

MEETING

CHIPPING BARNET AREA PLANNING COMMITTEE

DATE AND TIME

THURSDAY 18TH JANUARY, 2018

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

Kathy Levine
Reema Patel

Laurie Williams

Substitute Members

Caroline Stock
Philip Cohen
Sachin Rajput

David Longstaff
Paul Edwards

Andreas Ioannidis
Pauline Coakley Webb

Please note that the below agenda may not reflect the order in which items will be heard at the meeting.

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

Andrew Charlwood – Head of Governance

Governance Service contact: Naomi Kwasa 020 8359 4144 naomi.kwasa@Barnet.gov.uk
governanceservice@barnet.gov.uk

Media Relations contact: Sue Cocker 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

| Item No | Title of Report | Pages |
|---------|--|---------|
| 1. | Minutes of last meeting | 5 - 12 |
| 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) | |
| 6. | 1323 High Road London N20 9HR (Totteridge) | 13 - 28 |
| 7. | Woodlands Pine Grove London N20 8LB (Totteridge) | 29 - 42 |
| 8. | Unit 1 Northway House 1379 High Road London N20 9LN (Totteridge) | 43 - 54 |
| 9. | Whitewalls Totteridge Green London N20 8PE (Totteridge) | 55 - 66 |
| 10. | Barnet General Hospital Wellhouse Lane Barnet EN5 3DJ (Underhill) | 67 - 76 |
| 11. | Planning Enforcement Quarterly Update: October 2017 to December 2017 | 77 - 86 |
| 12. | Any item(s) the Chairman decides are urgent | |

FACILITIES FOR PEOPLE WITH DISABILITIES

Hendon Town Hall has access for wheelchair users including lifts and toilets. If you wish to let us know in advance that you will be attending the meeting, please telephone Naomi Kwasa 020 8359 4144 naomi.kwasa@Barnet.gov.uk governanceservice@barnet.gov.uk. People with hearing difficulties who have a text phone, may telephone our minicom number on 020 8203 8942. All of our Committee Rooms also have induction loops.

FIRE/EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by uniformed custodians. It is vital you follow their instructions.

You should proceed calmly; do not run and do not use the lifts.

Do not stop to collect personal belongings

Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions.

Do not re-enter the building until told to do so.

This page is intentionally left blank

Decisions of the Chipping Barnet Area Planning Committee

30 November 2017

Members Present:-

AGENDA ITEM 1

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

Councillor Alison Cornelius Councillor Laurie Williams
Councillor Tim Roberts

Apologies for Absence

Councillor Kathy Levine

1. MINUTES OF LAST MEETING

The minutes of the meeting held on 1 November 2017, were agreed as a correct record.

2. ABSENCE OF MEMBERS (IF ANY)

Councillor Kathy Levine sent her apologies.

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

None.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

Supplements were dealt with under individual agenda items.

6. LEAHURST NURSERY, 36A GALLEY LANE, BARNET EN5 4AJ (HIGH BARNET)

The Committee received the report. Representations were heard from the Applicant, as well as Mr Joe Molloy in objection to the application.

A vote was taken as follows on the Officer's recommendation to approve the application:

| | |
|---------------------------|----------|
| For (approval) | 0 |
| Against (approval) | 5 |
| Abstained | 0 |

It was moved by Councillor Sowerby and seconded by Councillor Williams that the Officer's recommendation be overturned and that the application be **REFUSED** for the following reasons:

The construction of the new dwelling is an inappropriate form of development within the green belt and does not preserve its openness. No very special circumstances have been demonstrated that would justify the development, (i.e. the need for an agricultural worker to live permanently on the site is not a "very special circumstance"). 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 paragraph 55 and section 9 of the National Planning Policy Framework Published 2012.

A vote was taken on the motion to refuse the application:

| | |
|--------------------------|----------|
| For (refusal) | 5 |
| Against (refusal) | 0 |
| Abstained | 0 |

RESOLVED that the application be **REFUSED**, for the reason detailed above.

7. LEAHURST NURSERY 36A GALLEY LANE BARNET EN5 4AJ - RELOCATION OF NURSERY POTTING SHED AND STORE (HIGH BARNET)

The Committee received the report. A vote was taken on the Officer's recommendation to approve the application as follows:

| | |
|---------------------------|----------|
| For (approval) | 4 |
| Against (approval) | 1 |
| Abstain | 0 |

RESOLVED that;

1. the application be approved, subject to the conditions detailed in the report;

2. 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 ViceChairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

8. HADLEY GREEN GARAGE VICTORS WAY BARNET EN5 5TZ (HIGH BARNET)

The Committee received the report. A vote was taken on the Officer's recommendation to approve the application as follows:

| | |
|-----------------------|----------|
| For (approval) | 5 |
|-----------------------|----------|

| | |
|---------------------------|----------|
| Against (approval) | 0 |
| Abstain | 0 |

RESOLVED that;

1. the application be approved, subject to the conditions detailed in the report;

2. 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 ViceChairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

9. WOODLANDS PINE GROVE LONDON N20 8LB (TOTTERIDGE)

The Committee received the report and addendum. Representations were heard from the Applicant's agent as well as Mr Feroze Dada and Mr Selwyn in objection to the application.

A vote was taken on the Officer's recommendation to approve the application as follows:

| | |
|---------------------------|----------|
| For (approval) | 4 |
| Against (approval) | 1 |
| Abstain | 0 |

RESOLVED that;

1. the application be approved, subject to the conditions detailed in the report and as per the amended description set out in the addendum;

2. 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 ViceChairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

10. COURTLANDS 24 NORTHUMBERLAND ROAD BARNET EN5 1ED (OAKLEIGH)

The Committee received the report and addendum. Objections to the application were heard from Mrs R Sandhouse and Mr G Sandhouse.

Following discussion on the application, new conditions were proposed as follows:

Amended condition 1:

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

Drawing No. 24NOR/281/01, titled 'Floor Plan, Elevations and Sections'; dated September 2017, Drawing No. 24NOR/281/02, titled 'Existing Site Plan' and 'Existing Location Plan'; dated August 2017, Drawing No. 24NOR/281/03, titled 'Proposed Site Plan' and 'Proposed Location Plan'; dated August 2017.

Amended condition 4:

4. The use of the outbuilding hereby permitted shall not be used before 9am or after 6pm on any day.

New condition 6:

a) No development shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts on residents of adjoining properties, particularly in Farnham Close to the rear, from the use of the outbuilding by all residents and staff of 'Courtlands' for all uses specified on the approved drawings, and mitigation measures for the development to reduce these noise impacts to acceptable levels, has been submitted to and approved in writing by the Local Planning Authority.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

A vote was taken on the conditions as follows:

| | |
|---|----------|
| For (approval of new/amended conditions) | 2 |
| Against (approval of new/amended conditions) | 1 |
| Abstain | 2 |

RESOLVED that the above conditions be included in the application.

A vote was taken on the Officer's recommendation to approve the application as follows:

| | |
|---------------------------|----------|
| For (approval) | 4 |
| Against (approval) | 1 |
| Abstain | 0 |

RESOLVED that;

1. the application be approved, subject to the conditions detailed in the report and addendum and including the conditions as set out above;

2. 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 ViceChairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

11. 155 AND 157 CHANCTONBURY WAY LONDON N12 7AE (TOTTERIDGE)

The Committee received the report and addendum. Representations were heard from the Applicant's agent.

A vote was taken on the Officer's recommendation to approve the application as follows:

| | |
|---------------------------|----------|
| For (approval) | 4 |
| Against (approval) | 1 |
| Abstain | 0 |

RESOLVED that;

1. the application be approved, subject to the conditions detailed in the report and as per the additional condition set out in the addendum;

2. 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 ViceChairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

12. 1 SUSSEX RING LONDON N12 7HY (TOTTERIDGE)

The Committee received the report.

Following discussion on the application, amended conditions were proposed as follows:

Amended condition 4:

The use hereby permitted shall not be open to customers before 8:00am or after 8:00pm on Mondays to Saturdays or before 10.00am or after 7.00pm on Sundays and bank and public holidays.

Amended condition 6:

The extraction and fan equipment hereby permitted shall not be operated before 8:00am or after 8:00pm on Mondays to Saturdays or before 10.00am or after 7.00pm on Sundays and bank and public holidays.

A vote was taken on the Officer's recommendation to approve the application and amended conditions as follows:

| | |
|---------------------------|----------|
| For (approval) | 4 |
| Against (approval) | 0 |
| Abstain | 1 |

RESOLVED that;

1. the application be approved, subject to the conditions detailed in the report and addendum, and as per the amended conditions set out above;

2. 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 ViceChairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

13. 2A ALVERSTONE AVENUE BARNET EN4 8DS (EAST BARNET)

The Committee received the report. Representations were heard from the Applicant, as well as Mr Edward Dogliani in objection to the application.

A vote was taken on the Officer's recommendation to approve the application as follows:

| | |
|---------------------------|----------|
| For (approval) | 5 |
| Against (approval) | 0 |
| Abstain | 0 |

RESOLVED that;

1. the application be approved, subject to the conditions detailed in the report;

2. 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 ViceChairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

14. 101 GREENWAY LONDON N20 8EL (TOTTERIDGE)

The Committee received the report. Representations were heard from the Applicant's agent, as well as Mr Federman, Ms Josephine Thelermont and Cllr Caroline Stock in objection to the application.

