

MEETING

CHIPPING BARNET AREA PLANNING COMMITTEE

DATE AND TIME

THURSDAY 7TH SEPTEMBER, 2017

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

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

Chairman: Councillor Wendy Prentice
Vice Chairman: Councillor Stephen Sowerby MA

Alison Cornelius
Tim Roberts

Laurie Williams
Reema Patel

Kathy Levine

Substitute Members

Philip Cohen
Paul Edwards
David Longstaff

Caroline Stock
Pauline Coakley Webb

Sachin Rajput
Andreas Ioannidis

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

Andrew Charlwood – Head of Governance

Governance Services contact: Jan Natynczyk 020 8359 5129 Jan.Natynczyk@Barnet.gov.uk

Media Relations contact: Sue Cocker 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

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1.	MINUTES OF LAST MEETING	5 - 8
2.	ABSENCE OF MEMBERS (IF ANY)	
3.	DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)	
4.	REPORT OF THE MONITORING OFFICER (IF ANY)	
5.	ADDENDUM (IF APPLICABLE)	
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6.	69 SYDNEY ROAD LONDON N10 2LY	9 - 14
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9.	ANY ITEM(S) THE CHAIRMAN DECIDES ARE URGENT	

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Decisions of the Chipping Barnet Area Planning Committee

19 July 2017

Members Present:-

AGENDA ITEM 1

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

Councillor Alison Cornelius
Councillor Tim Roberts
Councillor Laurie Williams

Councillor Reema Patel
Councillor Kathy Levine

1. MINUTES OF LAST MEETING

REVISED ORDER OF BUSINESS

The Chairman revised the running order, as reflected in these minutes.

It was **RESOLVED** that the minutes of the meeting held on 14th June 2017 were agreed as a correct record.

2. ABSENCE OF MEMBERS (IF ANY)

None.

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

Councillor	Item	Interest
Tim Roberts	Whitewalls, Totteridge Green	Non-pecuniary Interest Declared as he is a member of Totteridge Manor Association, but will still vote.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

An Addendum to the main report was published and circulated to Members and made available to the public at the meeting.

6. PLANNING ENFORCEMENT QUARTERLY UPDATE - APRIL 2017 TO JUNE 2017

Members noted the report.

7. SITE EAST OF 23 FORMERLY KNOWN AS 25 OAKLEIGH ROAD NORTH LONDON N20 (OAKLEIGH WARD)

Officers presented the report. Oral representations were received from Mr Shalet and Dr Richard Marcus who opposed the application. A representation was also received from Ms Helen Kyprianos, the agent for the applicant.

Following discussion, the Chairman called for the vote. Councillor Roberts proposed a motion for approval subject to conditions, seconded by Councillor Levine. Members voted on the motion and the vote was carried.

Members then voted on the amended recommendation subject to conditions in the officer report and further conditions as follows:

For (approval)	4
Against	3
Abstained	0

It was **RESOLVED** that the planning application was **approved** subject to conditions in officer report and the following three changes:

Condition 6 to be amended to the following (to include reference to electric charging points)

Notwithstanding the submitted plans, before the development hereby permitted is first occupied, car parking spaces (including provision for not less than 20% of the parking spaces to be provided with electric charging facilities) and cycle parking spaces and cycle storage facilities shall be provided on site in accordance with a scheme to be submitted to and approved by the Planning Authority and that area shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development. The cycle parking details shall include details of the type of cycle stand proposed.

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.

New condition relating to lighting:

Prior to the first occupation of the development hereby approved, details (including manufacturers specification, light spillage diagrams, scaled plans and drawings detailing the size and direction, and proposed hours of use) of all external lighting to be installed on the building hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the details approved under this condition and retained as such thereafter.

Reason: In order to protect the character and appearance of the site, and the amenities of the occupants of neighbouring properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

New condition relating to the proposed entrance gates and their maintenance:

Prior to the installation of the entrance gates to the parking area hereby approved, full details of the height, design, appearance, finished material and a Maintenance

Agreement for their continued upkeep should be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be implemented in accordance with the details approved under this condition before the development hereby permitted is first occupied, and permanently maintained as such thereafter.

Reason: In the interest of highways safety and in order to protect the character and appearance of the locality and the amenities of neighbouring occupiers, in accordance with Policies DM01 and DM17 of the Development Management Policies DPD (2013).

8. TENFOLD WOODSIDE GRANGE ROAD LONDON N12 (TOTTERIDGE WARD)

Officers presented the report and addendum. An oral presentation in favour of the application, was received from Craig Thompkins. Lorenzo Pandolfi, the agent, also spoke.

It was **RESOLVED** that the application was **approved** in accordance with the officer recommendation and updated addendum and the amended side elevation drawing presented by officers.

Votes were as follows:

For (approval)	4
Against	0
Abstained	3

9. WHITEWALLS TOTTERIDGE GREEN LONDON N20 (TOTTERIDGE WARD)

Officers presented the report and addendum. Oral representations were received from Adam Harris, and Andrew Scott, agent for the applicant.

It was **RESOLVED** that the application was **approved** in accordance with the officer report and addendum.

Votes were as follows:

For (approval)	5
Against	2
Abstained	0

10. 63A UNION STREET BARNET EN5 (HIGH BARNET WARD)

The committee received the officer presentation. An oral representation was heard from the applicant.

It was **RESOLVED** to **REFUSE** the planning application in accordance with the recommendations in the Officer's report.

Members voted unanimously in favour of refusal.

11. 37 PARK ROAD BARNET EN5 (HIGH BARNET WARD)

Committee received the officer's report and addendum.

It was **RESOLVED** to **approve** the planning application and addendum in accordance with the officer report and addendum.

The vote was unanimously in favour of approval.

12. 21 RASPER ROAD LONDON N20 (TOTTERIDGE WARD)

Officers presented the report and addendum. The applicant provided an oral representation.

It was **RESOLVED** that committee **approved** the planning application in accordance with the officer report and addendum.

Votes were as follows:

For (approval)	5
Against	0
Abstain	2

13. HADLEY GREEN GARAGE VICTORS WAY BARNET EN5 (HIGH BARNET WARD)

Officers presented the report and addendum.

It was **RESOLVED** that committee **approved** the planning application in accordance with the officer report and changes set out in the addendum.

Committee voted unanimously in favour of approval.

14. 89 PARK ROAD BARNET EN4 (EAST BARNET WARD)

Officers presented the committee report and addendum.

It was **RESOLVED** that the planning application was **approved** in accordance with the recommendation and changes set out in the officer report and addendum.

Votes were as follows:

For (approval)	6
Against	0
Abstained	1

The vote in favour of approval was unanimous.

