to and approved in writing by the Local Planning Authority.

b) The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features approved under this condition have been implemented in their entirety.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.13 and 5.14 of the London Plan 2011.

- 20 a) No site works or works on this development including demolition or construction work shall commence until details of the temporary means of enclosure, including boundary treatments to neighbouring properties, 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 site works including demolition and construction work commence, and retained as such throughout the demolition and construction period of the development.

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 during the demolition and construction work 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).

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.

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.

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.
- 5 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, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.
- 6 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
 - 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
 - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
 - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
 - 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
 - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
 - 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.
- 7 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 8 The applicant is advised that legal changes under The Water Industry (Scheme for the Adoption of Private Sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes, we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/near-to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit www.thameswater.co.uk.
- 9 The applicant is advised that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

- 10 The applicant is advised that it is their responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0800 009 3921. The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.

Officer's Assessment

1. Site description

The site consists of a small garage area on the eastern side of Westbrook Crescent adjacent to the junction with Lawton Road. The area is predominantly residential with two storey semi detached dwellings forming the main development typology in this area. There is a park with sporting facilities to the south and a school is located a short distance to the north of Westbrook Crescent. The site is a short distance from New Barnet local centre. The existing garages on the site are derelict and have largely fallen out of use. Land levels drop from west to east along Lawton Road towards Baring Road at the rear of the site. There is a bus stop at the south east corner of the site on Lawton Road although the site is in a PTAL 1b location. There site is not located in a conservation area and the application site does not contain any listed buildings or structures and is not located within the setting of a listed building. There are no trees which are the subject of a Tree Preservation Order on the site.

2. Site history

None

3. Proposal

Planning permission is sought for the demolition of the five existing garages on the site and the erection of a pair of semi detached dwellings arranged over one and a half storeys insofar as that the first floor is partially contained within the roof space. Additional outlook for the proposed accommodation is resolved by way of dormers over the eaves on the front elevation of the proposed development. Each property is a two bedroom, four person dwelling.

The proposed development is situated within a site area of 400 sq.m. Each property has an internal floor area of 87sq.m and the external garden area for each unit is 97sq.m and 107sq.m respectively. The properties have a short rear garden depth with the principal private amenity space being located to the side of each dwelling and subsequently enclosed. The garden depths to the rear boundary are 2.2m and 4.4m respectively. However, there are no windows in the rear elevation of the proposed development at the first floor level and the elevation to elevation distance is at least 26m. All windows within the proposed development at the first floor level will face towards the streetscene on the front elevation or the side elevation facing Lawton Road.

One car parking space is provided within the curtilage of the site at the front of the property. The proposed development is to be constructed from brick. The dormers are to be constructed from a dark grey metallic cladding material.

4. Public consultation

Consultation letters were sent to 93 neighbouring properties.

No responses were received from neighbours. A representation was received from the Thames Water which is set out below.

Thames Water - No objections, but acceptable surface water drainage will be required

Environment Agency - No objections, however, evidence should be provided, that in respect of the site's location in a Flood Risk Zone 2 area, that the relevant developer's standing advice is followed.

Environmental Health - No objection subject to conditions

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 2015

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 2050. 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, CS9, CS10, CS11, CS15
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, 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.

Policy DM04 states that proposals to locate development that is likely to generate unacceptable noise levels close to noise sensitive uses will not normally be permitted. Proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted. Mitigation of noise impacts through design, layout, and insulation will be expected where appropriate.

Policy DM17 states that the council will ensure that the safety of all road users is taken into account when considering development proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users. The council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be:

- i. 2 to 1.5 spaces per unit for detached and semi detached houses and flats (4 or more bedrooms);
- ii. 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and
- iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom).

2. Residential development may be acceptable:

- i. with limited or no parking outside a Controlled Parking Zone (CPZ) but only where it can be demonstrated through a survey that there is sufficient on street parking capacity.
- ii. with limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the applicant will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

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 the principle of the development is acceptable
- 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.
- Whether the proposals would provide an acceptable level of amenity for future residents
- Whether the proposals would have an acceptable impact on highway and pedestrian safety
- Whether the proposals would have an acceptable impact on security in the vicinity of the site
- Whether the proposals would make adequate provision for drainage
- Sustainability Issues

Whether the principle of the development is acceptable

Planning permission is sought for the erection of a pair of semi detached dwellings providing two bedroom four person units following the demolition of garages. The proposed development would be for the benefit of Barnet Homes and both units would be provided as affordable housing utilising an affordable rent product.

The National Planning Policy Framework promotes a presumption in favour of sustainable development requiring local authorities to permit development which accords with the development plan. A fundamental principle of achieving sustainable development, is the ability of a developer to provide housing, which is affordable and which meets local identified need on a previously developed site.

Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision. Policy DM10 (Affordable housing contributions) seeks the maximum reasonable amount of affordable housing to be provided on all new sites that provide 10 or more units, having regard to the Borough wide target for 40% affordable housing provision.

The site to which this application relates is considered to be previously developed land given that the development is to be carried out within the curtilage of an already existing residential development on an area of hardstanding. Furthermore, the all the proposed units are for affordable rent, exceeding the policy requirement for 40% on site affordable housing and exceeding the policy target for 60% of affordable housing to be social or affordable rent. The affordable rent level proposed for these units is 65% of the local market rent level which is lower than the 80% market rent threshold as defined in national planning policy. The units are therefore more affordable for future occupiers and will make a more significant contribution to a mixed and balanced community.

The recommendation for planning permission would be subject to a planning condition which would secure the units within the proposed development for the purposes of being affordable housing on an affordable rent product basis.

It is considered that the proposed development would provide a compelling factor in the consideration of all the relevant matters in the planning balance.

The applicants have established that two of the five garages on the site are vacant and the three remaining garages are occupied. It is believed that one is used for storage. The garages are considered to be too small to accommodate modern cars. However, given that the parking stress in the locality of the site is 41% it is considered that any overspill parking that may occur because of the loss of the garages (given that each new dwelling has a parking space) can be accommodated on the street. As a result, it is considered that the loss of parking is acceptable and the principle of site redevelopment for the purposes of residential development would be acceptable.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

The proposed development would consist of a pair of demi detached dwellings constructed from brick. This design would be consistent with the character of the wider area and the spatial pattern of development around Westbrook Crescent, Lawton Road and Baring Road. The proposed building line and ridge line would be consistent with that within Westbrook Crescent and the proposed development would replicate the junction of Westbrook Crescent and Lawton Road directly opposite the site.

The proposed development is constrained to some extent by the short depth of the plot and therefore the relationship with the properties to the rear in Baring Road. This results in

a design that is required to protect the amenity of residents within Baring Road to the rear and 2 Westbrook Crescent to the north. The resulting design includes no windows to the rear elevation and the front elevation incorporates dormer windows that override the eaves line. The proposed development also features gable ends rather than hipped roofs. However, there is a mixture of both gable ends and hipped roofs in the locality and it is considered that the proposed development would not be out of keeping in this respect. The treatment to the front elevation at the eaves level is considered to deviate from the established character in Westbrook Crescent, however, it is not considered that this design detracts from the character and appearance of the area. However, this proposal should not be seen as a precedent for future development that may come forward in the street in relation to front facing roof extensions.

Nevertheless, the height and width of the proposed development and the spaciousness to the front and its sides would ensure that the proposed development does not appear visually dominant or overly large within the plot. The use of materials consistent with those used in the area as well as front garden areas emphasise the acceptable appearance, size, scale and massing.

Whether harm would be caused to the living conditions of neighbouring residents.

The proposed development has been designed to prevent any harmful impact on the amenity of adjoining residents. While it is acknowledged that the proposed development would be two storeys within a very short garden depth to the rear, it is considered that no harm in relation to sense of enclosure, loss of privacy through overlooking or loss of light would occur.

In order to incorporate a front garden and on site parking as well as respect an established front building line, the proposed development has been set back within the site. This results in short garden depth that varies between 2.2m to 4.4m at its deepest. Generally, this would result in non compliance with the Council's SPD in respect of garden depths to rear boundaries to prevent overlooking. However, the scheme does not propose rear elevation windows. The ground floor windows would be enclosed by a boundary treatment to a height of no less than 1.8m which would prevent overlooking with subsequent loss of privacy. The rear elevation of the proposed development would be 26m from the rear elevation of the proposed development and as a result, would exceed the relevant standard. The distance from the rear elevation combined with the 7m height of the building would also negate concerns about a possible sense of enclosure. In respect of sunlight and daylight, the BRE Guidelines for sunlight and daylight in site layout planning suggest that where the distance of a building to the nearest affected window is more than 3 times the height of the obstruction, it is unlikely to give rise to any harm to sunlight and daylight.

2 Westbrook Crescent is located directly to the north of this site and at their closest point, the buildings are 8m apart, Due to the curvature in the road this gap widens towards the rear to 11.5m. The footprint of the proposal is only half the depth of the neighbour and as such, would not project beyond the rear building line. The proposed development would therefore not be visible from primary habitable room windows in their rear elevation. With no windows above ground floor level in the northern flank elevation, it is considered that the proposed development would have no harmful impact on the amenity of this property.