A vote was taken as follows on the Officer's recommendation to approve the application:

| | |
|---------------------------|----------|
| For (approval) | 0 |
| Against (approval) | 5 |
| Abstained | 0 |

It was moved by Councillor Sowerby and seconded by Councillor Roberts that the Officer's recommendation be overturned and that the application be **REFUSED** for the following reasons:

The proposed development, by reason of the size, scale, mass and bulk of the rear extensions and the new roof, would cumulatively amount to a disproportionate addition to the main dwelling and would be out of keeping with the street scene and the general locality. Moreover, the proposed development would appear intrusive and overbearing, resulting in an increased sense of enclosure which would be detrimental to the residential amenities of both adjoining occupiers, particularly no. 99 Greenway. The development would therefore be contrary to Policies 7.4 and 7.6 of the London Plan (2016), Policy CS5 of the Adopted Barnet Local Plan Core Strategy (2012), policy DM01 of the Adopted Barnet Development Management Policies DPD (2012) and the Residential Design Guidance SPD (2016).

A vote was taken on the motion to refuse the application:

| | |
|--------------------------|----------|
| For (refusal) | 5 |
| Against (refusal) | 0 |
| Abstained | 0 |

RESOLVED that the application be **REFUSED**, for the reason detailed above.

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

None.

The meeting finished at 20:57

This page is intentionally left blank

Location **1323 High Road London N20 9HR**

Reference: **17/5505/FUL**

Received: 24th August 2017

Accepted: 31st August 2017

Ward: Totteridge

Expiry 26th October 2017

Applicant: Mr M Shah

Proposal: Demolition of existing bank vault and outbuilding at rear. Erection of single storey front extension, part two, part three and part four storey rear extension and two storey roof extension to provide 4no. self-contained flats at 1st, 2nd and 3rd floor levels and a Class A1/A2 unit at ground floor level. Associated refuse storage and cycle store and amenity space. (Amended Description)

AGENDA ITEM 6

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:

01/A/EX/A(Existing Floor Plans), 02/A/PP Rev D(Proposed Floor Plans), 04/A/EE Rev A (Existing Elevations), 05/A/PE/ Rev B(Proposed Elevations), A/01 (3D Visual), A/02(3D Visual), A/03(3D Visual), A/04(3D Visual), A/05(3D Visual), A/06(3D Visual), Energy and Sustainability Statement prepared by Build Energy Ltd dated August 2017, Highways and Parking Statement prepared by Mode Transport Planning dated October 2017, Parking Beat Survey, Design and Access Statement prepared by the Town Planning Experts dated August 2017.

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

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

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

- 3
- a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.
 - b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 4
- a) No development or site works shall take place on site until a 'Demolition and 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 October 2016) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

5 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

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

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

6 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

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).

7 Before the building hereby permitted is first occupied the proposed window(s) in the North and South elevation shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

8 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).

- 9 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.

- 10 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

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

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

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

- 12 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and

achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

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

- 13 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 6 % 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.

- 14 Before the development hereby permitted commences (other than for Groundworks and Site Preparation Works) on site details of all extraction and ventilation equipment to be installed in the development shall be submitted to and approved writing by the Local Planning Authority. Extraction and ventilation equipment shall be installed at the site in full accordance with the details approved under this condition before the first occupation of the site.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

- 15 The Class A1/A2 uses hereby approved shall not be open to customers or staff before 6:30am or after 8pm from Monday to Friday, or before 8am or after 8pm on Saturdays and not at all on Sundays, Bank Holidays and Public Holidays.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and the new dwellings in the development hereby approved in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

- 16 The commercial units, hereby approved, shall be used for use class A1 (Retail) or A2 (Financial and Professional Services) and no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order, 2015 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises does

not prejudice the amenities of the future and neighbouring residential occupiers in accordance with policy DM01 of the Barnet Local Plan.

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £9,905 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £38,205 payment under Barnet CIL.

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

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

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

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

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exceptional 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 4500.

- 4 The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.

Officer's Assessment

1. Site Description

The site is located on the western side of the High Road within the Totteridge ward. The existing building is two storeys in height and previously occupied by a bank, although the applicant has confirmed that the site has been vacant for the past 6 months.

The building is not within a Conservation Area nor is it listed, and the area is not within an area covered by an Article 4 direction. The building lies within the Primary Retail Frontage of the Whetstone Town Centre, as defined by the Council's Local Plan and also within an area of archaeological significance.

To the south of the site lies Waitrose supermarket at ground level with flatted residential accommodation on the floors above. To the north of the site lies a two storey building which accommodates a florist at the ground floor.

There is an access road to the rear which partly serves the Waitrose public car park and partly serves the private flats above Waitrose and other commercial units on the High Road.

2. Relevant Planning History

Reference: 15/01421/FUL

Address: 1323 High Road London N20 9HR

Decision: Approved subject to conditions

Decision Date: 30.04.2015

Description: Installation of new external ATM to replace existing external ATM

Reference: 15/01422/ADV

Address: 1323 High Road London N20 9HR

Decision: Approved subject to conditions

Decision Date: 30.03.2015

Description: Installation of 1no. non-illuminated ATM sign

Reference: N00057J/07

Address: 1323 High Road London N20 9HR

Decision: Approved subject to conditions

Decision Date: 08.02.2008

Description: Change of use from a bank (Class A2) to a restaurant (Class A3) (120sqm). Installation of extract system to rear.

3. Proposal

This application seeks consent for the demolition of existing bank vault and outbuilding at rear and erection of a single storey front extension, part two part three and part four storey rear extension and two storey roof extension to provide 4 no. self-contained flats at 1st, 2nd and 3rd floor levels and a Class A1/A2 unit at ground floor level. Associated refuse storage and cycle store and amenity space.

The proposed dwellings would be:

- 2 x 1 bed 2 person flats
- 2 x 2 bed 4 person duplexes

The commercial floorspace on the ground floor would be approx. 148 sqm. ????????

The plans have been amended following submission. The main changes include setting back the 2nd and 3rd floor to align with the rear boundary wall of Walsingham House resulting in the reduction of total number of units from 5 to 4 units.

4. Public Consultation

70 consultation letters were sent to neighbouring properties.

9 responses have been received; comprising of 9 letters of objection.

Summary of Objections can be summarised as follows;

- Over development
- No public right of way to the rear of the site
- Proposal would exacerbate parking congestion arising from Waitrose staff parking, deliveries and refuse collection
- Refuse storage, recycling, cycle storage will be on land belonging to Waitrose.
- Waitrose may not allow additional access over and across their land
- Loss of light to the 8 flats above Waitrose.
- Impact of construction works
- Loss of view
- Existing issues with refuse collection due to congestion on shared private road
- Impact on ability to gain access to existing parking spaces
- Impact of loss of light / daylight on flower business
- Impact of construction works on Waitrose, flower shop and flats above.
- Obstruction of window display
- No right of way for refuse vehicles and construction traffic.
- Waitrose request a Construction Management Plan to be submitted as part of the application rather than as a condition

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 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Draft London Plan 2017

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

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, CS4, CS5, CS6, CS9, CS10, CS15, CS14, CS15
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM11, DM12, DM17

Supplementary Planning Documents

Residential Design Guidance SPD (adopted 2016)
Sustainable Design and Construction SPD (adopted 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- The living conditions for future residents
- Impact on Highways

5.3 Assessment of proposals

Principle of building and impact on character of the area

The Council recognises that flat developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land, particularly in town centre locations. However, they normally involve an intensification of use, creating more activity and which can adversely affect the appearance of a street through, for example, the provision of car parking and refuse facilities, which can have an unacceptable impact on the established character of an area.

The existing building was last in use as A2. The building is currently vacant. Paragraph 12.4.1 of the Development Management Plan Policies (2012) states that "in Barnet's town centres, some of the opportunities to provide a wider mix of uses come from the existing

employment spaces. Through regeneration or re-use they can continue to provide employment space whilst also providing new residential and community or leisure floorspace, with retail where appropriate.

The scheme proposes an option of an A1 or an A2 use on the ground floor. The proposal will provide flexibility to attract a use that will contribute to the vitality and viability of the town centre. The proposed single storey front extension will ensure that the proposed development provides a reasonable sized (146sqm) of A1/A2 accommodation.

Policy DM11 stipulates that "residential accommodation in town centres can help contribute to the vitality and viability by increasing trade for business...and can also offer [future] occupiers ready access to town centre-based services". The site is within a highly sustainable location and the principle of residential accommodation is deemed acceptable.

Potential impacts upon the character and appearance of the existing building, the street scene and the wider locality

The proposed building would be sited in line with Waitrose at ground floor and would be recessed at first and second floors from the front building line of Waitrose. The top storey of the proposed building would be substantially recessed back by approximately 5.6m from the front building line, so that it would line up with the front building line of the florist at no. 1325 High Road.

The width of the proposed development is approx. 6.65m. The accommodation will be arranged over 4 floors; the depth at ground floor level is approx. 32m, first floor level would be approx. 26m, 22.5m and 18.25m at third floor level. The proposed height of the development would be approx. 11.25m and it would have a flat roof. It would be marginally higher than the Waitrose building by approx. 0.5m and 4.8m higher than 1325 High Road. The proposed development would respect the front building line, the scale, bulk and height of the Waitrose building, Walsingham House and other properties adjoining Walsingham House. At the rear the building line would not protrude beyond the rear building line of Walsingham House. The setback at the front would ensure that the additional floor would not be overly dominant in the street scene. The design of the scheme would provide residential units whilst being sympathetic to the character of the local area and would improve the form of the existing structure.

Although the existing building is relatively modest, the proposed extensions are not considered to unduly detract from the character and appearance of the existing building and given its siting, are not considered to adversely impact upon the visual amenities of the locality or neighbouring residential occupiers.

Potential impacts upon the amenities of neighbouring residents.

It is considered that the proposed development would not affect the amenities of neighbouring residents. It is not considered that the extensions and creation of additional floors would result in overlooking, loss of privacy to any neighbouring occupier nor result in noise and disturbance or over and above what currently exists on site. In addition, the Council's Residential Design Guidance states that privacy can be safeguarded by achieving adequate window to window, or window to balcony distances between buildings (both existing and proposed). In new residential development there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Neighbouring residential

properties to the west would be over 21 metres away from the extensions and the rear gardens of these properties would be over 10.5 metres away, it is not considered that the proposal would result in overlooking or loss of privacy.