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

The meeting finished at 8.58 pm

Location **69 Sydney Road London N10 2LY**

Reference: **17/3250/FUL**

Received: 19th May 2017

Accepted: 23rd May 2017

Ward: Coppetts

Expiry 18th July 2017

Applicant: Mr John Wordingham

Proposal: Roof extension involving rear dormer window, 3no. rooflights to front and 1no rooflight to rear elevation to facilitate a loft conversion

AGENDA ITEM 6

Recommendation: Refuse

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

- 1 The proposed roof extension, by reason of its size, design, mass and positioning within the rear roofslope would appear as an overly dominant and prominent addition to the host building. It would be inappropriate and out of context with the prevailing character of this row of terraces and would introduce a feature detrimental to the character and appearance of the host property, streetscene and wider locality contrary to policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), policy DM01 of the Adopted Development Management Policies DPD (2012) and the Adopted Residential Design Guidance SPD (2016).

Informative(s):

- 1 The plans accompanying this application are:
 - DWG No 2016-03-5487(A)/1, DWG No 2016-03-5487(A)/2 and Site Location Plan
- 2 In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority (LPA) has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

The applicant did not seek to engage with the LPA prior to the submission of this application through the established formal pre-application advice service. The LPA has discussed the proposal with the applicant/agent where necessary during the application process. Unfortunately the scheme is not considered to accord with the Development Plan. If the applicant wishes to submit a further application, the Council is willing to assist in identifying possible solutions through the pre-application advice service.

1. Site Description

The application site contains a two storey mid-terraced property located along Sydney Road. The property is not listed and is not located within a designated Conservation Area.

2. Site History

16/2264/FUL: Proposed rear dormer window and front rooflights to create additional living accommodation involving a rear mansard roof extension. **Refused** (i) Fail to be subordinate to the existing host property and constitute a disproportionate, discordant and incongruous addition to the detriment of the character and appearance of the existing dwellinghouse, the surrounding area and the visual amenity of the neighbouring occupiers. (ii) Window would result in overlooking and a loss of privacy to No. 65.

3. Proposal

The application seeks permission for a roof extension involving rear dormer window, 3no. rooflights to front and 1no rooflight to rear elevation to facilitate a loft conversion. The proposal rear dormer window would have a depth of 2.2 metres, height of 2 metres and a maximum width of 4.3 metres.

4. Public Consultation

Consultation letters were sent to 23 neighbouring properties. No responses have been received.

This application has been called in to Committee by Cllr Rawlings for the following reason: "it complies with planning requirements and has no negative impact, no local objections, creates a 3 bedroom accommodation which is acknowledged there is a shortage of in Barnet and reduces overcrowding."

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.

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 October 2016)

- 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 October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

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

5.3 Assessment of proposals

Impact on the character of the area

The proposal seeks the addition of a rear dormer with a depth of 2.2 metres, height of 2 metres and a maximum width of 4.3 metres. The application site is a first floor flat and therefore does not benefit from permitted development rights. This is the case along the rest of the row of terraces which has resulted in almost an entirely uniform rear facade to the row of terraces.

Barnet's Residential Design Guidance SPD (RDG) has a specific section which deals with the design of dormer roof extensions. It highlights that the scale of proposed dormer windows is an important aspect of any consideration for a planning application. The RDG illustrates that dormer roof extensions should be subordinate features on the roof and should not occupy more than half the width or half the depth of the roofslope. In this instance the dormer is considerably over such guidance. The width of the proposed dormer window of 4.3 metres would exceed half the width of the existing roof (the existing roof is 5.9m wide). The proposed dormer window would not appear as a subordinate addition to the roofslope.

In respect of positioning, the RDG states that dormer extensions should be set in at least 1 metre from the party wall, flank wall or chimney stack. It notes that in smaller terraced houses where due to internal physical constraints dormers that are set in less than 1 metre will be taken into account providing such constraints and any minimum building regulation or fire regulation requirements are clearly demonstrated. In the current application, the proposed dormer window would abut the party wall and chimney stack, with no gap at all on one side. The application has not been accompanied by any clear demonstration as to why the dormer window could not be constructed with a gap. In the absence of this, and having regard to the width of the dormer window, it is considered that the proposal would appear cramped and as a disproportionate addition within the roofspace.

In terms of proportion, the RDG seeks to retain the balance of houses, and sets out that dormer roof extensions should not normally be wider than the window below it, and the dormer cheeks kept as narrow as possible. In terms of design, the RDG notes dormers should reflect the style and proportion of windows on the existing house. In this application, the dormer structure and windows would be wider than the windows below, with a horizontal emphasis which would conflict with the vertical emphasis of the existing windows. Furthermore, no evidence has been submitted to demonstrate that the width of the dormer cheeks is the narrowest possible width.

On the basis of the above, it is not considered that the proposed dormer window would comply with the requirements of the RDG. The proposed dormer window would appear as an overly prominent and dominant addition to the host property which would lack subordination. It would be detrimental to the character and appearance of the dwelling.

It is noted that there is one example of a dormer window along this row of terraces on the rear roof slope to the property on the corner of the row of terraces (No. 89 Sydney Road). It is noted however that although the occupiers at No.89 did seek and obtain planning permission for this dormer (planning reference N13331B/07), the existing dormer is larger

than shown on the approved plans. The proposed dormer as shown on the plans was significantly smaller in height and depth and was considered a subordinate addition to the property.

Given that there are few examples of rear dormer windows to this row of terraces, it is considered that the proposal, particularly due to the proposed dimensions and positioning of the dormer would be at odds with the prevailing character of this row of terraces, the street scene and wider locality and would have a detrimental impact on the character of the existing property, street scene and wider locality contrary to Policy DM01 of the Development Management Policies DPD.

Impact on the amenities of neighbours

In regards to the amenity of neighbouring occupiers it is not considered that the proposed dormer would result in any unacceptable levels of harm to the amenity of the neighbouring occupiers in accordance with Policy DM01 of the Development Management Policies DPD. It would not introduce any level of overlooking significantly or demonstrably harmful when compared to the existing mutual overlooking that exists between properties.

5.4 Response to Public Consultation

No responses have been received

6. Equality and Diversity Issues

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

7. Conclusion

It is considered that the proposed development would not comply with the requirements of the Development Plan and the application is therefore recommended for refusal.