Whether the proposals would provide an acceptable level of amenity for future residents

Each of the proposed units exceed the internal space standard for two storey two bedroom four person dwelling houses. Each unit has an internal floor area of 87 sq.m with the

standard for such a dwelling being 79sq.m. With the external garden area being 97sq.m and 107sq.m respectively, it is considered that the private garden areas would be acceptable. Subject to being enclosed by appropriate boundary treatments the proposed garden areas would be acceptable. All living spaces at ground floor would be dual aspect and all bedrooms would have windows facing west. As such, it is considered that all habitable rooms would be satisfactorily served by daylight and sunlight and would not endure unacceptable standard of enclosure.

Whether the proposals would have an acceptable impact on highway and pedestrian safety

Policy DM17 states that for one and two bedroom units, parking should be provided at a ratio of up to 1 space per unit. This would result in the need to provide at least one car parking space. Each unit would be provided with an off street car parking space at the front of the property.

The proposal would result in the loss of five garages, two of which are known to be vacant. One more is used for the purposes of storage. This gives rise to the implication that the remaining two garages may still be used for the parking of a car, although it is considered that these garages constructed several decades ago would be too small to be able to park a private car. Nevertheless, the applicants have carried out a parking stress survey which demonstrates that the parking stress in the area is only 41%. This is significantly below the standard where on street car parking demand becomes unmanageable. As such, any overspill parking resulting from the loss of the garages can be accommodated on street. Each unit has provision for cycle parking. Refuse collection can be undertaken from kerbside.

Whether the proposals would make adequate provision for sustainable drainage and flood risk alleviation.

The site is highly vulnerable development. It is located within Flood Risk Zone 2 according to correspondence from the Environment Agency which is contrary to the applicant's assertion. The Environment Agency has requested that the proposed development should be carried out in accordance with standing advice for developers from the agency. In this respect, the recommendation for planning permission should be subject to a condition requiring the submission of a statement demonstrating compliance with this advice.

Sustainability

The applicant's energy strategy has demonstrated that the proposed development would result in a decrease of over 35% in respect of Carbon Dioxide above and beyond the 2013 building regulations. A large part of this saving arises from the use of photovoltaics at roof level.

Changes to the accessibility standards which replace Lifetime Homes, which were introduced in 2015 now require developments to provide step free access to dwellings. Where these entrances are above the ground level access, these should then be provided with a lift to provide access. Each dwelling house would be provided with step free access from the street and would therefore qualify as M4(2) accommodation which would be acceptable. Both properties would also have toilets on the ground floor.

The planning statement confirms that the proposed development would accord with the London Plan Standard in relation to water usage per occupant.

CIL

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail.

The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sqm.

However, as the development is for social housing floorspace, the CiL regulations (2010) exempt such development from being liable.

Response to public consultation

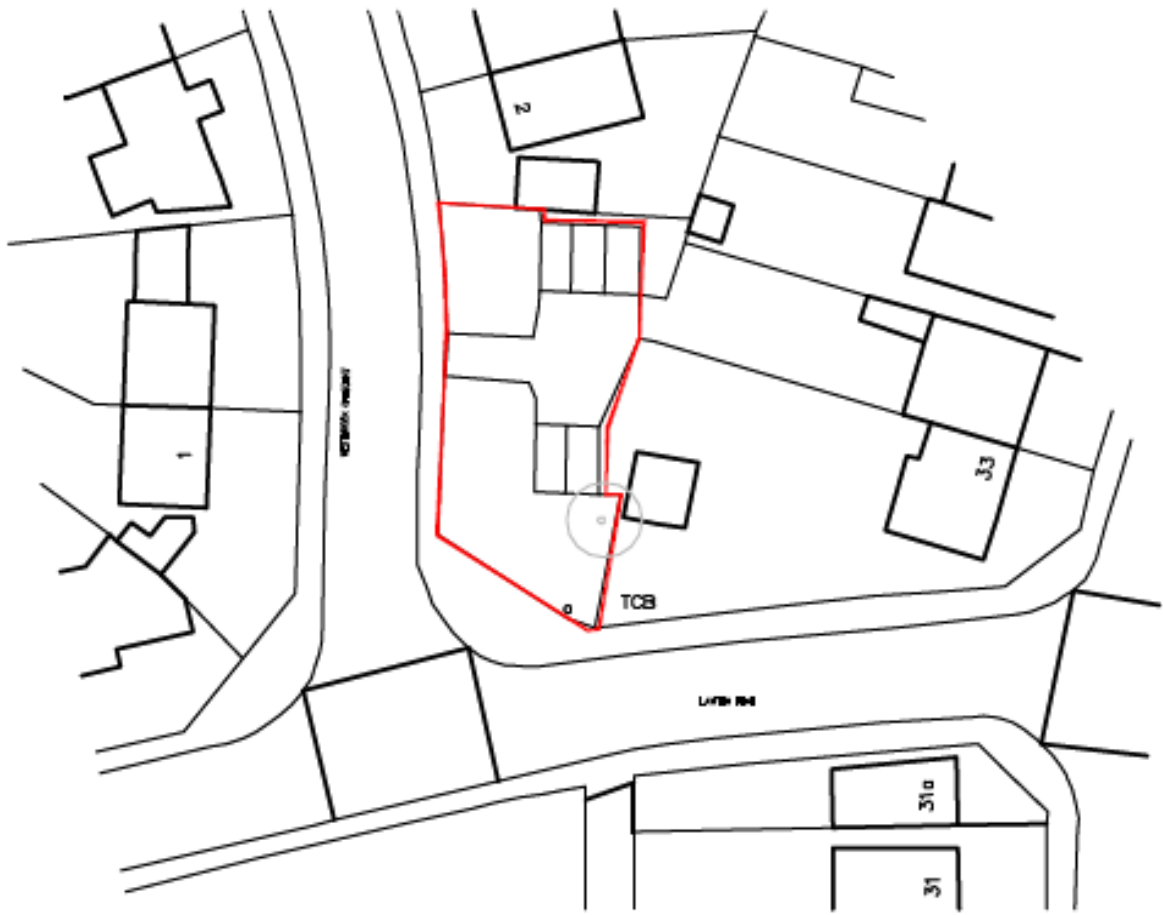
No objections were raised

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.

Conclusion

Having taken all material considerations into account, it is considered that the new application satisfactorily addresses the previous reasons for refusal and is therefore considered subject to recommended conditions to comply with the Adopted Barnet Local Plan, London Plan and National Planning Policy Framework policies. This application is therefore recommend for approval.



Location Quinta Drive Garages Barnet EN5 3BW

Reference: 16/3387/FUL

Received: 24th May 2016

Accepted: 25th May 2016

Ward: Underhill

Expiry 20th July 2016

Applicant:

Proposal:

Demolition of garages and construction of 2 no detached single storey self-contained residential dwellings for affordable rent, with associated car parking, cycle storage, refuse storage and amenity space (AMENDED DESCRIPTION TO INCLUDE DEMOLITION)

AGENDA ITEM 10

Recommendation: Approve subject to conditions

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

Drawing No. 15-290 D 09 001 - Revision A
Drawing No. 15-290 D 09 002 - Revision A
Drawing No. 15-290 D 09 010 - Revision A
Drawing No. 15-290 D 09 011 - Revision A
Drawing No. 15-290 SK09 050 - Revision A
Drawing No. 15-290 D09 100 - Revision A
Drawing No. 15-290 D 09 101 - Revision A
Drawing No. 15-290 D09 200 - Revision A
Drawing No. 15-290 D09.201 - Revision A
Drawing No. 15-290 D 09 202 - Revision A
Drawing No. 15-290 D 09 203 - Revision A
Drawing No. 15-290 D 09 300 - Revision A

Arboricultural Impact Assessment by agb Environmental Ltd, dated 24 June 2016, including Drawing No. 002 (Tree Protection Plan)

Design and Access Statement and Planning Statement by bptw Partnership, dated May 2016

Land Contamination Assessment by Site Remedial Services Ltd, dated May 2016

Daylight, Sunlight and Overshadowing Report by hta Design LLP, dated May 2016

Sustainability Report by Bespoke Builders Services Ltd, dated May 2016

Transport Statement by Campbell Reith Hill LLP, dated May 2016

Utility Site Investigation Report, by Premier Energy dated 02 March 2016

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 2015.

- 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 2015.

- 5 a) No development other than demolition work shall take place until details of the location within the development and specification of the unit to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority.

The specification provided for those identified units shall provide sufficient particulars to demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users.

- b) The development shall be implemented in full accordance with the details as approved prior to the first occupation of the development and retained as such thereafter.

Reason: To ensure that the development is accessible for all members of the community and to comply with Policy DM02 of the Development Management Policies DPD (adopted September 2012) and Policies 3.8 and 7.2 of the London Plan 2015.