Any development, particularly in a constrained site should ensure that the amenities of neighbouring occupiers are respected. Whilst there are windows proposed to the flank elevation on the new building; these would be conditioned to be obscured glazed. Furthermore, the windows of the existing residential units abutting the site (above Waitrose) appear to serve a staircase and therefore it is not considered that the development would be detrimental to the amenities of neighbouring occupiers.

Living conditions for future residents

All residential development is expected to comply with the minimum space standards as advocated within the Sustainable Design and Construction SPD and the London Plan 2016. The SPD standards require double bedrooms to provide a minimum floor area of 12sqm and single bedrooms a minimum floor area of 8sqm. The Sustainable Design and Construction SPD also confirms that habitable floorspace in rooms with sloping ceilings is defined as that with 1.5 m or more of ceiling height. The proposed flats would all comply with the minimum space standards as stipulated in the London Plan (Minor Alterations 2016) and supporting Council SPDs.

Summary of residential units:

First Floor /Flat 1 - 1 bedroom / 2 person unit - 50sqm

First Floor/Flat 2 - 1 bedroom / 2 person unit - 52sqm

Second /Third Floor / Duplex 3 - 1 bedroom / 2 person unit - 98 sqm

Second /Third Floor / Duplex 4 - 2 bedroom / 4 person unit - 92sqm

In general, the proposed units would be in accordance with the minimum standards for new residential development as set out by the London Plan (2016) and the Council's Sustainable Design and Construction SPD.

With regards to outdoor amenity space, all new residential development is expected to provide suitable and useable outdoor amenity space for future occupiers. For flats, options include provision of communal gardens around buildings or on roofs or as balconies. The proposal would involve the provision of 35.5sqm of outdoor communal amenity space on the ground level in addition three units would have private terraces; Flat 1 would have amenity space of 17.5sqm, Flat 3 (duplex), 11.8sqm; Flat 4 (duplex), 40sqm. Flat 2 would not benefit from a private terrace however given the town centre location and the provision of communal amenity space at ground level this is considered to be acceptable.

Highways

Officers have consulted with the Council's Highways officers, who have considered the Highways and Parking Statement submitted with the application. Highways noted the following:-

- The PTAL for the site is 4 which is considered as moderate accessibility.
- The proposal is for 2 x 1 bed and 2 x 2 beds. There is no car parking provision on the site.
- To comply with the London Plan 8 cycle spaces must be provided. The applicant is proposing 7 cycle spaces which is acceptable on highway grounds.
- Refuse storage has been identified on drawing 02/A/PP Rev D. This is more than 10m from the public highway and therefore further details will be required.

Highways officers considered the scheme acceptable subject to conditions requiring the cycle parking areas to be provided as indicated on the plans; a Demolition and

Construction Management and Logistics Plan and details of refuse collection arrangements to be submitted to and approved in writing by the Local Planning Authority prior to commencement.

Accessibility and Sustainability

The application scheme is required by Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) to meet Building Regulation requirement M4(2). The applicant has confirmed that the proposed development would meet this requirement, and a condition is attached to ensure compliance with these Policies.

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 5.37% CO2 reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition is attached to ensure compliance with the Policy

In terms of water consumption, a condition is attached to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

The proposed development therefore would meet the necessary sustainability and efficiency requirements of the London Plan.

5.4 Response to Public Consultation

Most comments have been addressed in the assessment above.

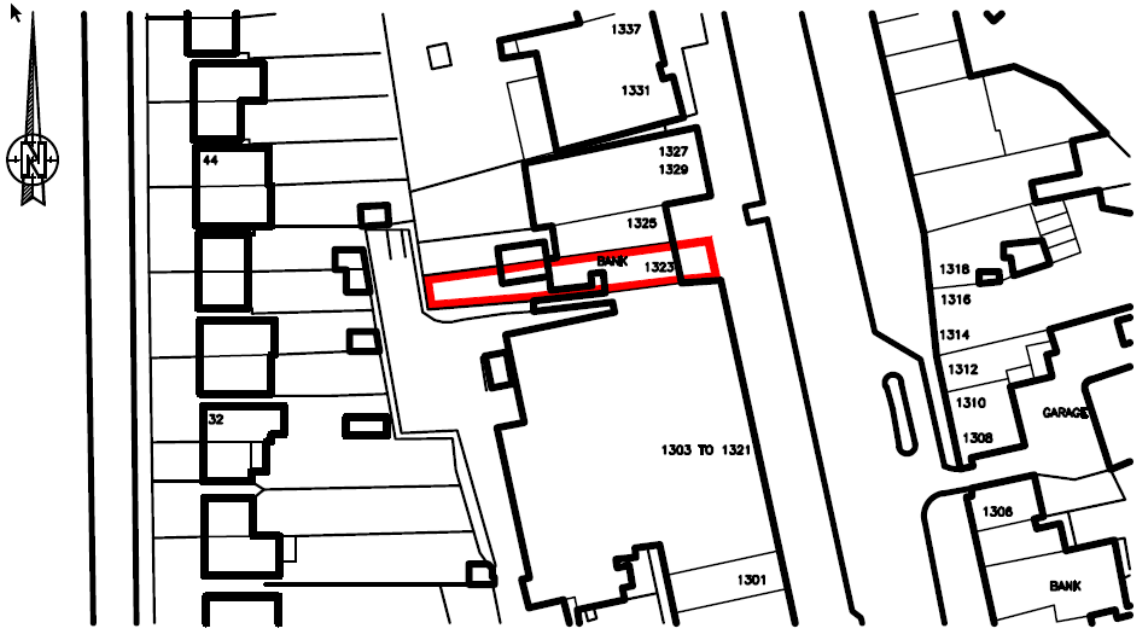
However concern was raised about the right of way across Waitrose Land. The applicant has submitted documents and photographs to show that there is an existing access to the rear of the building including an established right of way.

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 support the Council in meeting its statutory equality responsibilities.

7. Conclusion

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



0m 10m 20m 30m 40m 50m

K.A.D. Licensed O.S. No. 100047482

LOCATION PLAN 1:1250@A1

This page is intentionally left blank

Location **Woodlands Pine Grove London N20 8LB**

Reference: **17/5923/HSE**

Received: 15th September 2017

Accepted: 20th October 2017

Ward: Totteridge

Expiry 15th December 2017

Applicant: Mr Damian Maguire

Proposal: Alteration and extension to roof including replacement of existing front and rear dormer windows and insertion of an additional dormer window to rear and raising the ridge height of existing side roof projection. Alterations to the existing windows and doors including replacement of existing ground floor rear bay window. Creation of a new basement level. Alterations to existing terrace including new canopy and creation of a raised patio

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; all dated 04/01/2017:

Existing Plans:

010 Rev P3, 011 Rev P3, 012 Rev P3, 013 Rev P2,

Demolition Plans:

053/B Rev P1, 054/B Rev P1, 055/B Rev P1, 056/B Rev P1,

Proposed Plans:

100-1/B Rev P3, 100/B Rev P4, 101/B Rev P4, 102/B Rev P3, 103/B Rev P3, 110/B, 200/B Rev P2, 201/B Rev P2, 202/B Rev P1, 300/B Rev P1

Basement Construction Method Statement, Arboricultural Survey, Supplementary Letter Dated 16.11.2017 and email from Damian Maguire dated 30.11.17.

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

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

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

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

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

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

- 5 a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution; vibration monitoring including a detailed methodology.

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

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 of the London Plan (2015).

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

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

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

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

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

- 8 The excavation and construction works for the development hereby permitted shall be completed only in accordance with details submitted in the; Arboricultural Survey, supplementary letter dated 16/11/2017, Basement Construction Method Statement and Drawing No. 110/A

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 2016.

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

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

- 10 Prior to the commencement of any demolition and/or construction works, the tree protection measures detailed in the Arboricultural Consultants Report for Woodlands, 1 Pine Grove N20 8LB, reference no. 1142.1, dated October 2017, must be installed and maintained throughout the proposed works on site.

Reason: To safeguard the protection trees subject to TPOs in close proximity to the subject site in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The submitted Construction Method Statement shall include as a minimum details of:
- o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - o Confirmation that an asbestos survey has been carried out.
 - o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.

o Detailed vibration monitoring during any demolition or piling with a full methodology submitted to the LA for approval prior to any works commencing in accordance with condition 5.

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

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

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

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

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

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

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

- 4 Consent from Barnet Council's Highways Department should be sought with regards to the on-street parking location for wait and load lorries in accommodating the excavation of spoil for the proposed basement level extension.

Officer's Assessment

Woodlands, Pine Grove. Reference No. 17/5923/HSE

1. Site Description and Background

The application site contains a semi-detached dwellinghouse, located on the eastern side of Pine Grove. The subject site has a history of development, most notably where the original building was subdivided to create the two dwellinghouses of Northfields and Woodlands. The building that now stands at Woodlands has been significantly altered and it is thought that only the central portions of building between the two front chimneys on the two dwellings is the remaining heritage fabric.

The site is located within the Totteridge Conservation Area (designated as Article 2(3) land in The Town and Country Planning (General Permitted Development)(England) Order 2015 as amended) and therefore the property does not benefit from permitted development rights. The site is not within an area of archaeological interest.

There are several trees in and around the site that are subject to Tree Preservation Orders (TPO), most notably the cluster of Pine trees that line Pine Grove, adjoining the entrance to the subject site.

2. Site History

Reference: 17/6963/HSE

Address: Woodlands, Pine Grove, London, N20 8LB

Decision: Pending Consideration

Decision Date: No Decision Made.