8. Suggested conditions in the event a future appeal is allowed - Without Prejudice

1) The development hereby permitted shall be carried out in accordance with the following approved plans: DWG No 2016-03-5487(A)/1, DWG No 2016-03-5487(A)/2 and Site Location Plan.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

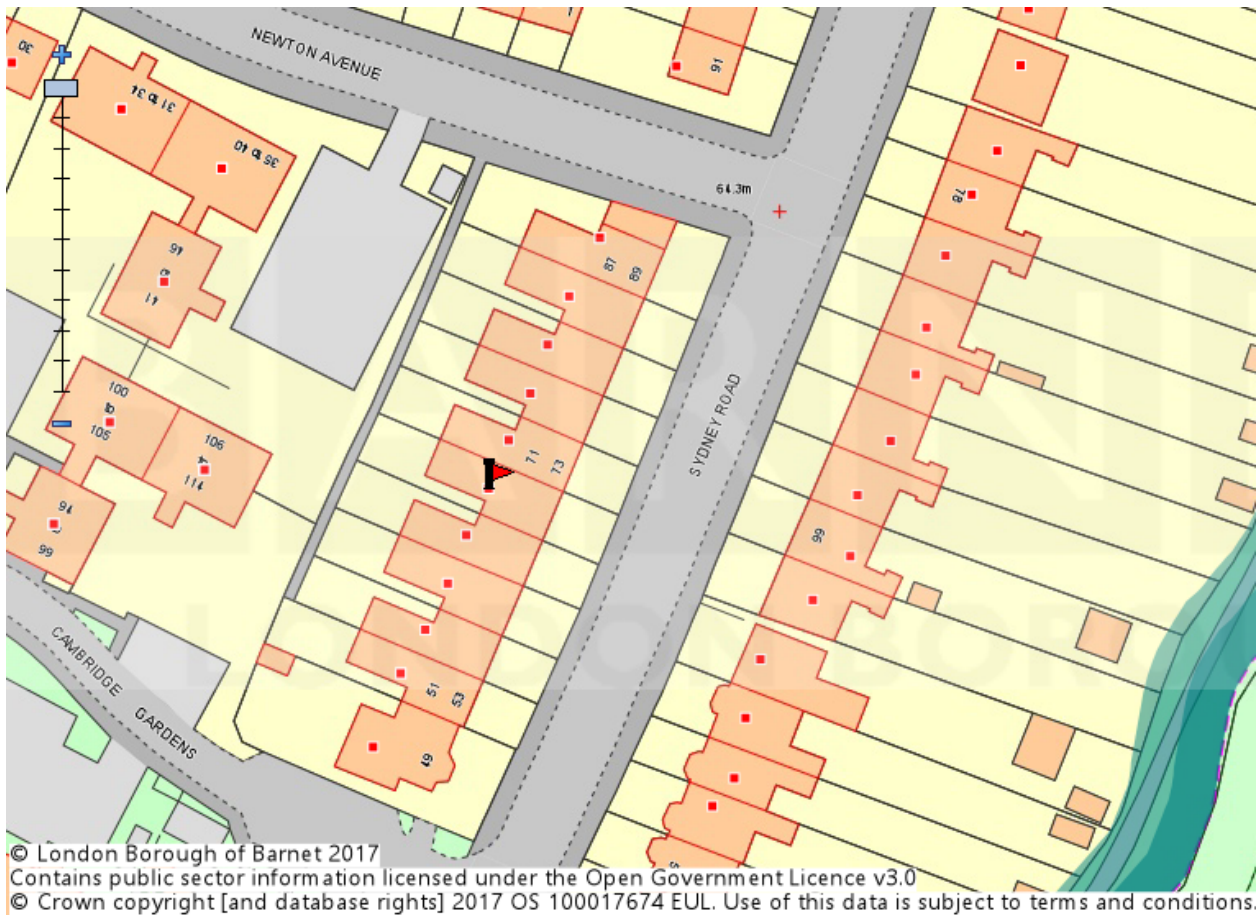
2) This development must be begun within three years from the date of this permission.

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

3) The materials to be used in the external surfaces of the dormer window shall match those of the existing property.

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

Site Location Plan



Location **154A Colney Hatch Lane London N10 1ER**

Reference: **17/0337/FUL**

Received: 19th January 2017

Accepted: 24th January 2017

Ward: Coppetts

Expiry 21st March 2017

Applicant: Mr E ABBASSIAN

Proposal: Erection of second and third floor level to provide 1no self-contained maisonette. (Amended Proposal)

AGENDA ITEM 7

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site plan, 419514 - 2 REV.A, 419514 - 3 REV.A

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

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

- 3 a) No development or site works shall take place on site until a 'Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:
 - 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.

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 Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

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

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 5 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.

- 6 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 25 % 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.

- 7 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be 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 the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 8 The materials to be used in the external surfaces of the building shall match those used in the adjacent development at 150-152 Colney Hatch Lane.

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

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

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. 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. Your planning application has therefore been assessed at this time as liable for payment under both CIL charges. 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 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. 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.
- 5 The applicant is advised that Colney Hatch Lane N10 is Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Chief Highways Officer should be consulted in this respect.
- 6 Any details submitted in respect of the Construction and Traffic Management Plan (CMP) above shall control the hours, routes taken by delivery and construction

vehicles, delivery arrangements, means of access and security procedures for construction traffic to and from the site and for the provision of on-site wheel cleaning facilities during site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site.

The CMP will take into account locations of any schools in the proximity of the proposed development that may be affected by the proposed development and the applicant shall ensure that construction related traffic and or deliveries shall be avoided during the school drop off and pickup times. The applicant may need to liaise with the affected school to ensure that measures are in place to ensure pedestrian safety.

Officer's Assessment

1. Site Description

The application site is situated at 154 Colney Hatch Lane. The application site forms the northern most of a short two storey terrace of three units, dating from the late 1930s. The ground floor is in office use and the first floor is in use as a two bedroom flat.

The adjacent application site (150-152 Colney Hatch Lane) has planning permission for one new maisonette over new second floor and roof space. This is currently under construction. The adjacent property at 156 is a public house.

The application site lies within Colney Hatch Lane Local Shopping Frontage. The application site is not a listed building and does not lie within a Conservation Area.

The area of Colney Hatch Lane in which the application is sited, is characterised by predominantly retail and other commercial uses to ground floors and predominantly residential use to upper floors.

2. Site History

B/05819/14 - Erection of new floor level including new pitched roof with rooms in roof space to facilitate the creation of 2no. self-contained flats - Withdrawn 12.03.15.

150-152 Colney Hatch Lane

B/03579/12 - Creation of second floor with rooms in roofspace including two rear dormer windows to facilitate the creation of two self-contained units - Refused 17/10/2013. Appeal dismissed (ref APP/N5090/A/13/2198446).

B/05475/13 - Extension of existing building to include the retention of 1No.2B x 3P flat and the formation of an additional two floors to house the retained unit and a new 3B x 6P flat with associated internal and external alterations including provision of the rear dormer windows - Approved 24.01.14.

This scheme is currently under development (as of August 2017).

17/4377/FUL: Conversion of existing three storey building into 5no self-contained flats. Associated refuse and recycling, amenity space, cycle store. Under consideration.