6 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) 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 (iii) 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).

7 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 2015.

8 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).

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D and E of Part 1 of Schedule 2 of that Order shall be carried out within the area of Quinta Drive Garages, EN5 3BW, hereby approved

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 10 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).

- 11 The roof of the dwellings 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).

- 12 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 13 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of any of the new dwellings (Use Class C3) permitted under this consent, Dwelling B1 (as shown on Drawing No. 15-290 SK09 050 - A) shall have been constructed to meet and achieve all the relevant criteria of Part M4(3) of Schedule 1 to the Building Regulations 2010 (or the equivalent

standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). Dwelling B2 (as shown on Drawing No. 15-290 SK09 050 - A) shall have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) prior to the first occupation of either of the new dwellings (Use Class C3) permitted under this consent. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 14 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 40 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 15 Before the development hereby permitted is occupied the car parking spaces as shown on Drawing No. 15-290SK09 050 Rev. A shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 16 Before the development hereby permitted is occupied cycle parking spaces as per the submitted planning application shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 17 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management

and Logistics Plan submitted shall include, but not be limited to, the following information:

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

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

- 18 Prior to the commencement of the development, details of any works proposed on public highway to facilitate the development shall be submitted to and approved by the Highway Authority and highway works shall only be carried out in accordance with the approved plans.

Reason: To ensure that the access is satisfactory in terms of highway safety and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 19 Prior to the commencement of the development hereby approved, details and statutory orders of any highways required to be stopped up to facilitate the development shall made under Section 247 of the Town and Country Planning Act 1990. These shall be submitted to and agreed with the Local Planning and Highway Authority.

Reason: To ensure that adequate public access is provided throughout the development.

- 20 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 equipment shall be installed using anti-vibration mounts. 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).

21 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

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

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the

Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

- 22 No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the scheme of temporary tree protection as shown on the tree protection plan approved under Condition 1 of this permission 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 permission.

Reason: To safeguard the health of existing tree(s) 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 (adopted September 2012) and Policy 7.21 of the London Plan 2015.

- 23 a) No site works or works on this development including demolition or construction work shall commence until details of the temporary means of enclosure, including boundary treatments to neighbouring properties, 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 site works including demolition and construction work commence, and retained as such throughout the demolition and construction period of the development.

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 during the demolition and construction work 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).

- 24 The proposed development of two new residential units shall be provided and retained in use as units of affordable housing in perpetuity in accordance with the Planning Statement (BPTW: May 2016). In accordance with the approved planning statement, these units shall be provided as affordable rent with a rent level of 65% for the purposes of accommodating residents of the Borough through a nominations process.

Reason: To ensure that the proposed development of affordable housing is permanently retained for the benefit of residents of the Borough in order to meet the the housing needs of the London Borough of Barnet and to comply with policies DM01, DM08 and DM10 of the London Borough of Barnet Local Plan Development Management Policies DPD (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 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 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
- 3 If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
- 4 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.
- 5 Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 6 The applicant is advised that for construction works adjacent or affecting the public highways, the council's First Contact should be contacted on 0208 359 2000 for any necessary Highways Licenses or any highway approvals deemed necessary.

- 7 The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 8 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
- 9 The applicant is advised that any works required on public highway to facilitate the development will require a separate agreement with the Highways Authority under S184 or S278 of the Highways Act 1980.
- 10 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
 - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
 - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
 - 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
 - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
 - 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

In addition, the applicant is advised that the building on site may contain asbestos. Advice on removal is available at: <https://www.barnet.gov.uk/citizen-home/environmental-health/pollution/hazardous-substances/asbestos.html>

Reference should be made to the uncovering and disposing of asbestos in complying with the contaminated land conditions part 1 and 2.

- 11 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.

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.

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.

- 12 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.

- 13 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 14 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.
- 15 The grant of planning consent confers no rights for any work to be undertaken to a tree on public highway land and you are advised to consult the Council's Principal Arboricultural Officer - Greenspaces and Streets prior to taking any further action.
- 16 The applicant is advised that the garages on site may contain asbestos. Advice on removal is available at: <https://www.barnet.gov.uk/citizen-home/environmental-health/pollution/hazardous-substances/asbestos.html>

Officer's Assessment

1. Site Description

The application site measures 0.097ha and consists of a cul-de-sac containing 22 residents' garages situated between Ryecroft Crescent and Quinta Drive. It is within the ward of Underhill.

Pedestrian and vehicular access to the site is gained from Quinta Drive by way of an existing access road. The site is covered in hard surfacing and garages, with the exception of a small area of grass verge by the access road.

The site is bounded on all sides by existing residential development. The immediate street block bounded by Quinta Drive and Ryecroft Crescent is principally characterised by two storey semi-detached properties and short terraces of three dwellings. There is also a terrace of four bungalows. Properties have small to moderate size gardens with some mature tree planting particularly at the northern end.

The surrounding properties are characterised by pitched roofs and gable elements. Materials used on the surrounding buildings are predominantly brick, dark tiled roofs and render elements.

The site is not within a conservation area and there are no statutory listed or locally listed buildings within or adjoining the site. There are no Tree Preservation Orders pertaining to any trees which may constrain the development. There are no other site specific policy designations or allocations for this site.

The site is relatively level, with no significant level changes.

The site is located within a Flood Zone 1, according to the Environment Agency's Flood Zone Maps. As such, there is no significant risk of flooding.

The site is located in a PTAL 1b location (where 1a is low and 6b is high). The site is accessed off Quinta Drive, which connects to Barnet Road (A411) and there is a bus stop close to the site on Aitken Road. High Barnet Underground station is located approximately 2.06 km (1.28 miles) to the east of the site.

Most properties around the site have off street car parking by way of an area of hard standing within the front garden of the property. On street car parking is also available.

2. Site History

No history of relevance for the garages site.

3. Proposal

The application seeks planning permission for the demolition of all 22 garages and the construction of 2 no. detached single storey self-contained residential dwellings (bungalows) with associated car parking, cycle storage, refuse storage and amenity space. The proposed dwellings would utilise the existing access off of Quinta Drive.

The development would be for the benefit of Barnet Homes and both units would be provided as affordable housing.

The two proposed dwellings are intended to be 100% affordable rent. One of these dwellings will also be built as wheelchair housing.

The bungalow located to the east of the site (dwelling B1) is a 2-bed/3 person dwelling with one double and one single bedroom, and an open kitchen and living room space. This dwelling is intended for wheelchair housing and is designed to meet the access standards set out in Part M4(3) of the 2013 Building Regulations.

The bungalow located to the north of site (dwelling B2) is a 2-bedroom/4 person dwelling with an open kitchen and living room space. It is designed to meet the access standards set out in Part M4(2) of the 2013 Building Regulations.

According to Planning Officer's calculations dwelling B1 would measure 75 sqm in total floorspace, and dwelling B2 will measure 72.8 sqm. These would both meet the minimum internal space standards set out in the London Plan (MALP 2016).

Both dwellings would benefit from generously sized open-plan kitchen/living/dining areas, which would meet the minimum widths and floor areas for living/kitchen/dining areas, as set out in Table 2.2 of Barnet's adopted Sustainable Design and Construction SPD (2013). Minimum bedroom areas and widths, as set out in Table 2.2, would be met.

Each bungalow is provided with a private outdoor amenity of between 93sqm (Dwelling B1) and 266sqm (Dwelling B2), exceeding the minimum London Plan and Barnet standards for outdoor amenity space.

The bungalows would be of contemporary design would have pitched tiled roofs, gable ends and be constructed in brick, reflecting the design and character of the surrounding properties.

It is considered that both dwellings would benefit from adequate daylight, sunlight and outlook. Both bungalows are multi-aspect with at least one façade orientated south-west or east-west, and will feature generous glazing.

Each dwelling would be provided with 1x car parking space as well as associated private refuse storage and bicycle storage within the rear gardens (with space for 2 bikes per shed). The parking space for the wheelchair unit meets the relevant Blue Badge parking space dimensions.

Dwelling B1 would be sited at a distance of 2 metres from the boundaries adjacent to the rear gardens of No. 41 - 45 Quinta Drive, to the south. At its closest point it would be sited 2.6 metres from the boundary adjacent to No. 40 Ryecroft Crescent. The rear gardens of these properties border the application site.

Dwelling B2 would be sited at a distance of 1.6 metres from the boundary of No. 50 and No. 52 Ryecroft Crescent, to the west. It would be sited at a distance of 2.3 metres from the boundary adjacent to No. 57 Quinta Drive. The rear gardens of these properties border the application site.

4. Public Consultation

Consultation letters were sent to 228 neighbouring properties.

A site notice was erected on 9 June 2016.

A press notice was published on 7 June 2016.

4 responses have been received, comprising 3 letters of objection (including 2 objectors requesting to speak at committee) and 1 letter of comment (from Thames Water).