Description: Extension to roof to facilitate a second floor side/rear extension including replacement of existing front and rear dormers with insertion of 1no additional dormer to rear elevation and removal of 1no existing dormer to front elevation and 1no roof light to rear elevation. Raising the ridge height of existing side roof projection. First floor side/rear extension. Alterations and replacement of existing windows and doors including replacement of existing ground floor rear bay window and insertion of 1no additional chimney to side elevation. Excavation and creation of basement level with alterations to the existing rear terrace including a new canopy and creation of a raised patio.

Reference: 17/5296/HSE

Decision: Approved subject to conditions

Decision Date: 13 December 2017

Description: New basement extension under the existing footprint of the property

Reference: 15/06661/HSE

Decision: Approved subject to conditions

Decision Date: 23 December 2015

Description: Partial demolition and reconstruction of existing building to form a single detached dwelling. Conversion of habitable space into garage. Alterations to front entrance. Alterations to front and rear fenestration

Reference: 15/05339/HSE

Decision: Withdrawn

Decision Date: 21 October 2015

Description: Demotion and reconstruction of the side extension on the south elevation to form a detached house with a new access door to the rear, new garage to the ground floor front elevation, minor alterations to the front entrance and associated changes to fenestration to the front and rear elevations.

Reference: B/01663/10

Address: Woodlands, Pine Grove, London, N20 8LB

Decision: Approved subject to conditions

Decision Date: 21 June 2010

Description: Partial demolition, alteration, extension and partial reconstruction of existing dwelling house., , CONSERVATION AREA CONSENT

Reference: B/01614/10

Address: Woodlands, Pine Grove, London, N20 8LB

Decision: Approved subject to conditions

Decision Date: 21 June 2010

Description: Partial demolition, alteration, extension and partial reconstruction of existing dwelling house.

Reference: B/02057/09

Address: Woodlands, Pine Grove, London, N20 8LB

Decision: Refused

Decision Date: 4 August 2009

Description: Demolition of existing semi-detached house and erection of a new detached single family dwelling., Conservation Area Consent

Reference: B/02055/09

Address: Woodlands, Pine Grove, London, N20 8LB

Decision: Refused

Decision Date: 4 August 2009

Description: Demolition of existing semi-detached house and erection of a new detached two storey single family dwelling plus basement and rooms in roof space.

Reference: B/02521/08

Address: Woodlands, Pine Grove, London, N20 8LB

Decision: Refused

Decision Date: 10 September 2008

Description: Demolition of existing dwelling and erection of new single dwelling with rooms in roof space and basement.

Reference: N02012K/00

Address: Woodlands, Pine Grove, London, N20 8LB

Decision: Approved subject to conditions

Decision Date: 17 April 2000

Description: Erection of pitched roof with dormer windows to front and rear with second floor accommodation within roof space, front porch and elevational changes

3. Proposal

Since lodging the application for planning permission, the applicant has altered the proposal to remove the proposed increase in roof height.

The proposal seeks to undertake the following works to the dwellinghouse on the subject site:

- Undertake the excavation and construction of a new basement level, as per planning reference no. 17/5269/HSE. The basement will occupy the same footprint as the existing dwelling, and will not alter the external appearance of the building. This component of the proposal was considered by the Council Committee on 23 November 2017, and approved subject to conditions.

As this component of the application has already been considered by the Committee, this report will focus on assessing the remaining components of the application and will rely on the original planning assessment and decision of 17/5269/HSE for matters relating to the basement extension.

Front Alterations

- Alteration of the existing front dormers, reducing these in height from 1.6 metres to 1.4 metres to improve the positioning of the dormer on the roof slope and the proportion of glazing within the dormers. The level of glazing will remain approximately 0.5m² within each front dormer.

- Alteration to the lower roof line above the existing garage to create one continuous roof slope

- Alteration to the front porch; reduction in width from 3.6 metres to 2.5 metres

- Replacement of the existing garage on the front elevation with a new garage door and a hinged pedestrian door to adjoin this; the total width of the garage and pedestrian access will increase from approximately 3 metres up to 3.7 metres.

Rear Alterations

- The raised roof height of the north eastern corner of the existing building, to have a height that is flush with the existing maximum ridgeline, being a height of 9.3 metres to join up with the existing crown roof. This will not result in any additional floor space.

- Creation of raised terrace to the central/rear of the property, measuring 50m² and being 0.5 metres above ground level; this will have a canopy extending over 21m² of the raised terrace; this will have no walls.

and will include an external kitchen space.

- Creation of a patio in the southern corner of the rear elevation located at ground level; this will be an area of approximately 20m², including 4.5m² used for access steps down from the ground floor of the building onto the patio. This will directly adjoin the southern boundary shared with Northfields, and will extend out 5 metres along the boundary.

- Alteration to the rear dormers, removing the gable pitched roofs over the dormers to match the dimensions and positioning of the front dormers, and replacement of existing roof light with a third dormer to match; the dimensions of these dormers being 1.4 metres in height, 1.08 metres in width and protruding a maximum of 1.5 metres out from the roof slope. Similarly to the front dormers, these will be set down 0.5 metres from the maximum ridge line.

Alterations to fenestration

- Lowering of the existing slit window above the garage to be flush with the top of the proposed pedestrian door adjoining the garage door.
- Replacement of the existing curved, bay window on the single storey rear portion of the north-eastern corner of the building, with a squared off bay window that will project approximately 1 metre out from the edge of the building.
- Replacement of the existing window on the southern corner of the rear elevation with glazed double doors that will provide access out onto the raised patio.
- Replacement of large window on northern ground floor elevation with two slit windows
- Replacement of the existing window above the garage with a window to match the existing window above the porch.

4. Public Consultation

Consultation letters were sent to 5 neighbouring properties.

7 responses have been received, comprising 6 letters of objection and 1 letter of comment.

The objections received can be summarised as follows:

- The overbearing height and increased bulk will have a detrimental impact on both the use and enjoyment of neighbouring properties
- The extensions will sit above neighbouring properties and impact on the privacy of these
- Extensive noise throughout construction
- The existing scale of the dwelling on the subject site already dominates neighbouring dwellings.
- The Basement Construction Method Statement makes no reference of infiltration and attenuation Sustainable Urban Drainage Systems (SUDS).
- The Basement Construction Method Statement fails to provide sufficient detail on how noise will be monitored to achieve acceptable noise levels.
- The Basement Construction Method Statement fails to provide sufficient detail on how construction of the basement extension will be monitored to avoid structural damage to neighbouring properties.
- Concern over the building and neighbouring buildings being designed to support a basement level extension without causing significant structural damage.
- No consideration has been given on the impact on the adjoining property at Northfield in respect of the proposed roof and garage alteration.

The representations received can be summarised as follows:

- The Totteridge Residents Association have commented that the applicant should submit a Basement Impact Assessment Report to accurately assess the hydrogeological and geotechnical impact of this proposed basement extension on the neighbouring properties.

The applicant has provided a Basement Construction Method Statement, which was also submitted as part of the approved application for the basement.

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.

Draft London Plan 2017

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

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, DM06.

The Council's approach to additions and alterations 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. Furthermore, policy DM01 notes that trees should be safeguarded and any development should adequately protect existing trees and their root systems.

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 DM06 relates to conservation and states that development proposals must preserve or enhance the character and appearance of the Conservation Areas within Barnet.

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 an extension 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.

Totteridge Conservation Area Character Appraisal Statement

5.2 Main issues for consideration

The main issues for consideration in this case are:

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

5.3 Assessment of proposals

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.

Residential Amenity

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

The proposed roof extension on the north-eastern corner of the building is set within the existing building footprint and will be viewed against the remainder of the building. The increased portion of roofing will be screened from Northfield to the south and properties to the west by the existing building. The property to the north, being Long Ridge, is located at a noticeably lower level to the ground floor of the subject site, and the dwelling and primary amenity spaces are removed from the subject building; located to the north-east and separated by approximately 13 metres at the closest point. The separation of this property and the difference in levels is considered to mitigate any potential harm that could result on the amenity of this property as a result of this proposal.

The raised terrace is located centrally within the site, set in 4.5 metres from the southern boundary and 13.5 metres from the northern boundary. Although the patio is proposed to be 0.5 metres above ground level, the central location of the patio in respect of the neighbouring properties is considered to mitigate any potential overlooking and loss of privacy experienced by neighbouring properties. As the canopy will not have walls, this is not considered to result in additional bulk and dominance on the neighbouring properties as it is visually permeable. The proposed patio shown outside the proposed playroom will be located at ground level and not raised in anyway; this will therefore not afford any greater level of overlooking into neighbouring properties than the existing situation.

Impact on Character and Street Scene and Totteridge Conservation Area

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

The proposed alterations to fenestration around the host building and the alterations to the roof height of the north-eastern first floor component of the building, and above the garage are not considered to detract from the character of the host building, nor result in an overbearing development within the street scape context.

The reconstruction and revision of the front and rear dormers are considered to improve the appearance of the existing building in the way the dormers sit within the slope of the

roof. These improvements therefore, will not detract from the character of the building or the way it relates to the surrounding conservation area and neighbouring buildings.

The canopy structure will have no walls and be visually permeable. As such, this is not considered to detract from the character of the host building or the adjoining building at Northfields through the introduction of excessive building bulk.

The council's conservation and heritage officer was consulted with regards to this proposal, and given the removal of the faux roof and the ground-first floor glazing on the rear elevation, there are no remaining objections with regards to the impact of this proposal on the conservation area.

Protected Trees

The council's arborist was contacted with regard to the impact of the development on protected trees in and around the site. Following amendments to the applicants basement excavation method, they were satisfied that the proposed development would not harm the health of any trees subject to TPOs. Most notably, the applicant has confirmed that no heavy vehicles associated with construction of this proposal (including the basement construction) will be entering the curtilage of the site, and rather any spoil from construction will be taken off site via a conveyor system into the highway environment and construction vehicles will be parked on the road. This method is supported by proposed plan 110/B of which has been included in the recommended conditions for approval.