3. Proposal

The application proposes a second floor extension and roof extension to provide one 2-bedroom maisonette together with a second floor terrace, recessed dormer window to the rear roof plane, and two velux windows to the front elevation. The proposed unit would have an internal floor area of 70sqm, and provide one double bedroom and one single bedroom.

4. Public Consultation

Consultation letters were sent to 81 neighbouring properties.

16 responses have been received comprising 12 letters of objection and 4 letters of support.

The objections received can be summarised as follows:

- Loss of light
- Increased parking pressure on the street
- Loss of privacy to neighbouring residents

- Poor design
- Building work has commenced next door
- Studios provide a lack of varied housing provision

4 letters of support have been received

- Additional housing is welcome
- The proposal will complete the terrace
- There is no direct loss of privacy

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, DM17.

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

development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

- 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 a flat is acceptable in this location
- The impact on the appearance and character of the area
- Whether the proposal provides satisfactory living accommodation for future occupiers
- The impact on the amenities of neighbouring occupiers
- Impact on parking and highways.
- Refuse and recycling storage

5.3 Assessment of proposals

The principle of the provision of a flat in this location

Colney Hatch Lane is predominantly a residential road, but in its central section, where the application site is located, is a mix of land uses. Retail use is the most prevalent use to ground floors, and residential use is common to upper floors. The adjacent site at 150-152 has planning permission for new residential accommodation to upper floors and this is currently under construction. Residential use to upper floors is well established in this location and a further residential unit would be acceptable subject to the proposal meeting character, design and amenity requirements.

The Impact on the appearance and character of the area

It is considered that the additional floor and roof structure are appropriate as they will align with the additions being constructed at 150 - 152, in terms of both the front building line and the ridge line. The proposal would complete the building and give it a better presence to the street. Subject to matching materials and the correct glazing bar pattern, the proposal will enhance the street frontage and the wider townscape.

The proposal will match the adjacent at 150-152 in regard to the recessed rear dormer window, and the two roof lights to the front roof plane.

In the Inspectors consideration of the new flats to 150 - 152 Colney Hatch Lane (Planning Ref B/03579/12 and Appeal Ref APP/N5090/A/13/2198446), it was recognised that the existing building had no architectural merit, and that the design and scale of the extension would be suitable for the terrace of buildings in which the appeal site lay, with a not dissimilar character and appearance to the adjoining buildings. Thus no harm would be caused to the character and appearance of the area. The proposal therefore accords with the Inspectors view for the remainder of the terrace.

Therefore, it is deemed that from a character and appearance perspective, the proposed extensions would not harm or be detrimental to the applicant building, adjacent properties or the wider streetscene.

Whether the proposal provides a satisfactory living environment for future occupiers

The application was originally submitted to provide two studio flats. However, this has been amended to provide one maisonette over two floors which will provide better overall accommodation.

Room size and area:

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that it makes a positive contribution to the borough. The London Plan (2016) and Barnet's policies and Sustainable Design SPD (Oct 2016) set out the minimum requirements for residential units as follows:

2 bedroom, 3 person, 1 storey - 61m².

The proposal would have an internal overall floor area of 69.67sqm and therefore the flat meets the minimum residential space standard.

Table 2.2: Internal layout and design requirements of Barnet's Sustainable Design SPD (Oct 2016) states that bedrooms should meet the following requirements.

- Single bedroom: minimum area should be 7.5 m² and is at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 m² and is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

The proposed double bedroom complies with the requirements at 14.5sqm and 3.14m minimum width but the single bedroom falls short at 6.75sqm and 2.1m minimum width. However, the degree of shortfall is small and the unit is to a certain degree determined by the overall dimensions of the block.

Table 3.3 of Policy 3.5 of the London Plan states that a minimum ceiling height of 2.3 metres is required for at least 75% of the gross internal area of a dwelling. The floor to ceiling height for the second and roof floor is 2.31m and 2.50m respectively and therefore both are in compliance.

Light/outlook:

Barnet's Sustainable Design SPD (Oct 2016) section 2.4 states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room. All habitable rooms within the proposed flats meet this requirement.

Amenity Space:

Table 2.3 of Barnet's Sustainable Design SPD (Oct 2016) states that flats should have 5 m² of onsite amenity space per habitable room. The flat has rear external private amenity space via outdoor terrace of 6.84sqm. Although not compliant with the amenity space standards, the limitations of the design and the need to protect amenity of adjacent occupiers, preclude a larger amenity space. However, the terrace provides good outlook and the proposed flat is dual aspect, and the quality of accommodation is therefore considered to be acceptable.

The impact on the amenities of neighbouring occupiers

The orientation of the property will align with the construction at 150 - 152, and this will ensure that there will be no material loss of daylight or sunlight to the adjacent properties on Goodwyn's Vale and Sydney Road, nor to the adjoining property on Colney Hatch Lane.

There will be no material loss of privacy to adjacent residents. The new windows proposed for the rear elevation to 154a will be 16 metres away from the garden wall boundary with 2 Sydney Road, and 21 metres away from the closest windows to the rear of 2 Sydney Road, this latter being an oblique view.

Therefore it is not considered that the proposed roof extension including associated amenity space and fenestration would cause significant harm to neighbouring occupant amenity.

The impact on parking and highways

The public transport accessibility level (PTAL) for the site is rated at 3. This is an average in terms of transport access with regular bus routes towards the underground at Highgate Station.

No off-street parking is provided for this proposal. The original application with two studio flats was assessed by Highways as requiring between 0-2 parking spaces. The change to one two-bedroom maisonette was not considered material in highway terms. On balance the provision of no parking in this instance is therefore not likely to cause any major detrimental impact on the surrounding roads. The provision of no parking is therefore in accordance with the requirements brought out on Policy DM17 and LBB standards.

2x cycle parking spaces must be provided in accordance with the 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. This will be secured by condition.

Refuse and recycling storage

There is private land in front of the ground floor commercial premises as far as the public footpath which has always served as bin storage area for the existing 1st floor flat. The land measures 4.9m deep and is as wide as the ground floor commercial unit. A condition will be attached to ensure final refuse and recycling provision and collection is in compliance with Barnet's Waste and Recycling Strategy (2017).

5.4 Response to Public Consultation

Public comments have been acknowledged and those which are material planning considerations have been addressed in the above report.