The objections received can be summarised as follows:

- Concerns that the development would compromise security and privacy of existing neighbouring properties. Concerns for how new boundary fencing/walls for neighbouring properties' will be implemented.
- Concerns that the 'beauty' of the area will be destroyed
- Concerns that local authority/benefit dependent/homeless occupiers would cause problems for local residents and reduce property prices. Is it Barnet's housing policy to house residents with mobility issues in bungalows?
- Concerns of blockages in waste pipes (Thames Water) and new development adding to these problems
- Unclear when development will start, with what timeframe and what level of disruption will be caused
- Would the Local Planning Authority consider giving extensions to the garden areas of those surrounding properties which have a shorter gardens.
- Concerns of potential risk of asbestos and contamination coming from the demolition and removal of garages.
- Clarification of whether the intended parking proposals will be adequate in the event that the controlled parking zone is implemented, together with an assessment of whether the "turning circle" is likely to be abused for overflow parking by surrounding residents.
- Objector hopes that the Local Planning Authority ensure that the proposed development should not create any adverse impacts on the residential amenity enjoyed by neighbouring properties

Internal and External Consultation responses:-

Traffic and Development Team:

The Traffic and Development team assessment is set out in greater detail in the relevant sections of the report below. In summary, they have confirmed that subject to the imposition of suitable conditions they raise no objection to the development and find the proposal to be acceptable.

Environmental Health Department:

The Environmental Health Department have confirmed that subject to the imposition of suitable conditions they raise no objection to the development and find the proposal to be acceptable.

Thames Water:

Thames Water has advised that with regard to sewerage infrastructure capacity, they would not have any objection to the planning application.

In regards to surface water drainage, Thames Water have advised that it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. An informative has been added accordingly.

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 2016

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 2050. 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, DM03, DM04, DM08, DM17.

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 the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether harm would be caused to the living conditions of future residents.
- Whether harm would be caused to the health and quality of trees
- Whether the development would impact traffic and highways to an unacceptable level

5.3 Assessment of proposals

Principle of development and redevelopment of the site

For areas such as the application site policies CS1 and CS3 of the Barnet Core Strategy expect new developments to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

The proposed development would result in the demolition of the 22 existing garages on the site and their replacement with two homes. These properties would be developed by

Barnet Homes and would both be intended for 100% affordable rent housing. One of the dwellings would also be specifically constructed for wheelchair housing.

An assessment has been made of the existing car parking by the applicant. In a letter by Barnet Homes, dated 13 May 2016, it has been advised that of the 22 garages, 18 are currently void. The garages are considered to be in a poor state of repair and not fit for purpose. Barnet Homes have advised that these garages are more likely to be used for storage purposes and not parking, although the use of the garages cannot be confirmed.

The applicant has advised that garages are let to individuals on rolling contracts and are not allocated to particular properties. Car parking appears to be accommodated for within the front garden hardstanding of surrounding properties and also on street. As such, there is no objection to the redevelopment of this parking area.

The application site has not been identified for any specific use in development plan planning policies, is previously developed land and is situated in an area characterised by residential housing. The land is located within walking distance of a number of bus stops, is close to local amenities and utilises existing access off Quinta Drive.

As abovementioned, both proposed dwellings are intended to be 100% affordable rent housing and one would be specifically constructed for wheelchair users.

In such circumstances, Planning Officers find that there is nothing to specifically preclude the redevelopment of the site in the broadest sense, subject to the scheme proposed being compliant with the relevant development plan policies.

As such the principle of redevelopment of the site is deemed acceptable.

Affordable housing

Policy CS4 of the Core Strategy DPD (2012) seeks to ensure a mix of housing products in affordable and market sectors to provide choice for all households. Policy DM08 (Ensuring a variety of sizes of new homes to meet housing need) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision. Policy DM10 (Affordable housing contributions) seeks the maximum reasonable amount of affordable housing to be provided on all new sites that provide 10 or more units, having regard to the Borough wide target for 40% affordable housing provision.

Policy 3.10 of the Mayor's London Plan (2015) states that affordable rented housing should meet the criteria outlined in Policy 3.10 and be let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

Both proposed units are for affordable rent, exceeding the policy requirement for 40% on site affordable housing and exceeding the policy target for 60% of affordable housing to be social or affordable rent.

The affordable rent level for these units are intended to be 65% of the local market rent level, which is lower than the 80% market rent threshold as defined in the London Plan (2015), and therefore more affordable.

In summary, the units would provide affordable housing for future occupiers above and beyond affordability levels set out in regional policy, and would contribute to providing a mix of housing products for all households.

Design, appearance and character matters

The National Planning Policy Framework (published in 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development.

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

The locality and wider area consists of low density residential development within an open and spacious character comprising two storey semi-detached properties and short terraces.

The application proposes two single storey, detached bungalows which would be subordinate within their context and respect the spacing in this area. The proposed dwellings would have pitched roofs, with an element of flat roof projections. In terms of height, size, scale and massing it is considered that these proposed dwellings would not detrimentally harm the local character.

Given the removal of a number of garages and existing hardstanding, and their replacement with the single-storey dwellings and associated soft landscaping, it is considered that the proposed development would improve the character and appearance of the application site.

In terms of their design and appearance, the proposed buildings would reflect that of the surrounding properties. Design features of the proposed dwellings include pitched tiled roofs; gable ends; glazing; and red brick elevations with linear brick detailing. Such features are considered to respond positively to its context and are found to have an acceptable relationship with the neighbouring buildings and spaces.

Conditions have been recommended to ensure that the materials used in for the new building are of an appropriate quality. Conditions are also recommended to ensure that a suitable design and quality of materials are used for the areas of hard and soft landscaping around the new building and means of enclosing the site.

Subject to the conditions recommended, the proposal is found to be acceptable and compliant with development plan policies as they relate to design, character, appearance and landscaping matters.

Quality of accommodation for future occupants

Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that development will be expected to meet in relation to a number of matters, including the internal floorspace of new dwellings and outdoor amenity space.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new residential accommodation. The council also has adopted SPD's (entitled Sustainable Design and Construction and Residential Design Guidance) providing more detailed guidance on a range of matters related to creating new residential accommodation in addition to the Mayors adopted SPG's (entitled Housing).

Dwelling size:-

The units proposed would both have gross internal areas which exceed the requirements of the London Plan for a dwelling of that type.

Dwelling layout and outlook:-

Development plan policy requires that new dwellings are provided with adequate outlook. The design approach proposed maximizes the outlook of occupiers of the new dwellings, while also taking account of the need to prevent unacceptable levels of overlooking at neighbouring properties.

Both bungalows are multi-aspect with at least one façade orientated south-west or east-west, and will feature sufficient amount glazing.

It is considered that each of the dwellings proposed in this instance have an acceptable degree of outlook.

External amenity space provision:-

Both dwellings proposed would have access to their own private external amenity space. Both amenity spaces would exceed the requirements of the Council's guidance on the provision of private amenity areas for the relevant type of dwelling.

Privacy and overlooking:-

It is noted that Table 2.4 of Barnet's Sustainable Design and Construction SPD (2013) states that in new residential development there should be a minimum distance of 21 m between properties facing windows to habitable rooms to avoid overlooking and 10.5 m to a neighbouring garden.

Although Planning Officers recognise these distances would not be met, the proposed dwellings would be of single storey and all proposed habitable windows would be at ground level, bounded by fencing. It is considered the design and layout of the windows, doors and amenity areas in the dwellings proposed is such that, subject to the provision of suitable boundary treatments and soft landscaping secured through conditions, the new residential units would be provided with an acceptable level of privacy and not suffer unacceptable overlooking.

Daylight and sunlight:-

The submission documents include an assessment of the levels of daylight and sunlight that would be received in the habitable rooms of the dwellings proposed. This was carried out by HTA Design LLP.

The evaluation found that all of the habitable rooms proposed would be provided with excellent levels of daylight and adequate levels of sunlight throughout the year. The proposal is found to be acceptable in this regard.

Accessibility: -

The applicant has advised that dwelling B1 would accord with the requirements of M4(3) of 2013 Building Regulations, and dwelling B2 would meet building regulation M4(2).

Conclusions on the amenities of future occupiers:-

For the reasons set out above the development, as controlled by the conditions recommended, is found to be compliant with development plan policy.

Impact on amenity of neighbouring occupiers

Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users.

As single storey dwellings which would be bounded by the rear gardens of neighbouring properties, it is considered that the proposed development would not give rise to a harmful impact on the residential and visual amenities of adjoining occupiers.

Dwelling B1 would be located 22 metres from the rear of the property at No. 41 Quinta Drive and 11 metres (at its closest point) from the rear of No. 47 and 49 Quinta Drive (albeit at an angle). Dwelling B2 would be located 18m from the rear of the properties along Ryecroft Crescent and 13.5 metres from the rear of the properties at No. 55 and 57 Quinta Drive.

By virtue of the proposed dwelling's design, height, massing and an inset from adjoining boundaries, it is not considered that the dwellings would impact the amenity of neighbouring properties to an unacceptable level.