Additionally, it is noted that given the alterations to the building will not increase the footprint of the building, the arborist raised no concerns of the impact of the proposal on the protected trees at the side and rear of the property.

5.4 Response to Public Consultation

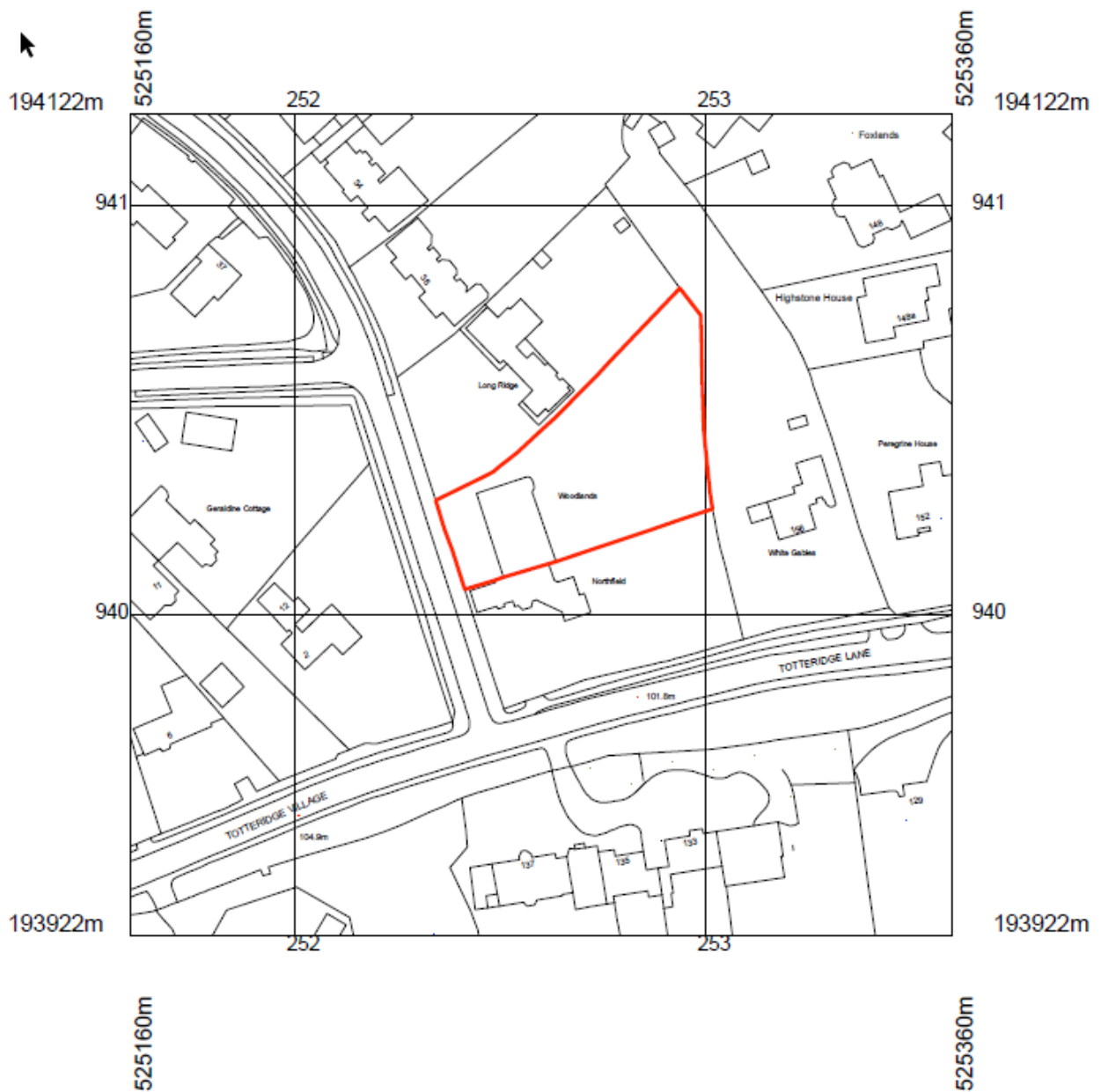
- Matters relating to the basement development have been addressed through the planning assessment under 17/5269/HSE and heard by the Council Committee. It is not considered necessary to readdress these matters.
- It is considered that the matters raised regarding the impact of the proposal on the privacy of neighbouring properties and the scale of the existing dwelling being dominant with the proposal increasing this, have been addressed in the above planning appraisal.
- Extensive noise throughout construction- this is not a material planning consideration.
- Regard has not be given to the impact of the garage and roof alterations on the property at Northfields. The proposal has been amended so that the roof height along the front elevation is no longer being increased. Additionally, the proposed alteration to the roof above the garage and the increased garage size are not considered to impact on the integrity or appearance of the building at Northfields as these are minor in scale.

6. Equality and Diversity Issues

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

7. Conclusion

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



EXISTING LOCATION PLAN

Location **Unit 1 Northway House 1379 High Road London N20 9LN**

Reference: **17/6462/FUL** Received: 11th October 2017 **AGENDA ITEM 8**
Accepted: 23rd October 2017

Ward: Totteridge Expiry 18th December 2017

Applicant: Ms Bina Saini

Proposal: New shopfront. Installation of new louvered door and partial window air grille

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:
 - D070.9000
 - D070.9001
 - D070.9002
 - D070.9003
 - D070.9004 Revision C
 - D070.9005

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 Prior to the extensions hereby approved being occupied or brought into use the external surfaces of the extensions shall all be constructed and finished in full accordance with the materials specified on the plan D070.9004 Revision C.

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

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The developer is required apply to the Highway Authority for a Projection Licence under Highways Act 1980 for any overhanging over the public highway. The overhang must be a minimum height of 2.7 metres above the footway and 4.1 metres above the carriageway. Advice on projection licence can be obtained from Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Officer's Assessment

1. Site Description

The application site relates to a commercial unit at ground floor level of Northway House, 1379 High Road. The site is not a Statutory Listed, locally listed Building, nor does it located within a Conservation Area.

2. Site History

Reference: B/05674/13

Address: Northway House, 4 Acton Walk, London, N20 9SL

Decision: Approved subject to conditions

Decision Date: 24 July 2014

Description: The extension, refurbishment, alteration and change of use of Northway House to provide for a residential led mixed use development comprising a total of 145 new dwellings (Use Class C3), 1978.5 square metres (NIA) of flexible Use Class B1a (office) floorspace, 324 square meters (NIA) of 'open' Use Class D1 floorspace (education and community uses), together with ancillary reception floorspace and associated landscaping, car parking and access (AMENDED PLANS AND ADDITIONAL INFORMATION).

Reference: 14/07497/CON

Address: Flat 1, Northway House, 4 Acton Walk, London, N20 9BL

Decision: Approved

Decision Date: 26 January 2015

Description: Submission of details of condition 14 (Biodiversity) pursuant to planning permission B/05674/13 dated 25/07/14

Reference: 14/07501/CON

Address: Flat 1, Northway House, 4 Acton Walk, London, N20 9BL

Decision: Approved

Decision Date: 19 January 2015

Description: Submission of details of condition 19 (Energy Strategy) pursuant to planning permission B/05674/13 dated 25/07/14

Reference: 14/07502/CON

Address: Flat 1, Northway House, 4 Acton Walk, London, N20 9BL

Decision: Approved

Decision Date: 19 January 2015

Description: Submission of details of condition 25 (Air Quality Report) pursuant to planning permission B/05674/13 dated 25/07/14

Reference: 14/07505/CON

Address: Flat 1, Northway House, 4 Acton Walk, London, N20 9BL

Decision: Approved

Decision Date: 14 January 2015

Description: Submission of details of condition 20 (Water Infrastructure and Drainage Strategy) pursuant to planning permission B/05674/13 dated 25/07/14

Reference: 14/07632/CON

Address: Flat 1, Northway House, 4 Acton Walk, London, N20 9BL

Decision: Approved

Decision Date: 20 March 2015

Description: Submission of detail of condition 26 (Scheme of Measures to Mitigate the Impact of Noise from Traffic) pursuant to planning permission reference B/05674/13 dated 25/07/2014

Reference: 14/07638/CON

Address: Flat 1, Northway House, 4 Acton Walk, London, N20 9BL

Decision: Approved

Decision Date: 20 March 2015

Description: Submission of details of Condition 30 (Extraction and Ventilation) pursuant to planning permission B/05674/13 (dated 25/07/2014)

Reference: 15/01340/CON

Address: Flat 1, Northway House, 4 Acton Walk, London, N20 9BL

Decision: Approved

Decision Date: 15 April 2015

Description: Submission of details of conditions 4 (Levels), 10 (Details of Location of Wheelchair access for Disable People), 11(Inclusive Access), 13 (Contaminated Land), 14 (Scheme Promoting Biodiversity), 15 (Protected Species -Details), 19 (Details of Energy Strategy) , 20 (Details of Water Infrastructure and Drainage Strategy), 25 (Scheme for Air Pollution Mitigation Measures), 26 (Scheme of Measures to Mitigate the Impact of Noise from Traffic), 30 (Extraction and Ventilation), 51 (Landscaping -Details), 54 (Method Statement -Trees), and 55 (Trees -Protective Fencing), pursuant to planning permission reference: B/05378/14 dated 23/01/2015

Reference: 15/01346/CON

Address: Flat 1, Northway House, 4 Acton Walk, London, N20 9BL

Decision: Approved

Decision Date: 23 July 2015

Description: Submission of details of condition 3 (materials), 28 (sound insulation), 34 (architectural features), 44 (access), 50 (boundary treatment) pursuant to planning permissions reference B/05674/13