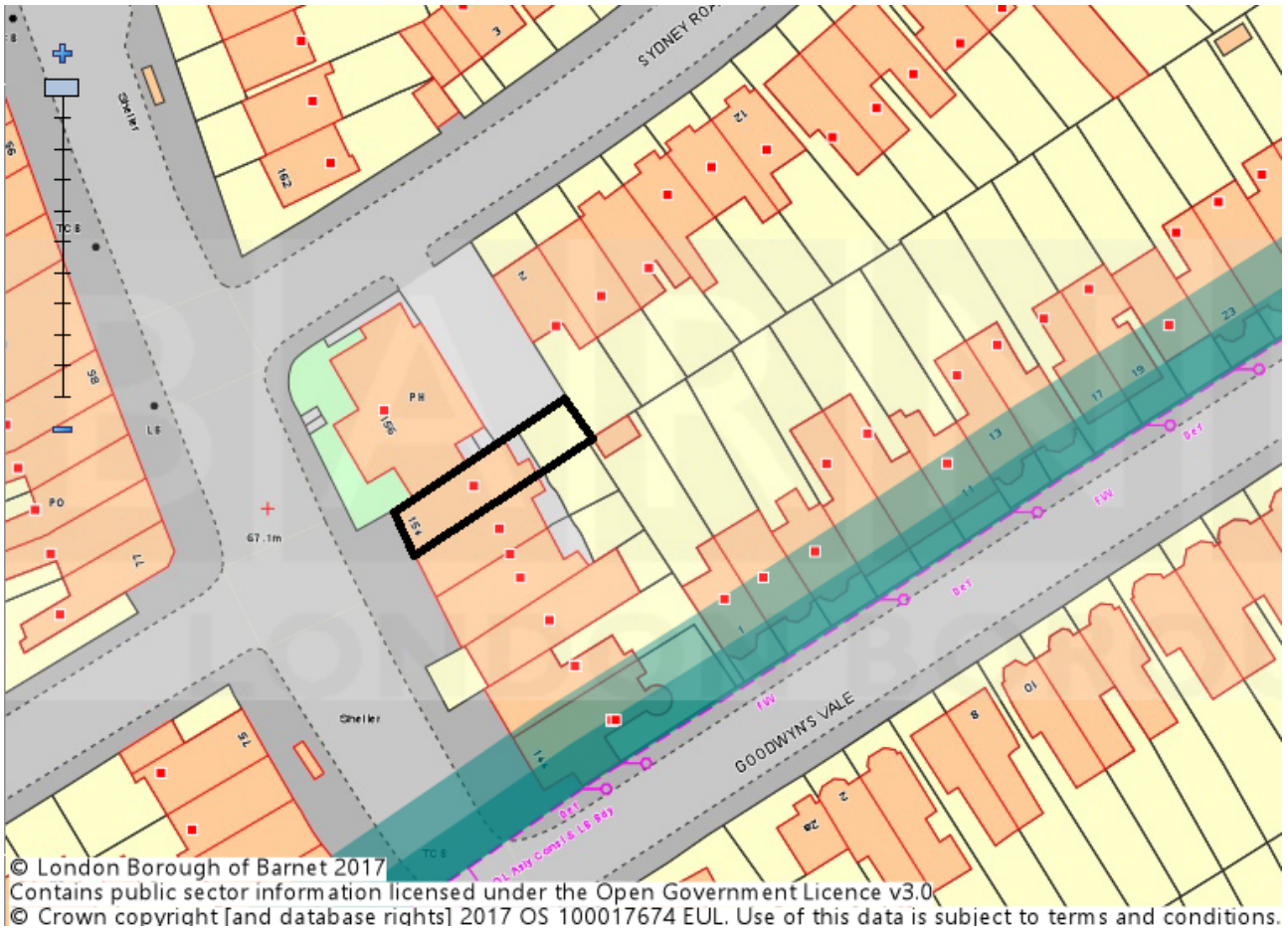
6. Equality and Diversity Issues

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

7. Conclusion

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

Site Location Plan



Location **Cottage Farm Mays Lane Barnet EN5 2AQ**

Reference: **17/2326/FUL**

Received: 10th April 2017

Accepted: 19th April 2017

Ward: Underhill

Expiry 14th June 2017

Applicant: Mr R Varsani

Proposal: Demolition of kennel complex buildings and hardstanding and construction of 2no dwellings, with associated landscaping, car parking and biodiversity enhancements across the site and retention of existing dwelling

AGENDA ITEM 8

Recommendation: Approve subject to s106

RECOMMENDATION I:

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Provision of a landscape and wildlife management programme and contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Head of Development Management/Head of Strategic Planning approve the planning application subject to the following conditions

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

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

Proposed site Issue date 28/07/2017:

0.1.a, 0.1.c, 0.5, 0.7a and 0.8

House A Issue date 04/04/2017:

D.PR.2.1, D.PR.2.2, D.PR.2.4, D.PR.3.1, D.PR.3.2, D.PR.3.3, D.PR.3.4, D.PR.4.1 and D.PR.4.2.

House B Issue date 20/07/2017: :

D.PR.2.1, D.PR.2.4, D.PR.3.1, D.PR.3.2, D.PR.3.3, D.PR.3.4, D.PR.4.1, and D.PR.4.2.

Notwithstanding the details shown on the approved drawings, this approval does not include the gazebo structure shown in other drawings and images of the proposed development (located to the north west of the existing pond) and indicated on the above approved site plan drawings 0.5, 0.6a, 0.7a and 0.8.

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 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.

4 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.

- 5
- a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. The report shall include an assessment of construction dust impacts. The assessment shall have regard to the most recent air quality predictions and monitoring results from the Authority's Review and Assessment process, the London Air Quality Network and London Atmospheric Emissions Inventory. 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) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.
 - c) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 3.2, 5.3 and 7.14 of the London Plan 2011.

- 6
- a) No development shall take place until the implementation of a programme of archaeological evaluation has been secured in accordance with a written scheme which has been submitted by the applicant and approved by the Local Planning Authority in writing and a report on that evaluation has been submitted to the Local Planning Authority.
 - b) If heritage assets of archaeological interest are identified by the evaluation under a) above, then before development (other than demolition to present ground level) commences the implementation of a programme of archaeological investigation shall be secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.
 - c) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under b).
 - d) The development shall not be first occupied or brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under b), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To enable archaeological investigation of the site in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD and Policy 7.8 of the London Plan 2015.

- 7 a) No site works or works in connection with the development hereby approved shall be commenced until a revised and updated biodiversity surveys and strategy have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:

- (i) updated surveys of key protected species;
- (ii) full details of the protective measures to be implemented for wildlife species protected by law;
- (iii) confirmation that the necessary licence(s) for demolition and wildlife relocation has or have been obtained;
- (iv) details of mitigation measures including the timing of development works and special techniques;
- (v) numbers and locations of wildlife enhancements including bat boxes, nesting boxes, refugia and other artificial structures; and
- (vi) wildlife friendly planting.

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

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 8 a) No development shall take place until details of the levels of the approved buildings and site access road in relation to the adjoining land, existing dwelling at the site and public highway, 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 2016.