The submission documents include an assessment of the proposals impact on daylight and sunlight of the neighbouring residential properties, produced by HTA Design LLP. The report concludes that the criteria relating to both daylight and sunlight would be met and that there would be no significant adverse impact on the daylight or sunlight received at neighbouring residential properties. Officers accept the findings of this assessment and conclude that the application is acceptable in terms of its impact on the daylight and sunlight received at neighbouring properties.

Officers consider that the occupation and natural surveillance that would come from these proposed dwellings and their private gardens, would provide a greater sense of security for occupiers at the neighbouring properties, compared to the existing garages.

In conclusion, the proposed development is considered to be acceptable and compliant with the relevant development plan policies in regards to the amenities of neighbouring and surrounding occupiers.

Highways and Parking

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of

the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

The development site is an existing garage court accommodating 22 garages. Pedestrian and vehicular access to the site is gained from Quinta Drive by way of an existing access road. The Public Transport Accessibility Level (PTAL) for the site is 1b (where 1a is low and 6b is high).

2 parking spaces are being proposed in total (1 parking space per dwelling). No replacement parking is being proposed for the existing garage parking.

A Transport Statement has been submitted to accompany this application, produced by Campbell Reith Hill LLP. Barnet Homes have confirmed in the Transport Statement that the existing garages are considered sub-standard as they are not suitable for parking standard vehicles nor do they allow comfortable access to/from the vehicles. Barnet Homes have also advised that, of the 4 garages leased, it is likely these are used for storage purposes, and not parking. Barnet Homes have advised that they would provide replacement garage parking for the displaced 4 lease holders if they wish to continue to lease a garage further afield.

The Transport Statement includes a parking beat survey. The survey has demonstrated that there are sufficient parking spaces available on street in the vicinity of the development to accommodate potential overspill parking that may result from the loss of the existing garage parking.

Taking into consideration the PTAL rating of 1b for the site, Highways Officers have considered that the parking provision proposed for the dwellings is in accordance with the Barnet Local Plan, Development Management policy DM17.

Access will be from Quinta Drive via the existing access road. Conditions are recommended to ensure that refuse collection points are within an adequate distance of the public highway.

Cycle parking in accordance with the requirements of the London Plan will be provided as part of the proposals.

In conclusion, subject to the conditions recommended, the proposal is considered to be acceptable and compliant with policy in respect of parking, highways and transport matters.

Refuse and recycling

Refuse and recycling storage has been provided for each proposed dwelling. Notwithstanding the details on the plans submitted, a condition has been recommended to secure satisfactory refuse and recycling facilities are provided at the proposed development.

Trees and Landscaping

Policy DM01 identifies that proposals will be required to include hard and soft landscaping and states that trees should be safeguarded.

There are no trees currently on site. There are trees outside the site in neighbouring properties rear gardens. No trees on neighbouring sites are subject to a Tree Preservation Order. It is not proposed to remove any neighbouring trees.

An Arboricultural Impact Assessment accompanies the application, produced by agb Environmental Ltd. The Report states that some reduction would be required to two trees, involving the south-west crown face of T3, Lawson's cypress, and the east crown face of T8, Ash, in order to prevent obstruction to new parking and access, and provide clearance for construction.

The report specifies the protection measures to be implemented in order to ensure that there is no negative impact on any trees during the construction of the proposed development. These are considered acceptable by Officers.

Conditions have been recommended to ensure that the landscaping finally installed is of an appropriate design and quality and makes a positive contribution to the area. Subject to these conditions, trees and landscaping matters are deemed acceptable.

Sustainability

In regards to water usage, a condition has been attached to ensure the proposed dwellings are constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulation.

The agent has confirmed in writing that the proposed development will achieve over 40% carbon dioxide emission reduction when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. A condition has been attached accordingly.

Contaminated Land

The application has been accompanied by a Preliminary Risk Assessment (Report Reference: SRS/16/1290 RPT 1 Issue 2, May 2016, Site Remedial Services Ltd).

Having evaluated the information submitted, the Council's Environmental Health Department have confirmed that any potential concerns they may have regarding contaminated land issues can be adequately addressed through the conditions recommended in this respect.

As such, subject to the conditions recommended, the proposal is acceptable and compliant with development plan policy.

Safety and Security

The design and layout of the development proposed is considered to be such that it would provide a safe and secure environment for users of the proposed buildings and surrounding properties.

Barnet and Mayoral Community Infrastructure Levy

The proposed development is liable for charge under the Barnet Community Infrastructure Levy (CIL) and is liable for charge under the Mayoral CIL.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sqm on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sqm on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

However, The Community Infrastructure Levy Regulations 2010 make provisions for CIL relief for new social housing. Given the proposals comprises 100% affordable housing, the proposed development will be eligible for Social Housing Relief.

5.4 Response to Public Consultation

- Concerns that the development would compromise security and privacy of existing neighbouring properties. Concerns for how new boundary fencing/walls for neighbouring properties' will be implemented.

Officer have concluded that the proposed development generally and taken overall would not impact neighbouring occupiers privacy or security to an unacceptable level.

A condition has been attached securing details of temporary means of enclosure.

- Concerns that the 'beauty' of the area will be destroyed

As assessed in the report above, it is not considered that the proposed development would not impact the character and appearance of the surrounding area to an unacceptable level.

- Concerns that local authority/benefit dependent/homeless occupiers would cause problems for local residents and reduce property prices. Is it Barnet's housing policy to house residents with mobility issues in bungalows?

The development would be for the benefit of Barnet Homes and both units would be provided as affordable housing. The two proposed dwellings are intended to be 100% affordable rent. One of these dwellings will also be built as wheelchair housing.

Barnet's housing policy ensures that all developments contribute to providing a mix of housing products for all households and housing needs.

The nature of future occupiers could not be considered a reason for refusal in this instance.

- Concerns of blockages in waste pipes (Thames Water) and new development adding to these problems

Thames Water have been consulted as part of this application and have raised no objection, subject to informatives, which have been attached to this recommendation.

- Unclear when development will start, with what timeframe and what level of disruption will be caused

A condition has been attached advising that the development must be begun within three years from the date of this permission.

As carefully considered by Officers, it is considered that subject to conditions, the proposed development would not impact the amenity of neighbouring occupiers to an unacceptable level.

- Would the Local Planning Authority consider giving extensions to the garden areas of those surrounding properties which have a shorter gardens.

This is not within the remit of Local Planning Authority to recommend or enforce. It could not be considered a reason for refusal in this instance.

- Concerns of potential risk of asbestos and contamination coming from the demolition and removal of garages.

The Environmental Health Department have confirmed that subject to the imposition of suitable conditions they raise no objection to the development and find the proposal to be acceptable. These conditions have been attached.

- Clarification of whether the intended parking proposals will be adequate in the event that the controlled parking zone is implemented, together with an assessment of whether the "turning circle" is likely to be abused for overflow parking by surrounding residents.

There is no controlled parking zone(s) at present and the application has been assessed on that basis.

The Traffic and Development team assessment is set out in greater detail in the relevant sections of the report above. In summary, they have confirmed that subject to the imposition of suitable conditions they raise no objection to the development and find the proposal to be acceptable.

- Objector hopes that the Local Planning Authority ensure that the proposed development should not create any adverse impacts on the residential amenity enjoyed by neighbouring properties

The application has been carefully considered and, subject to conditions, the proposed development is considered to be acceptable and compliant with the relevant development plan policies in regards to the amenities of neighbouring and surrounding occupiers.

6. Equality and Diversity Issues

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

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

For the purposes of this obligation the term "protected characteristic" includes:

- age;

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

Officers have in considering this application and preparing this report had careful regard to the requirements of this Section and have concluded that the proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme.

The proposed development would benefit future occupiers/users with disabilities, who are protected under this act, and therefore would support the Council in meeting its statutory equality responsibilities and is a clear merit of the proposed scheme.

7. Conclusion

The application proposes the redevelopment of an existing group of garages which are currently in a visible state of disrepair and disuse, into two high quality dwellings, which exceed minimum internal and external space standards. Both proposed dwellings are intended to be 100% affordable housing, and one of which will be specifically constructed for wheelchair users.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within The Mayor's London Plan and the Barnet Local Plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority in their assessment of this application.

For the reasons set out in the previous sections of this report it is concluded that the proposed development generally and taken overall accords with the relevant development plan policies and constitutes a sustainable form of development. Accordingly, APPROVAL subject to conditions is recommended.



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Location Ryecroft Crescent Garages Barnet EN5 3BP

Reference: 16/3386/FUL

Received: 24th May 2016

Accepted: 25th May 2016

Ward: Underhill

Expiry 20th July 2016

Applicant:

Proposal: Demolition of existing garages and erection of 2no. single-storey semi-detached dwellinghouses for affordable rent, with associated car parking, cycle storage, refuse storage and landscaping.