Reference: 15/01402/CON

Address: Flat 1, Northway House, 4 Acton Walk, London, N20 9BL

Decision: Withdrawn

Decision Date: 23 July 2015

Description: Submission of details of condition 34 (Boundary Treatment) pursuant to planning permission reference: B/05674/13, dated: 25/07/2014 and planning permission reference: B/05378/14, dated: 23/01/2015

Reference: 15/01404/CON

Address: Flat 1, Northway House, 4 Acton Walk, London, N20 9BL

Decision: Withdrawn

Decision Date: 23 July 2015

Description: Submission of details of condition 50 (Boundary Treatment) pursuant to planning permission references: B/05674/13, dated: 25/07/2014 and planning permission reference: B/05378/14, dated: 23/01/2015

Reference: 15/01748/CON

Address: Flat 1, Northway House, 4 Acton Walk, London, N20 9BL

Decision: Approved

Decision Date: 1 May 2015

Description: Submission of details of condition 28 (Scheme of Sound Insulation Measures) pursuant to planning permission references: B/05674/13, dated: 25/07/2014 and planning permission reference: B/05378/14, dated: 23/01/2015

Reference: 15/01857/CON

Address: Flat 1, Northway House, 4 Acton Walk, London, N20 9BL

Decision: Withdrawn

Decision Date: 23 July 2015

Description: Submission of details of condition 44 (Access) pursuant to planning permission references: B/05674/13, dated: 25/07/2014 and planning permission reference: B/05378/14, dated: 23/01/2015

Reference: 15/01970/CON

Address: Flat 1, Northway House, 4 Acton Walk, London, N20 9BL

Decision: Approved

Decision Date: 23 July 2015

Description: Submission of details of condition 3 (materials), 28 (sound insulation), 34 (architectural features), 37 (construction management plan), 44 (access), 50 (boundary treatment) pursuant to planning permissions reference B/05378/14

Reference: 17/6463/ADV

Address: Ground Floor, Northway House, 1379 High Road, London, N20 9LP

Decision: Approved subject to conditions

Decision Date: 7 December 2017

Description: Installation of 1no internally illuminated fascia sign

3. Proposal

The applicant seeks permission for the following;

- New shopfront. Installation of new louvered door and partial window air grille

4. Public Consultation

Consultation letters were sent to 58 neighbouring properties. 41 objections received.

- Size of the signage - too large
- Significantly larger than any sign for 'Northway House' - there is no signage for 'Northway House' - loss of 'Northway House's' identity.
- Misleading - implies the building is called 'Angle House'
- It will be confusing for deliveries, visitors, emergency services and the council, already issues at present with couriers/deliveries locating the building.
- Opposed to the premises being used as a dentist.
- Illuminate sign will destroy the low-light environment of the newly build residential area
- Not in keeping with the neutral colours of the building and will darken the buildings appearance.
- Unsightly - spoil the aesthetic of the building/main entrance
- Louvered vent door will restrict natural light to the commercial unit
- The signage has no reference to it being an orthodontist

- Makes the front of the building look too commercial/industrial

The highways department were consulted with regard to this application and no objections were raised.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 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.

Draft London Plan 2017

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

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

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 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

- New shopfront. Installation of new louvered door and partial window air grille

Impact on the character of the area

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), 7.4 and 7.6 (both of the London Plan).

The ground floor unit benefits from a Use Class D1 floor space under planning permission ref: B/05378/14. The premises would be occupied by an orthodontist to which this signage relates and falls within the remits of D1 use. Advertising consent has been approved for the implementation of the shopfront fascia signage under application no. 17/6463/ADV.

The highways department were consulted with regard to this application and no objections were raised.

The shop front has a wide two stepped façade which is predominantly glazed with cream coloured block style cladding surrounding the windows. The section of the shop front which is closest to the adjacent highway has the widest glazed section of the two. This part on the site is where the main entrance is located leading into the proposed reception/waiting area.

The vast majority of the commercial unit's glazed front (9.23 metres of 13.32 metres) will remain clear glazed approximately 7 glazed panels in width, the remaining area consisting of three glazed panels will be covered in an obscure vinyl film to create privacy from the street scene for one of the proposed treatment rooms. This will create a sensitively well-proportioned meanwhile practical frontage with a large active frontage onto the street.

To the left hand side of the commercial unit when viewed from the adjacent highway there is a step back from the main relatively small section comprising of a glazed section of approximately 5.39 metres in width. At present a large green electrical box is situated in front of this part of the site blocking much of the visual from the street scene. Three of the glazed windows here are to be covered in an obscure vinyl film again to create privacy for a treatment room. The at present clear door to be replaced with a louvered door which will provide ventilation internal bin storage area while having the practical functionality of fire escape, furthermore there will be a panelled section above the glazed panels which will be converted into air grille again to provide ventilation to the premises. This part of the shop

frontage is subordinate to the main frontage and partially obscured, therefore it is considered the proposed changes are acceptable.

The use of grey for the ventilation, air grille and signage is in keeping with the fenestration present on the ground commercial unit.

Furthermore it is noted that the use of the main apartment tower of which this commercial unit is adjoined to benefits from grey/metallic detailing across its façade. In the local vicinity there is a variety of commercial and industrial units in use by numerous business types. The surrounding units have a variety of shop front styles and signage's; it is considered that the proposal is in line with Policy 7.4 (Local Character) of the London Plan, due to its proportional design, retention of an active frontage and sympathetic use of materials in comparison to surrounding units.

The proposed extension and changes to the unit would be a proportionate extension that would not harm the character and appearance of the general locality and host property.

It is considered that the proposal's character in terms of appearance, scale, mass, height and surrounding buildings would be in keeping with the local area in accordance with Policy DM01 of the Development Management Policies DPD.

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

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

In terms of impact on the visual amenity of the neighbouring occupiers the site is set forward of the main apartment building constructed so would not be visible internally from said apartments. It is considered that the use of an internally illuminated shop front would have an acceptable level of impact of the light levels within the street scene.

The proposal is considered to meet be aligned with the requirements of policy 7.6 of the London Plan. With regard to planning decisions and specifically the amenity of the residential buildings, in relation to privacy and overshadowing the proposal will not extend the premises from its current state and therefore not have a significant impact and therefore be in accordance with the guidance of policy 7.6 of the London Plan.

With the proposed use as a dental clinic and the location of the premises in relation to the dwellings it is considered that there would be limited impact in terms noise from operation of the business day to day and the clientele using the premises.

It has been outlined that medical waste will be securely stored within an internal bin store and collected by Cannon Hygiene specialist and Domestic waste by Barnet council from the appointed location within Northway House outlined by the original permission involving the commercial unit.

Taking into account the scale of the proposed shop front alterations relative to the existing building and the neighbouring properties it is considered that the proposal will not result in unacceptable levels of harm to the visual or residential amenity of neighbouring occupiers in accordance with Policy DM01 of the Development Management Policies DPD.

5.4 Response to Public Consultation

41 objections received, main concerns;

- Size of the signage - too large

The signage is considered to be proportional to the size of the unit and in keeping with the character of signage visible on other units in the vicinity.

- Significantly larger than any sign for 'Northway House' - there is no signage for 'Northway House' - loss of 'Northway House's' identity.

The signage is considered to be proportional to the size and massing for the unit. The signage is relates to the business and the commercial unit.

- Misleading - implies the building is called 'Angle House'

The business is a well established with various other locations across London, the name used on the signage is merely that of a legitimate business and therefore it is not under the jurisdiction of the planning department to prevent a business using the premises in the same way any other business would.

- It will be confusing for deliveries, visitors, emergency services and the council, already issues at present with couriers/deliveries locating the building.

The signage only relates to the commercial unit at the foot of 'Northway House'. The signage is relevant to the business and as the sizing and style of signage is deemed acceptable there are not planning grounds for refusal.

- Opposed to the premises being used as a dentist.

The ground floor unit benefits from a Use Class D1 floorspace under planning permission ref: B/05378/14. The premises would be occupied by an orthodontist to which this signage relates and falls within the remits of D1 use. It is considered a sensitive use for its position with the high street.

- Illuminate sign will destroy the low-light environment of the newly build residential area.

An internally illuminated sign upon this unit is considered to have a relatively minor impact on 'low-light environment'. Taking into consideration the number of lampposts in the locality and the variety of signs both internally and externally illuminated in close proximately it is considered that there would be an acceptable effect on the environment.

- Not in keeping with the neutral colours of the building and will darken the buildings appearance.

The use of grey for the ventilation and air grille is in keeping with the fenestration present on the ground commercial unit. Furthermore it is noted that the use the main apartment tower of which this commercial unit is adjoined to benefits from grey/metallic detailing across its façade.

- Unsightly - spoil the aesthetic of the building/main entrance

As addressed in the report the aesthetics of the proposal is considered to be in keeping with the adjoining development and the surrounding area. The changes are considered relatively minor in terms of their visual impact.

- Louvered vent door will restrict natural light to the commercial unit

Internally where the louvered door is proposed leads to a bin storage area. It is not considered that this would have a significant impact on the lighting of the main areas of the premises.

- The signage has no reference to it being an orthodontist
It is not a requirement for the signage to detail what the premise's use is, the signage clearly depicts the business' name.

- Makes the front of the building look too commercial/industrial
The unit is a commercial unit and it is considered that the shop front is relatively uncluttered and therefore sympathetic to the surrounding units.