- 9 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015.

10 a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage, telecommunications and installation of electric vehicle charging points including electricity supply cables) in relation to trees on and adjacent to 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 details approved under this condition.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015).

11 The development hereby approved shall not commence until an updated surface water drainage strategy for the site has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development manages surface water 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).

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

c) The development shall thereafter be implemented and maintained 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.

- 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 2015.

- 14 a) No development other than demolition works shall take place until details of the appearance, materials and set-back distance for the replacement gates and the appearance and materials for boundary treatment 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), Policies DM01 and DM15 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.

- 16 a) Before the development hereby permitted is first occupied, details of the appearance of the enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins together with a satisfactory point of collection within 10m of the public highway shall be submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation 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 policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

17 a) Before the buildings within the development are substantially completed, details of the subdivision and boundaries of the residential curtilages of the existing and proposed dwellings shall have been submitted to and approved in writing by the Local Planning Authority. The approved details shall include clarification of any areas within the development which are for the communal use of all residents.

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

Reason: To ensure that the development retains a predominantly rural character in this Green Belt site and does not result in the suburbanisation of the site, in accordance with policies DM01 and DM15 of the Development Management Policies DPD (adopted September 2012).

18 Prior to the first occupation of the approved dwellings they shall have been constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 20% 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 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.

20 Before the development hereby permitted is occupied; parking spaces shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

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 Before the development hereby permitted is occupied, cycle parking and cycle storage facilities shall first have been provided in accordance with a scheme that has been submitted to and approved by the Local Planning Authority. The cycle storage spaces shall be permanently retained thereafter.

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

- 22 a) No external lighting shall be installed and used until details of the appearance and luminance of the proposed lighting has 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.

- 23 No area shown on the approved plans as flat roofs shall be used as balconies or roof terraces.

Reason: To ensure that the proposed development does not result in the suburbanisation of the countryside, in accordance with Policy DM15 of the Development Management Policies DPD (adopted September 2012).

- 24 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 - H of Part 1 and Classes A, B, D, E and F of Part 2 of Schedule 2 of that Order shall be carried out within the application site.

Reason: To ensure that any further development of this sensitive Green Belt site is subject to appropriate control, in accordance with Policy DM15 of the Development Management Policies DPD (adopted September 2012).

RECOMMENDATION III:

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 29 August 2017, unless otherwise agreed in writing, the Head of Development Management/Head of Strategic Planning REFUSE the application under delegated powers for the following reason:

The proposed development does not include a formal undertaking for the future Landscape Management of the site and an appropriate contribution to meet the costs of doing so. The proposal would therefore not address the impacts of the development,

contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2016).

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. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 This permission should be read in conjunction with a section 106 planning obligation completed in conjunction with the permission, dated **** 2017.
- 3 The Environmental Health Officer has advised that in order to meet Environmental Health concerns, the Demolition and Construction Method Plan required by the condition above shall include as a minimum details of:
 - Site hoarding
 - Wheel washing
 - Dust suppression methods and kit to be used
 - Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. If any of these points are considered to be not applicable for this site, your reasoning for omitting those points should be explained.
 - Confirmation whether or not a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - Provide confirmation that an asbestos survey has been carried out.
 - Confirmation of the following:
 - (i) log book on site for complaints,
 - (ii) work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed;
 - (iii) clear contact details on hoarding;
 - (iv) Adherence to standard construction site hours (these are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays).
- 4 Further to the above comments, the Highways Authority has advised that due to the large number of schools and school children in the area, site deliveries during the construction period should not take place between 0800 hrs to 0900hrs and 1500 hrs to 1600 hrs. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect. These issues should also be properly addressed within the Demolition and Construction Method Plan.
- 5 Refuse collection points should be located within 10 metres of the Public Highway.

Officer's Assessment

1. Site Description

The site comprises 0.95 hectare of Green Belt land with a chalet style dwelling towards the north-eastern corner of the front of the site and a range of smaller buildings. These are identified in the application as:

Building 1: This is located to the rear of the site at its southern western corner, where the site is at its longest. It has areas of hardstanding to front and rear which are enclosed by fences. These in turn are surrounded by scrub and hedges to the sides and rear.

Buildings 2 - 8: These are set in a largely linear arrangement to the rear of the existing dwellings and extending back towards part of the southern boundary, occupying the south-eastern part of the site.

Building 9: This is a low flat roofed building that is set close to the road frontage behind a hedge that screens it from direct view from the road.

Between Buildings 1 and 9, the western part of the site is largely open. There is a pond near the centre of this part of the site, and the Dollis Brook forms the western boundary to the property. Land immediately around the eastern, southern and western sides of the site is open farm land, and the Dollis Valley Walk passes about 100m to the south and south-east of the site. There is a residential cul-de-sac some 70 - 100 metres to the north-east at Partridge Walk, and a number of farm building complexes are located to the west and south-west, on both sides of Mays Lane.

2. Site History

N07957 - Two single storey buildings - planning permission granted 2 April 1986

N07957A - Erection of single storey building comprising thirty kennels each with external exercise area - planning permission refused 9 November 1988

N07957B - Erection of detached two storey dwelling house with attached double garage, to replace existing cottage - planning permission refused 24 October 1989

N07957C - Erection of detached bungalow with integral garage to replace existing - planning permission refused 10 September 1991

N07957D - Demolition of part of bungalow, single storey side extension and dormer windows on front and rear - planning permission granted 29 April 1992

N07957G - Erection of single storey building for use as a boarding cattery - planning permission granted 24 January 1995

N/07957/D/00 - Demolition of storage building adjacent to main entrance and erection of single storey side extension to Cottage Farm house - planning permission granted 4 July 2000

N/07957/R/05 - Conversion of existing barn into 1 no. self-contained residential unit and storage room - planning permission refused 22 November 2005

N/07957/S/05 - Single storey front extension. New dormer window to rear elevation to provide additional bedroom - planning permission granted 2 February 2006

B/04041/14 - Construction of two detached dwellings and one outbuilding to provide leisure facilities - planning permission refused 4 December 2014; subsequent appeal dismissed 17 August 2015 (Planning Inspectorate ref. APP/N5090/W/15/3011030)

The 2014 application was refused for the following reasons:

1. The construction of two residential dwellings and an outbuilding are inappropriate forms of development within the green belt, which do not preserve the openness of the Green Belt. No very special circumstances have been demonstrated that would justify the development. The development would therefore have an unacceptable impact on the aims, purpose and openness of the Green Belt, contrary to Policies CS NPPF, CS1 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM15 of Barnet's Local Plan Development Management Policies (Adopted September 2012), and paragraphs 89 and 90 of the National Planning Policy Framework Published 2012.