AGENDA ITEM 11

Recommendation: Approve subject to conditions

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

Drawing No. 15-290 D 08 001 - Revision A

Drawing No. 15-290 D 08 002

Drawing No. 15-290 D 08 010 - Revision A

Drawing No. 15-290 D 08 011 - Revision A

Drawing No. 15-290 D 08 050 - Revision A

Drawing No. 15-290 D 08 100 - Revision A

Drawing No. 15-290 D 08 200 - Revision A

Drawing No. 15-290 D 08 201 - Revision A

Drawing No. 15-290 D 08 202 - Revision A

Drawing No. 15-290 D 08 300 - Revision A

Arboricultural Impact Assessment by agb Environmental Ltd, dated 24 June 2016, including Drawing No. 002 (Tree Protection Plan)

Design and Access Statement and Planning Statement by bptw Partnership, dated May 2016

Land Contamination Assessment by Site Remedial Services Ltd, dated May 2016

Daylight, Sunlight and Overshadowing Report by hta Design LLP, dated May 2016

Sustainability Report by Bespoke Builders Services Ltd, dated May 2016

Transport Statement by Campbell Reith Hill LLP, dated May 2016

Utility Site Investigation Report, by Premier Energy dated 02 March 2016

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 2015.

- 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 2015.

- 5 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) 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 (iii) 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).

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 2015.

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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D and E of Part 1 of Schedule 2 of that Order shall be carried out within the area of Quinta Drive Garages, EN5 3BW, hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

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

- 11 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 12 Before the development hereby permitted is occupied the car parking spaces as shown on Drawing No. 15-290D09 050 Rev. A shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 13 Before the development hereby permitted is occupied cycle parking spaces as per the submitted planning application shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

14 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

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

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

15 Prior to the commencement of the development, details of any works proposed on public highway to facilitate the development shall be submitted to and approved by the Highway Authority and highway works shall only be carried out in accordance with the approved plans.

Reason: To ensure that the access is satisfactory in terms of highway safety and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

16 Prior to the commencement of the development hereby approved, details and statutory orders of any highways required to be stopped up to facilitate the development shall be made under Section 247 of the Town and Country Planning Act 1990. These shall be submitted to and agreed with the Local Planning and Highway Authority.

Reason: To ensure that adequate public access is provided throughout the development.

- 17 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of any of the new dwellings (Use Class C3) permitted under this consent, both dwellings shall have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future) prior to the first occupation of either of the new dwellings (Use Class C3) permitted under this consent. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 18 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 40 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 19 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 equipment shall be installed using anti-vibration mounts. 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).

- 20 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no

risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

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

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

- 21 No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the scheme of temporary tree protection as shown on the tree protection plan approved under Condition 1 of this permission 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 permission.

Reason: To safeguard the health of existing tree(s) 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 (adopted September 2012) and Policy 7.21 of the London Plan 2015.

- 22 a) No site works or works on this development including demolition or construction work shall commence until details of the temporary means of enclosure, including boundary treatments to neighbouring properties, 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 site works including demolition and construction work commence, and retained as such throughout the demolition and construction period of the development.

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 during the demolition and construction work 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).

- 23 The proposed development of two new residential units shall be provided and retained in use as units of affordable housing in perpetuity in accordance with the Planning Statement (BPTW: May 2016). In accordance with the approved planning statement, these units shall be provided as affordable rent with a rent level of 65% for the purposes of accommodating residents of the Borough through a nominations process.

Reason: To ensure that the proposed development of affordable housing is permanently retained for the benefit of residents of the Borough in order to meet the the housing needs of the London Borough of Barnet and to comply with policies DM01, DM08 and DM10 of the London Borough of Barnet Local Plan Development Management Policies DPD (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 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 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
- 3 If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the

applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

- 4 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.
- 5 Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 6 The applicant is advised that for construction works adjacent or affecting the public highways, the council's First Contact should be contacted on 0208 359 2000 for any necessary Highways Licenses or any highway approvals deemed necessary.
- 7 The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 8 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
- 9 The applicant is advised that any works required on public highway to facilitate the development will require a separate agreement with the Highways Authority under S184 or S278 of the Highways Act 1980.
- 10 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

In addition, the applicant is advised that the building on site may contain asbestos. Advice on removal is available at: <https://www.barnet.gov.uk/citizen-home/environmental-health/pollution/hazardous-substances/asbestos.html>

Reference should be made to the uncovering and disposing of asbestos in complying with the contaminated land conditions part 1 and 2.

- 11 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.

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.

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.

- 12 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.

- 13 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 14 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.
- 15 The grant of planning consent confers no rights for any work to be undertaken to a tree on public highway land and you are advised to consult the Council's Principal Arboricultural Officer - Greenspaces and Streets prior to taking any further action.
- 16 The applicant is advised that the garages on site may contain asbestos. Advice on removal is available at: <https://www.barnet.gov.uk/citizen-home/environmental-health/pollution/hazardous-substances/asbestos.html>

Officer's Assessment

1. Site Description

The application site measures 0.07 ha and consists of a cul-de-sac containing 24 residents' garages situated between Ryecroft Crescent and Quinta Drive. It is within the ward of Underhill.

Pedestrian and vehicular access to the site is gained from Ryecroft Crescent by way of an existing access road. The site is covered in hard surfacing and garages. The site also provides access to a garage in the rear garden of No.37 Quinta Drive at the western end of the site and access to a garage in the rear garden of No.10 Ryecroft Crescent at the eastern end.

The site is bounded on all sides by existing residential development. The immediate street block bounded by Quinta Drive and Ryecroft Crescent is principally characterised by two storey semi-detached properties and short terraces of three dwellings. There is also a terrace of four bungalows. Properties have small to moderate size gardens with some mature tree planting particularly at the northern end.

The surrounding properties are characterised by pitched roofs and gable elements. Materials used on the surrounding buildings are predominantly brick, dark tiled roofs and render elements.

The site is not within a conservation area and there are no statutory listed or locally listed buildings within or adjoining the site. There are no Tree Preservation Orders pertaining to any trees which may constrain the development. There are no other site specific policy designations or allocations for this site.

The site is relatively level.

The site is located within a Flood Zone 1, according to the Environment Agency's Flood Zone Maps. As such, there is no significant risk of flooding.

The site is located in a PTAL 1b location (where 1a is low and 6b is high). The site is accessed off Ryecroft Crescent, which is off Quinta Drive, which connects to Barnet Road (A411). There is a bus stop close to the site along Quinta Drive. High Barnet Underground station is located approximately 2 km (1.24 miles) to the east of the site.

Most properties around the site have off street car parking by way of an area of hard standing within the front garden of the property. On street car parking is also available.

2. Site History

None of relevance for the garages site.

3. Proposal

The application seeks planning permission for the demolition of all 24 garages and the construction of a pair of semi-detached single storey self-contained residential dwellings (bungalows) with associated car parking, cycle storage, refuse storage and amenity space. The proposed dwellings would utilise the existing access off of Ryecroft Crescent.

The development would be for the benefit of Barnet Homes and both units would be provided as affordable housing. The two proposed dwellings are intended to be 100% affordable rent.

Both dwellings are 2-bed/ 4 person dwellings with two double bedrooms and an open plan kitchen/living/dining area. Both dwellings would measure 74 sqm in total floorspace. These would both meet the minimum internal space standards set out in the London Plan (MALP 2016).

Both dwellings would benefit from generous open-plan kitchen/living/dining areas, which would meet the minimum widths and floor areas for living/kitchen/dining areas, as set out in Table 2.2 of Barnet's adopted Sustainable Design and Construction SPD (2013). Minimum bedroom areas and widths, as set out in Table 2.2, would be met.

Both dwellings are designed to meet the standards set out in Part M4(2) of the 2013 Building Regulations.

Each bungalow is provided with a private outdoor amenity space of between 94sqm (Dwelling B1) and 117sqm (Dwelling B2), exceeding the minimum London Plan and Barnet standards for outdoor amenity space.

The bungalows would be of contemporary design and would have pitched tiled roofs, gable ends and be constructed in brick, reflecting the design and character of the surrounding properties.

Both bungalows are multi-aspect. It is considered that both dwellings would benefit from adequate daylight, sunlight and outlook.

Each dwelling would be provided with 1x car parking space as well as associated private refuse storage and bicycle storage within the rear gardens (with space for 2 bikes per shed).

Dwelling B1 would be sited at a distance of 1.4 metres from the boundary adjacent to No. 25 Quinta Drive to the north-east; 13.7 metres from the boundary adjacent to No. 37 Quinta Drive to the west and 3.8 metres (at its closest point) from the boundary adjacent to No. 22 and No. 20 Ryecroft Crescent to the south. The rear gardens of these properties border the application site.

Dwelling B2 would be sited at a distance of 1.4 metres from the boundary adjacent to No. 23 and No. 21 Quinta Drive to the north-east, 4.5 metres from the boundary adjacent to No. 19 Quinta Drive and No. 10 Ryecroft Crescent to the east, and 3.8 metres (at its closest point) from the boundary adjacent to No.20 Ryecroft Crescent. The rear gardens of these properties border the application site.