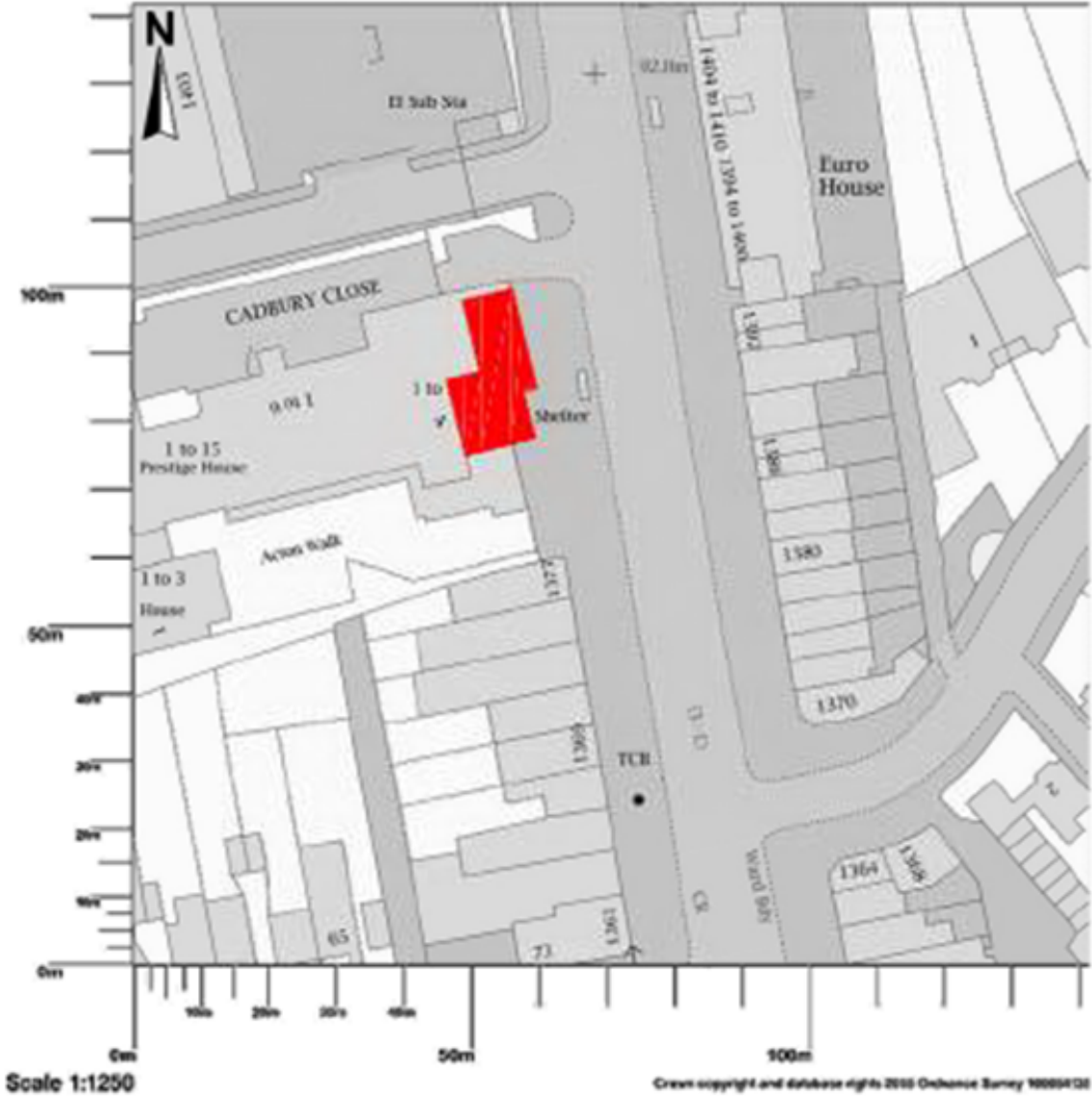
6. Equality and Diversity Issues

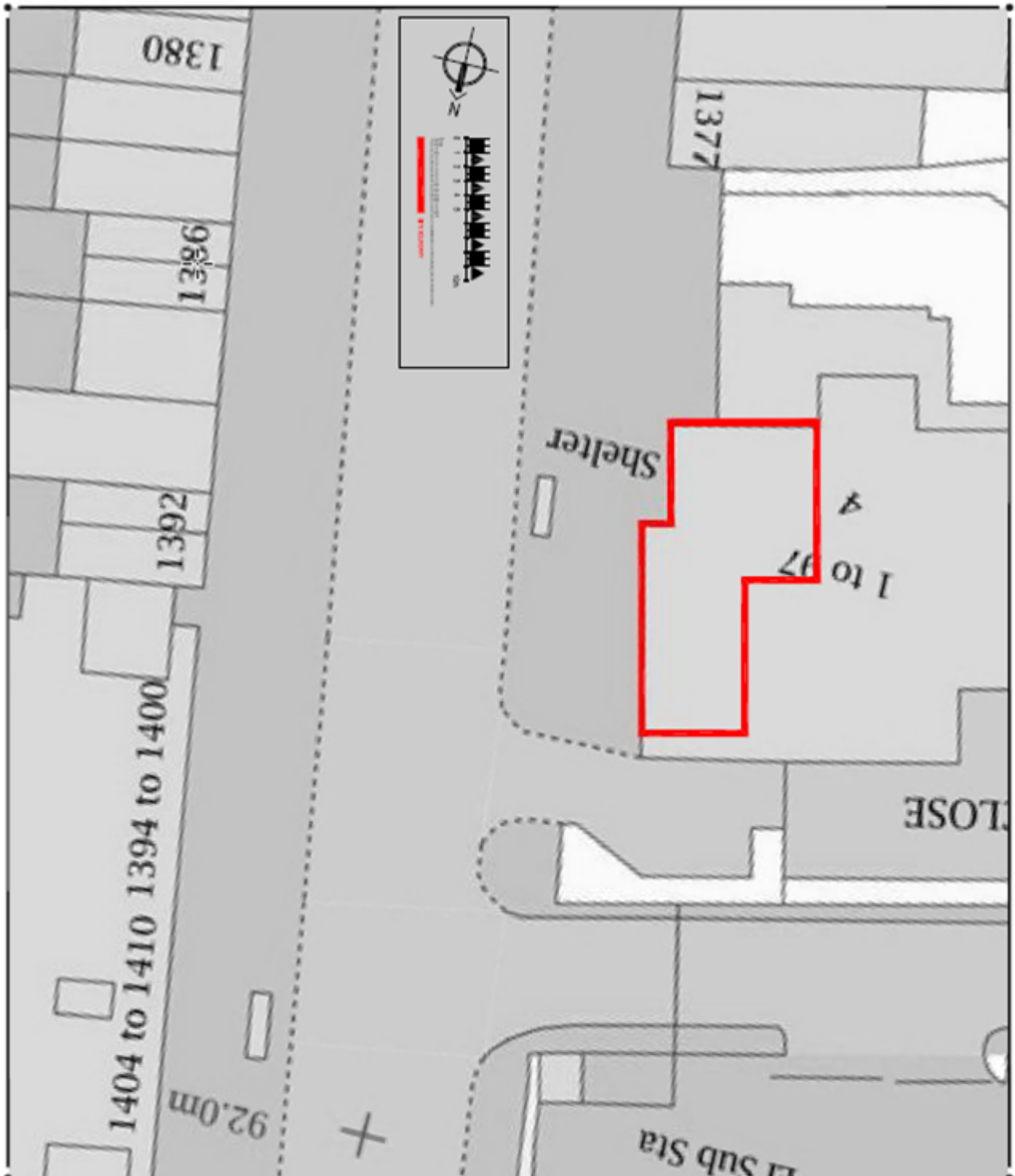
The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set out in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

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

Northway House 1379 High Rd, London N20 9LP





Location **Whitewalls Totteridge Green London N20 8PE**

Reference: **17/5718/S73**

Received: 6th September 2017

Accepted: 11th September 2017

Ward: Totteridge

Expiry 6th November 2017

Applicant: Mrs w MATSUZAKI

Proposal: Variation of condition 1 (Plans Numbers) pursuant to planning permission 17/2982/FUL dated 28/07/2017 for `Demolition of single detached house and erection of 2no detached dwellings. Associated landscaping, hardstanding and refuse storage.` Variations to include reduction of building footprint

AGENDA ITEM 9

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:

1529.P.OS

1529.P.01

1529.P.02

1529.P.03

1529.P.04 E (Overlay site plan)

1529.P.05 D (Proposed plans and overlay plans)

1529.P.06 D (Proposed elevations)

1529.P.07 B (Proposed and existing block plans)

1529.P.08 C

1529.P.10 A (Proposed context plan)

Tree Protection Plan

Arboricultural Impact Assessment

Demolition and Construction Method Statement and Dust Control Measures

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 development shall be implemented in accordance with the levels as approved under planning reference 17/5749/CON, dated 08/01/2018, 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.

- 4 The development shall be implemented in accordance with the materials as approved under planning reference 17/5749/CON, dated 08/01/2018.

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 2016.

- 5 The development shall be implemented in full accordance with the architectural details as approved under planning reference 17/5749/CON, dated 08/01/2018 prior to the first occupation of the dwellings hereby approved.

Reason: To safeguard the character and visual amenities of the site and conservation area and to ensure that the development is constructed in accordance with policies CS5, DM01 and DM06 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

- 6 Before the buildings hereby permitted are first occupied the first floor windows in the side elevations shall be glazed with obscure glass only and shall be permanently fixed shut or provided with only a fanlight opening and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

- 7 The development shall be implemented in accordance with Demolition and Construction Management and Logistics Plan, including the dust method statement, as approved under planning reference 17/5749/CON, dated 08/01/2018.

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.

- 8 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.

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

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

- 10 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 10% 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 Polices document (2012) and policies 5.2 and 5.3 of the London Plan (2015).

- 11 The development shall be implemented in accordance with the refuse and recycling details as approved under planning reference 17/5749/CON, dated 08/01/2018, 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).

- 12 The development shall be implemented in accordance with means of enclosure as approved under planning reference 17/5749/CON, dated 08/01/2018 before first occupation or the use is commenced and retained as such thereafter.