2. Inadequate information has been submitted in respect of the impact of the proposed development on protected species, including Bats and Great Crested Newts, as identified in the submitted Ecological Reports, and Bat and Great Crested Newt surveys have not been submitted. Therefore there is potential for the proposed development to result in a loss of biodiversity within the site and loss of habitat to protected species. The proposal would therefore be contrary to Policy DM16 of the Development Management Policies DPD (adopted September 2012)

3. Proposal

It is proposed to demolish Buildings 1 - 8, reduce Building 9 to about half of its existing size, and reduce the area of hardstanding within the site by approximately 3500 sq.m., with two detached dwellings to be constructed in their place. The current existing residential dwelling would remain on the site, bringing the total number of dwellings to three. Replacement of the existing gates and brick entrance feature wall to either side of them with gates of a more rural character is also proposed, and changes made to the internal road layout chiefly by the reduction in hard surfacing as noted above. The reduced Building 9 would be used for the storage of refuse and recycling, bicycles and garden equipment such as a ride-on lawn mower and other maintenance equipment.

4. Public Consultation

Consultation letters were sent to 299 neighbouring properties. No responses have been received.

Councillors Prentice and Sowerby have asked for the application to be considered by the Area Planning Committee due to the site's location in the Green Belt, which was key to the first reason for the refusal of the last application, and due to the controversial nature of that application.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 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 for the next 20 to 25 years. It forms part of the development plan for Greater London and is recognised in the NPPF as such.

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

Policy 2.18 - Green Infrastructure
Policy 3.3 - Increasing Housing Supply
Policy 3.4 - Optimising Housing Potential
Policy 3.5 - Quality and Design of Housing Developments
Policy 3.8 - Housing Choice
Policy 5.2 - Minimising carbon dioxide emissions
Policy 5.3 - Sustainable design and construction
Policy 6.13 - Parking
Policy 7.3 - Designing Out Crime
Policy 7.4 - Local Character
Policy 7.6 - Architecture
Policy 7.16 - Green Belt
Policy 7.19 - Biodiversity and access to nature
Policy 8.1 - Implementation
Policy 8.2 - Planning Obligations
Policy 8.3 - Community Infrastructure Levy

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 National Planning Policy Framework - Presumption in favour of sustainable development
- CS1 Barnet's place shaping strategy - the Three Strands approach
- CS3 Distribution of growth in meeting housing aspirations
- CS4 Providing quality homes and housing choice in Barnet
- CS5 Protecting and enhancing Barnet's character to create high quality places
- CS7 Enhancing and Protecting Barnet's open spaces
- CS9 Proving safe, effective and efficient travel
- CS10 Enabling inclusive integrated community facilities and uses
- CS11 Improving health and well-being in Barnet
- CS13 Ensuring the efficient use of natural resources
- CS14 Dealing with our waste
- CS15 Delivering the Core Strategy

- Relevant Development Management Policies:

- DM01 Protecting Barnet's character and amenity
- DM02 Development standards
- DM04 Environmental considerations for development
- DM08 Ensuring a variety of sizes of new homes to meet housing need
- DM15 Green Belt and open spaces
- DM16 Biodiversity
- DM17 Travel impact and parking standards
- DM18 Telecommunications

The Council's approach to development 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.

Policy DM15 of the Council's Development Management Policies DPD sets out that development in the Green Belt is required to comply with the National Planning Policy Framework (NPPF) and that the replacement or re-use of buildings will not be permitted where they would have an adverse impact on the openness of the area or the purposes of including land in the Green Belt. This closely aligns with NPPF paragraph 89, which provides for the partial or complete redevelopment of brownfield land the Green Belt that would not have a greater impact on openness and the purpose of including land in the Green Belt than the existing development.

Supplementary Planning Documents

Mayor of London's Housing SPG

- This sets out a range of Standards for residential in London.

Residential Design Guidance SPD (adopted October 2016)

5.2 Main issues for consideration

The key issues relate to whether the proposals have overcome the objections in the previously refused application and in the subsequently dismissed appeal.

Summary of the appeal decision

The appeal Inspector considered that the appearance and height of the buildings in the refused proposed would have had a significant effect on openness, and that the buildings would stand out and be more intrusive than both the retained buildings and the existing buildings that would be removed. He also considered that the physical sub-division of the plots and domestic paraphernalia could further reduce the sense of openness. The proposal would therefore have had a greater effect on the openness of the Green Belt than the existing development, and would therefore have been inappropriate in Green Belt terms.

The Inspector considered that the reduction in the amount of hard-surfacing on the site and an increase in landscaped areas while beneficial does not have any specific effect on openness. The use of the site for kennels had obviously ceased and some of the buildings had started to deteriorate, and therefore any environmental benefits of the cessation of the kennels use had already occurred and would not have been reliant on the approval of the appeal scheme. This and other positive aspects of the proposal was not considered to outweigh the harm to the Green Belt, and consequently the very special circumstances necessary to justify the development did not exist.

The appeal decision related only to the first reason for refusal. This is because the second reason for refusal, which related to protected wildlife, had been overcome through the submission of a satisfactory wildlife survey and enhancement strategy, prior to the appeal being considered.

The main issues are therefore considered to be:

- (i) Whether the current proposal constitutes inappropriate development in the Green Belt;
- (ii) Whether the harm caused by reason of inappropriateness is outweighed by other matters;
- (iii) Whether the wildlife surveys which were undertaken subsequent to the refusal of the 2014 application remain current, and whether there are any issues arising from this; and
- (iv) Whether there are any other issues which are materially different from those considered when the 2014 application was assessed.

5.3 Assessment of proposals

Whether the proposal constitutes inappropriate development in the Green Belt

The appeal proposal was for the construction of two detached, two-storey dwellings (1no. 5-bed and 1no. 5-Bed + library) along with an ancillary leisure block that was intended to provide a swimming pool, gym, sauna, steam room, changing rooms, storage and associated plant equipment.

As in the appeal proposal, no in-principle objection is raised in this current application to the removal of the existing kennels and outbuildings. The acceptability of the current scheme therefore falls to the merits of the replacement buildings, which are considerably reduced as compared to the appeal scheme.

Paragraph 89 of the NPPF states that construction of new buildings is inappropriate in the Green Belt. There are a very few exceptions to this; the exceptions include:

limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

In the appeal scheme the proposed new dwellings would have been large, bulky and predominately two storeys in height. The appeal decision specifically noted that they would have been higher than the existing retained dwelling at the site. In this proposal, the buildings are considerably reduced, with roof ridgelines limited to the height of the existing chalet bungalow. While the bulk and massing of the proposals as first submitted for the application were considered to be overly bulky and did not sufficiently consolidate development within the site, in the amended scheme now under consideration, a better balance between existing and replacement buildings is considered to have been struck. The two houses are located in the general locations of the existing buildings that would be demolished:

- House A would replace the linear arrangement of Buildings 2-8, and would be located more or less in the centre of this group following their demolition; while
- House B would essentially replace Building 1 although it would be located a little further forward of it, largely on an area of existing hardstanding and a little closer to the existing dwelling than Building 1.