4. Public Consultation

Consultation letters were sent to 207 neighbouring properties.

A site notice was erected on site on 9 June 2016

A press notice was published on 7 June 2016.

1 response has been received, comprising 1 letter of comment from Thames Water (see below).

It is noted that neighbourhood consultation responses for this application are to be received by the Local Planning Authority in writing by no later than 3.00pm on 14 July 2016. Any responses received by the Local Planning Authority between the time of this report being publishing and the date of the committee will be added by addendum.

Internal and External Consultation responses:-

Traffic and Development Team:

The Traffic and Development team assessment is set out in greater detail in the relevant sections of the report below. In summary, they have confirmed that subject to the imposition of suitable conditions they raise no objection to the development and find the proposal to be acceptable.

Environmental Health Department:

The Environmental Health Service has confirmed that subject to the imposition of suitable conditions they raise no objection to the development and find the proposal to be acceptable.

Thames Water:

Thames Water has advised that with regard to sewerage infrastructure capacity, they would not have any objection to the planning application.

In regards to surface water drainage, Thames Water have advised that it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. An informative has been added accordingly.

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 2016

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 2050. 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, DM03, DM04, DM08, DM17.

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 the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether harm would be caused to the living conditions of future residents.
- Whether harm would be caused to the health and quality of trees
- Whether the development would impact traffic and highways to an unacceptable level

5.3 Assessment of proposals

Principle of development and redevelopment of the site

For areas such as the application site policies CS1 and CS3 of the Barnet Core Strategy expect new developments to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

The proposed development would result in the demolition of the 24 existing garages on the site and their replacement with two homes. These properties would be developed by Barnet Homes and are both intended to be 100% affordable rent housing.

An assessment has been made of the existing car parking by the applicant. In a letter by Barnet Homes, dated 13 May 2016, it has been advised that of the 24 garages, 19 are currently void. The garages are considered to be in a poor state of repair and not fit for purpose. Barnet Homes have advised that these garages are more likely to be used for storage purposes and not parking, although the use of the garages cannot be confirmed.

The applicant has advised that garages are let to individuals on rolling contracts and are not allocated to particular properties. Car parking appears to be accommodated for within the front garden hardstanding of surrounding properties and also on street. As such, there is no objection to the redevelopment of this parking area.

The application site has not been identified for any specific use in development plan planning policies, is previously developed land and is situated in an area characterised by residential housing. The land is located within walking distance of a number of bus stops, is close to local amenities and utilises existing access off Ryecroft Crescent.

As abovementioned, both proposed dwellings are intended to be 100% affordable rent housing.

In such circumstances, officers find that there is nothing to specifically preclude the redevelopment of the site in the broadest sense, subject to the scheme proposed being compliant with the relevant development plan policies.

As such the principle of redevelopment of the site is deemed acceptable.

Affordable housing

Policy CS4 of the Core Strategy DPD (2012) seeks to ensure a mix of housing products in affordable and market sectors to provide choice for all households. Policy DM08 (Ensuring

a variety of sizes of new homes to meet housing need) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision. Policy DM10 (Affordable housing contributions) seeks the maximum reasonable amount of affordable housing to be provided on all new sites that provide 10 or more units, having regard to the Borough wide target for 40% affordable housing provision.

Policy 3.10 of the Mayor's London Plan (2015) states that affordable rented housing should meet the criteria outlined in Policy 3.10 and be let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

Both proposed units are for affordable rent, exceeding the policy requirement for 40% on site affordable housing and exceeding the policy target for 60% of affordable housing to be social or affordable rent.

The affordable rent level for these units is intended to be 65% of the local market rent level, which is lower than the 80% market rent threshold, as defined in the London Plan (2015).

In summary, the units would provide affordable housing for future occupiers above and beyond affordability levels set out in regional policy, and would contribute to providing a mix of housing products for all households.

Design, appearance and character matters

The National Planning Policy Framework (published in 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development.

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

The locality and wider area consists of low density residential development within an open and spacious character comprising two storey semi-detached properties and short terraces.

The application proposes a pair of single storey, semi-detached bungalows which would be subordinate within their context and respect the spacing in this area. The proposed dwellings would have pitched roofs, with an element of flat roof projections.

In terms of height, size, scale and massing it is considered that these proposed dwellings would not detrimentally harm the local character. It is considered that the gardens serving the proposed dwellings would contribute to the open and spacious character of the area and the nature of this particular backland plot.

The garages are in a visible state of disrepair and disuse, as observed on a site visit by Planning Officers. Given the removal of a number of garages and existing hardstanding, and their replacement with the single-storey dwellings and associated soft landscaping, it

is considered that the proposed development would improve the character and appearance of the application site.

In terms of their design and appearance, the proposed buildings would reflect that of the surrounding properties. Design features of the proposed dwellings include pitched tiled roofs; gable ends; glazing; and red brick elevations with linear brick detailing. Such features are considered to respond positively to its context and are found to have an acceptable relationship with the neighbouring buildings and spaces.

Conditions have been recommended to ensure that the materials used in for the new building are of an appropriate quality. Conditions are also recommended to ensure that a suitable design and quality of materials are used for the areas of hard and soft landscaping around the new building and means of enclosing the site.

Subject to the conditions recommended, the proposal is found to be acceptable and compliant with development plan policies as they relate to design, character, appearance and landscaping matters.

Quality of accommodation for future occupants

Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that development will be expected to meet in relation to a number of matters, including the internal floorspace of new dwellings and outdoor amenity space.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new residential accommodation. The council also has adopted SPD's (entitled Sustainable Design and Construction and Residential Design Guidance) providing more detailed guidance on a range of matters related to creating new residential in addition to the Mayor's adopted SPG's (entitled Housing).

Dwelling size:-

The units proposed would both have gross internal areas which exceed the requirements of the London Plan for a dwelling of that type.

Dwelling layout and outlook:-

Development plan policy requires that new dwellings are provided with adequate outlook.

The design approach proposed maximizes the outlook of occupiers of the new dwellings, while also taking account of the need to prevent unacceptable levels of overlooking at neighbouring properties. It is considered that each of the dwellings proposed in this instance have an acceptable degree of outlook.

External amenity space provision:-

Both dwellings proposed would have access to their own private external amenity space. Both amenity spaces would exceed the requirements of the Council's guidance on the provision of private amenity areas for the relevant type of dwelling.

Privacy and overlooking:-

It is noted that Table 2.4 of Barnet's Sustainable Design and Construction SPD (2013) states that in new residential development there should be a minimum distance of 21 m between properties facing windows to habitable rooms to avoid overlooking and 10.5 m to a neighbouring garden.

Although Officers recognise these distances would not be met, the proposed dwellings would be of single storey and all proposed habitable windows would be at ground level, bounded by fencing and/or landscaping. It is considered the design and layout of the windows, doors and amenity areas in the dwellings proposed is such that, subject to the provision of suitable boundary treatments and soft landscaping secured through conditions, the new residential units would be provided with an acceptable level of privacy and not suffer unacceptable overlooking.

Daylight and sunlight:-

The submission documents include an assessment of the levels of daylight and sunlight that would be received in the habitable rooms of the dwellings proposed. This was carried out by HTA Design LLP.

The evaluation found that all of the habitable rooms proposed would be provided with acceptable levels of daylight and sunlight. It is noted in the assessment that although the front (twin) bedrooms of both dwellings do not quite achieve recommended daylight levels, the results remain acceptable and can be expected to experience acceptable daylight conditions.

The proposal is therefore found to be acceptable in this regard.

Accessibility: -

The applicant has advised that both dwellings would accord with the requirements of M4(2) of 2013 Building Regulations.

Conclusions on the amenities of future occupiers:-

For the reasons set out above the development, as controlled by the conditions recommended, is found to be compliant with development plan policy.

Impact on amenity of neighbouring occupiers

Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users.

As single storey dwellings which would be bounded by the rear gardens of neighbouring properties, it is considered that the proposed development would not give rise to a harmful impact on the residential and visual amenities of adjoining occupiers.

Dwelling B1 would be sited at a distance of approximately 15.5 metres from the rear of the property at No. 25 Quinta Drive to the north, 26 metres from the property at No. 37 Quinta Drive to the west and 16 metres (at its closest point) from the property at No. 22 Ryecroft Crescent to the south.

Dwelling B2 would be located at a distance of 18.5 metres from the rear of the rear of the property at No. 23 Quinta Drive, 21 metres from the rear of No. 10 Ryecroft Crescent and 16.5 metres from the rear of No. 20 Ryecroft Crescent.

By virtue of the proposed dwellings design, height, massing and an inset from adjoining boundaries, it is not considered that the dwellings would impact the amenity of neighbouring properties to an unacceptable level.