Comparative figures given for volume and footprint are as follows:

Existing:	Area (sq.m)	Volume (cub.m)	Proposed:	Area (sq.m)	Volume (cub.m)
Building 1	302	1065	House B	187	680
Total buildings 2-8	658	2232	House A	187	706
Building 9	170	566	(reduced)	85	283
Total	1130	3863		187	680

Area and volume of the buildings are both substantially reduced, with reductions in building area of 59% and built volume of 57% over the whole of the site. Reductions of built form to this extent is considered to be sufficient to lead towards a positive assessment in terms of compliance with the above test from NPPF paragraph 89. However, roof heights while matching the existing house would still be higher than the buildings that they would replace. The roof volumes of the two houses above eaves level are relatively small compared to the total volume of built form that would be demolished. However, on balance, the impact on Green Belt openness in some views would be a loss of openness, and the development is therefore inappropriate by definition.

Whether the harm to Green Belt openness would be outweighed by very special circumstances

While the application is considered to be inappropriate due to the increased bulk above eaves level, the design of the buildings is intended to reduce this bulk. The site wide reductions in footprint and volume are noted above; taking this on the level of the individual dwellings, replacement of eight smaller buildings with House A would result in a reduced footprint equating to 72% and accompanying volume reduction of 68%. For House B, reductions in footprint as compared to the existing Building 1 would be 38%, with a volumetric reduction of 36%. However, the volume above eaves level would increase, and it is this aspect of the scheme which is considered to make the application inappropriate in Green Belt terms. While the two houses have been designed with similar footprints / floor areas, in negotiating what are considered to be acceptable houses sizes, officers consider that the smaller reductions from Building 1 to House B means that only a single storey dwelling would be acceptable in this part of the site. A two-storey house is considered to be more acceptable in the case of House A due to the greater area and volume of buildings that would be replaced in this part of the site, with the area of hardstanding that would be removed within this part of the site also a benefit of the proposals albeit that this has no direct impact on openness. The low building at the front of the site would also be reduced in both area and volume by 50%, and the existing entrance gates and flanking brick walls, which are of a modern suburban character, would be replaced with gates with a more rural character. These are all considered to go towards improving the openness of the site and providing a positive balance against the relatively small increase in volume above eaves level, and it is considered that this would provide a substantial part of the very special circumstances case that is needed to justify this inappropriate development. The application proposes a long-term Landscape Management Plan, which is intended to ensure high biodiversity values for the site and to assist in ensuring its long-term rural character. While the applicant is willing to enter in a section 106 agreement to provide for this, in order to be fully acceptable, any legal obligation should include the ability for the Council to appoint an alternative landscape management contractor to carry out required works at the expense of future occupiers, if the landscape management obligations of future residents within the Landscape Management Plan are not met. This would require either a bond or an annual charge for officer's time in monitoring the obligations.

The Appeal Inspector noted the Council's concerns regarding the spread of residential paraphernalia at the site. It is considered that this can be overcome by conditions to require the extent of residential garden curtilages and any communal areas to be defined, and for these areas then to be incorporated as such into the Landscape Management Plan. It is considered that the communal areas should retain a rural ambience and landscape, and as such domestic structures such as summerhouses and gazebos as well as portable items should be excluded from the non-residential parts of the site. For this reason, condition 1 (approved plans) also excludes a gazebo which is shown on the indicative three-dimensional drawings included in the submissions, and also in plan form on some of the approved planning layout drawings. No elevational details of this structure are included in the submission.

The outcome of the Landscape Management Plan would ensure that the development constitutes limited residential gardens, structures and paraphernalia in addition to the proposed new dwellings, within a landscaped area that is maintained for its rural character and biodiversity. It is considered that with this control the Inspector's concerns regarding the spread of residential paraphernalia would be overcome.

Taking all of the above points together, it is considered that the significantly reduced volume and coverage that would result from the removal of the existing single-storey buildings together with a robust, enforceable and fully funded Landscape Management Plan would constitute sufficient very special circumstances that justifies the proposals. Costs of funding the Landscape Management Plan are currently being clarified and it is expected that further information will be provided in the Addendum.

Whether the proposal provides sufficient protection for existing wildlife

A Biodiversity Strategy that outlines ecological enhancements to improve the wildlife values of that site was submitted with the application, along with reports of protected species surveys carried out at the site and adjacent to the site. These comprise emergence and re-entry surveys for bats that were undertaken in August 2016 and a survey for Great Crested Newt dating from 2014. One bat roost was identified along with several potential roost sites. Demolition would therefore have to be carried out under licence from Natural England. The Great Crested Newt survey may however be out of date, and while ponds surveyed were outside the site, it is recommended that further survey work be carried out prior to any demolition taking place. Additional details would be provided in accordance with the recommended condition.

Whether the proposals give rise to any other issues, which were considered satisfactory in the refused application

- Character and appearance of the proposed buildings

The design of the buildings has changed markedly since the refused application. However they remain individual designs of good quality, and subject to conditions that remove permitted development rights and that require the use of high quality and appropriate exterior materials, they are considered to be of acceptable design, character and appearance in this location.

- The amenities of neighbours and future occupiers at the site

The site is located in a secluded rural location accessible from the May Lane. The pattern of development is sparse and as a result it is not considered that the proposals would harm neighbouring amenity. The proposed dwellings would provide adequate amenity for existing and future residents.

- Highway safety

The proposals would make ample provision for parking in accordance with the Council's standards. The Highways Officer overall proposals are acceptable in highways terms subject to conditions.

- Sustainable Development

A Sustainability Statement provided with the application sets out that the development would meet a high level of building sustainability. This needs to be updated to reflect the amended building designs now proposed. The conditions recommended below provide for this.

The Lead Local Flood authority has requested additional information in regards to site drainage, and these will also be subject to the conditions recommended in this report.

The Environmental Health Officer has no objections to the proposals, subject to conditions as also recommended.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to the completion of a section 106 planning obligation to provide for a long-term Landscape Management Plan, as discussed above, the proposed demolition of most of the existing ancillary buildings and redevelopment with the two dwellings proposed here would provide the very special circumstances that are required to allow this inappropriate Green Belt development to be approved. With this in place, and subject also to the conditions in this report, the proposal would have an acceptable and positive impact on the character and appearance of the application site and the rural Green Belt locality within which it is set. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for Approval, subject to completion of the section 106 agreement and to the recommended conditions.

Site Location Plan