The submission documents include an assessment of the proposals impact on daylight and sunlight of the neighbouring residential properties. This was carried out by HTA Design LLP. The report concludes that there would be no significant adverse impact on the daylight or sunlight received at neighbouring residential properties. Officers accept the findings of this assessment and conclude that the application is acceptable in terms of its impact on the daylight and sunlight received at neighbouring properties.

Officers consider that the occupation and natural surveillance that would come from these proposed dwellings and their private garden areas, would provide a greater sense of security for occupiers at the neighbouring properties, compared to the existing garages. In conclusion, the proposed development is considered to be acceptable and compliant with the relevant development plan policies in regards to the amenities of neighbouring and surrounding occupiers.

Highways and Parking

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

The development site is an existing garage court accommodating 24 garages. Pedestrian and vehicular access to the site is gained from Ryecroft Crescent by way of an existing access road. The Public Transport Accessibility Level (PTAL) for the site is 1b (where 1a is low and 6b is high).

2 parking spaces are being proposed in total (1 parking space per dwelling). No replacement parking is being proposed for the existing garage parking.

A Transport Statement has been submitted to accompany this application, produced by Campbell Reith Hill LLP. Barnet Homes have advised that 19 garages of the 24 are void and 5 are occupied; of which two are by people living more than 200m away from the garage site.

Parking beat survey was undertaken by the applicant. The survey demonstrated that the available on-street parking is capable of accommodating additional vehicles associated with the potential existing garage parking. It has been advised that Barnet Homes will be looking to provide replacement garage parking for the displaced lease holders if they wish to continue a garage lease further afield.

Taking into consideration the PTAL rating of 1b for the site, Highways Officers have considered that the parking provision proposed for the dwellings is in accordance with the Barnet Local Plan, Development Management policy DM17.

Access will be from Ryecroft Crescent via the existing access road. Conditions are recommended to ensure that refuse collection points are within an adequate distance of the public highway.

Cycle parking in accordance with the requirements of the London Plan will be provided as part of the proposals.

In conclusion, subject to the conditions recommended, the proposal is considered to be acceptable and compliant with policy in respect of parking, highways and transport matters.

Refuse and recycling

Refuse and recycling storage has been provided for each proposed dwelling. Notwithstanding the details on the plans submitted, a condition has been recommended to secure satisfactory refuse and recycling facilities are provided at the proposed development.

Trees and Landscaping

Policy DM01 identifies that proposals will be required to include hard and soft landscaping and states that trees should be safeguarded.

There are no trees currently on site. There are tree outside the site in neighbouring properties rear gardens. No trees on neighbouring sites are subject to a Tree Preservation Order. It is not proposed to remove any neighbouring trees.

An Arboricultural Impact Assessment accompanies the application, produced by agb Environmental Ltd. The Report states that some reduction is required to the north crown face of T1, rowan, and the southern crown faces of T4, apple, and T5, Lawson's cypress, to provide sufficient construction access and future building clearance.

The report specifies the protection measures to be implemented in order to ensure that there is no negative impact on any trees during the construction of the proposed development. These are considered acceptable by Officers.

Conditions have been recommended to ensure that the landscaping finally installed is of an appropriate design and quality and makes a positive contribution to the area. Subject to these conditions, trees and landscaping matters are deemed acceptable.

Sustainability

In regards to water usage, a condition has been attached to ensure the proposed dwellings are constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulation.

The applicant has confirmed in writing that the proposed development will achieve over 40% carbon dioxide emission reduction when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. A condition has been attached accordingly.

Contaminated Land

The application has been accompanied by a Preliminary Risk Assessment (Report Reference: SRS/16/1291 RPT 1 Issue 2, May 2016, Site Remedial Services Ltd).

Having evaluated the information submitted, the Council's Environmental Health Service has confirmed that any potential concerns they may have regarding contaminated land issues can be adequately addressed through the conditions recommended in this respect. As such, subject to the conditions recommended, the proposal is acceptable and compliant with development plan policy.

Safety and Security

The design and layout of the development proposed is considered to be such that it would provide a safe and secure environment for users of the proposed buildings and surrounding properties.

Barnet and Mayoral Community Infrastructure Levy

The proposed development is liable for charge under the Barnet Community Infrastructure Levy (CIL) and is liable for charge under the Mayoral CIL.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sqm on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sqm on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

However, The Community Infrastructure Levy Regulations 2010 make provisions for CIL relief for new social housing. Given the proposals comprises 100% affordable housing, the proposed development will be eligible for Social Housing Relief.

5.4 Response to Public Consultation

N/A

6. Equality and Diversity Issues

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

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

For the purposes of this obligation the term "protected characteristic" includes:

- age;
- disability;

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

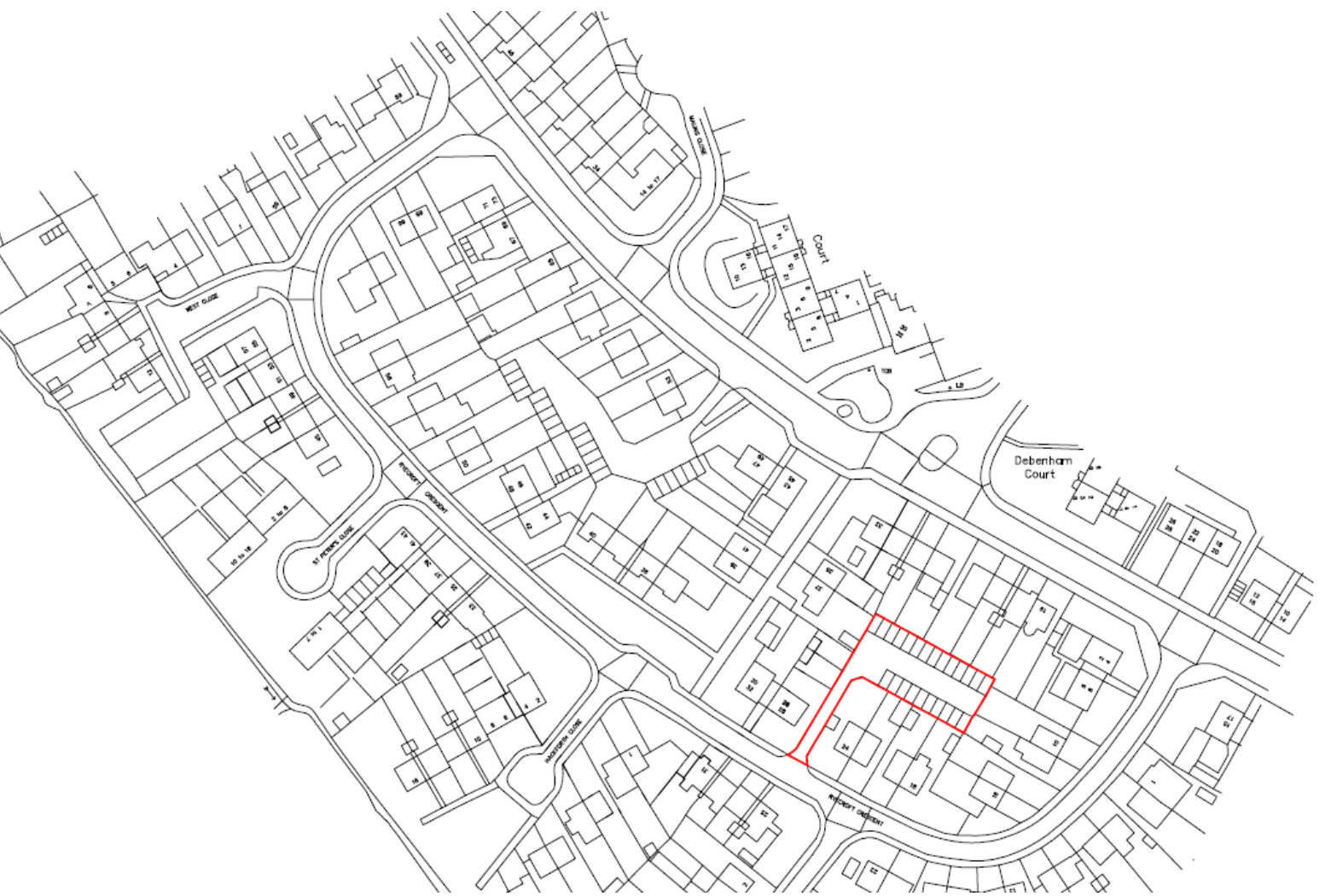
Officers have in considering this application and preparing this report had careful regard to the requirements of this Section and have concluded that the proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

The application proposes the redevelopment of an existing group of garages which are currently in a visible state of disrepair and disuse, into two high quality dwellings, which exceeds minimum internal and external space standards. Both proposed dwellings are intended to be 100% affordable housing.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within The Mayor's London Plan and the Barnet Local Plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority in their assessment of this application.

For the reasons set out in the previous sections of this report it is concluded that the proposed development generally and taken overall accords with the relevant development plan policies and constitutes a sustainable form of development. Accordingly, APPROVAL subject to conditions is recommended.



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