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

- 13 Before development hereby permitted is occupied parking spaces shall be maintained/ provided within the site in accordance with drawing no. 1529.P.04 D and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles associated with the proposed 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.

- 14 The demolition works hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been executed and planning permission has been granted for the redevelopment for which the contract provides. Evidence that this contract has been executed shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority prior to any demolition works commencing.

Reason: To preserve the established character of the Conservation Area pending satisfactory redevelopment of the site in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM06 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 15 a) The development shall be implemented in accordance with the tree protection plan and method statement as approved under planning reference 17/5749/CON, dated 08/01/2018.

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.

16 a) The development shall be implemented in accordance with the scheme of hard and soft landscaping as approved under planning reference 17/5749/CON, dated 08/01/2018.

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.

Informative(s):

1 In accordance with paragraphs 186-187, 188-195 and 196-198 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.

Officer's Assessment

1. Site Description

The application site is a detached property located on Totteridge Green, within Character Area 2 of the designated Totteridge Conservation Area.

It is also sited within an Area of Special Archaeological Interest.

The application property is not a statutory listed or locally listed building.

2. Site History

Reference: 17/2982/FUL

Address: Whitewalls, Totteridge Green, London, N20 8PE

Decision: Approved subject to conditions

Decision Date: 28 July 2017

Description: Demolition of single detached house and erection of 2no detached dwellings. Associated landscaping, hardstanding and refuse storage

Reference: 17/5749/CON

Address: Whitewalls, Totteridge Green, London, N20 8PE

Decision: Approved

Decision Date: 08/01/2018

Description: Submission of details of conditions 3 (Levels); 4 (Materials); 5 (Architectural detailing); 7 (Demolition and Construction Management and Logistics Plan); 11 (Refuse/Recycling); 12 (Enclosure); 15 (Tree Protection Plan); and 16 (Landscaping) pursuant to planning permission 17/2982/FUL dated 28/07/17

3. Proposal

The applicant seeks to vary the plans approved under Condition 1 pursuant to planning permission 17/2982/FUL dated 28/07/2017 for 'Demolition of single detached house and erection of 2no detached dwellings. Associated landscaping, hardstanding and refuse storage.'

The variations include the reduction of the approved footprint of the building, with the removal of the 'morning room' at ground floor.

The agent stated in an email dated 30 November 2017 that reducing the footprint of both dwellings was in order to reduce build cost.

All other details remain the same as the scheme previously approved under application reference 17/2982/FUL, dated 28/07/2017.

4. Public Consultation

A site notice was erected 12 October 2017.

A press notice was published 10 October 2017.

Consultation letters were sent to 19 neighbouring properties.

62 responses have been received, comprising 62 letters of objection.

Most objections were received from parents of the adjacent school (St Andrews CE Primary School). Objections raised various concerns including:

- Pollution, dust and noise and the health implications and study of the children
- Foundations of the walls of the playground and building work next to the temporary fencing - the school doesn't have secure fencing
- Traffic and safe access to the school, particularly across the Green where most children walk to school
- Security of children and parents with the amount of people and traffic
- Risk of debris on safety of children
- Disabled persons impact could be inhibited
- Contractors and construction/demolition workers overlooking a playground. Will not be DBS checked and risk safety of children
- Prevent children's play time/space
- Queries whether the current brick wall will be retained
- Suggested conditions including permitting construction only during school holiday periods or after 4pm on weekdays
- The finished dwelling would overlook where children play
- Concern for nature conservation, wildlife and trees
- Loss of light and overshadowing
- Impact on character and appearance of the designated conservation area

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.

Draft London Plan 2017

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

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, DM06, DM17

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.

Totteridge Conservation Area Character Appraisal

5.2 Assessment of proposals

Chipping Barnet Area Planning Committee granted approval for the 'Demolition of single detached house and erection of 2no detached dwellings. Associated landscaping, hardstanding and refuse storage' at the site under application reference 17/2982/FUL. The decision was dated 28/07/2017.

The applicant seeks to modify this scheme and therefore has made an application under section 73 of the Town and Country Act 1990, also known as a minor material amendment.

Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended.

The Government's Planning Practice Guidance states that there is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

Under this application, the applicant seeks to reduce the footprint of the two approved dwellings by removing the 'morning room' at ground floor. This is considered a minor material amendment.

For this reason the amendment is considered acceptable in planning terms. With a reduction in footprint there would be no harm to neighbouring amenity, character and appearance of the conservation area, trees, archaeology or highways, subject to the relevant conditions attached to an approval.

It is considered the dwellings would continue to provide good living conditions and amenity for future occupiers.

5.3 Response to Public Consultation

There has been a significant level of objection from parents of pupils attending the adjacent St Andrews C of E School (to the north of Whitewalls).

The principle of redevelopment of the site into two dwellings has been confirmed acceptable under the previously approved application 17/2982/FUL, dated 28/07/2017. That original permission remains intact and unamended. This application is a minor material amendment to the approved scheme.

- Pollution, dust and noise and the health implications and study of the children

Concurrent to this minor material amendment, the applicant has sought approval of the details of certain conditions of the original permission. This is under application reference number 17/5749/CON, dated 08/01/2018. This includes the submission of a Demolition and Construction Management (DCM) and Logistics Plan and Dust Method Statement.

In regards to dust and pollution, an Environmental Health officer has assessed the information provided and confirms that the contractor's plans are using best practical means to control dust.

To reassure residents and parents, the Officer advises that the most important dust to control is fine dust which gets into the lungs and this is removed through the asbestos survey and removal prior to demolition. The Local Authority have been advised that a survey to remove asbestos will be completed prior to demolition.

In addition, protective hoarding will wrap around the site on three sides including where interfacing with the public. All debris will be contained within the site. The method statement also advises that roads will be regularly brushed and water sprayed; all vehicles carrying soil and other dusty materials to be fully sheeted; and site speed limits will be enforced.

Understandably residents have concerns about demolition close to schools but Environmental Health have experience of ensuring dust control by contractors is satisfactory and if residents or parents are concerned when works start they can contact the Environmental Health department to check best practical means is occurring as proposed if there is excessive coarse dust.

In regards to noise, normal working hours set by the local authority will be applied (Monday-Friday: 8.00am-6.00pm, Saturdays: 8.00am-1.00pm, Sundays and Bank/Public Holidays are not permitted). This is standard practice. Where work needs to occur beyond the agreed "normal" working hours, consultation and agreement will be sought from the local Authorities in advance of such an event. This has been deemed acceptable by the Council's Environmental Health Officers.

- Traffic and safe access to the school, particularly across the Green where most children walk to school; security of children and parents with the amount of people and traffic

The road where the development is taking place is private highway. The council only has power to mitigate the impact on public highway.

With regards to the safety of pedestrians and pupils at the neighbouring school, the Demolition and Construction Method Statement (DCMS) states that for Delivery vehicles, there will be a delivery rota system, whereby deliveries must be pre-booked at least 24 hours in advance to avoid the areas peak travel hours. This system will avoid any construction vehicles operating within the period where school traffic (vehicular and pedestrian) is circulating.

In addition to this the DCMS states that there will be no on-street loading or unloading and off-site holding areas will not be required. This means that there will be no construction vehicles parked on the road that could potentially lead to congestion and potential danger to pedestrians. Construction vehicles entering the site will be supervised by a trained banksman who will monitor and ensure that pedestrians are adequately protected. The DCMS is therefore acceptable on highway grounds.

- Risk of debris on safety of children

The DCMS submitted under application reference number 17/5749/CON, dated 08/01/2018, states that during demolition, all debris will be contained within the site. Protective hoarding will wrap around the site on three sides including where interfacing with the public.

- Foundations of the walls of the playground and building work next to the temporary fencing - the school doesn't have secure fencing

Officers note that the school does not have any formal enclosure along its boundary facing the Green (as of December 2017). However, this is not a matter that could or should be secured under this application. Furthermore, Environmental Health and Highways Officers are satisfied with the methods set out in the Demolition and Construction Management (DCM) and Logistics Plan.

- Disabled persons impact could be inhibited

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.

- Contractors and construction/demolition workers overlooking a playground. Will not be DBS checked and risk safety of children

Disclosure and Barring Service (DBS) is a separate executive public body and checks are dealt with under other legislation. All matters regarding DBS are not a planning matter and would not be considered a reason for refusal.

- Prevent children's play time/space

Officers see no reason why construction works would prevent or reduce children's play time or space. All construction works are confined within the boundary of the application site.

- Queries whether the current brick wall will be retained

In regards to queries whether the current brick wall will be retained, a close boarded timber fence would enclose the site along the boundary adjacent to the school.

- Suggested conditions including permitting construction only during school holiday periods or after 4pm on weekdays

It is considered that the suggested conditions to permit construction working hours only during school holiday periods or after 4pm on weekdays would not meet the 6 tests set out in Paragraph 206 of the National Planning Policy Framework (2012). This is because working hours for construction sites are set out in other legislation.

- The finished dwelling would overlook where children play

A condition was attached to the original permission to ensure the first floor flank windows of both dwellings will be obscurely glazed. This condition would remain in any application approved under section 73 of the TCPA. Therefore no overlooking of the playground from the dwellings would occur.

- Concern for nature conservation, wildlife and trees

The original permission was deemed satisfactory in regards to impact on trees, subject to conditions. The case remains the same in this instance. As previously developed land, Officers have no evidence before them to believe that the development would detrimentally impact wildlife or nature conservation to an unacceptable level.

- Loss of light and overshadowing

It is not considered that any overshadowing of the playground would be to such an extent or level to justify a refusal in this instance.

- Impact on character and appearance of the designated conservation area

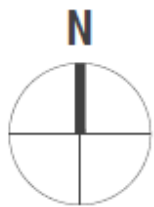
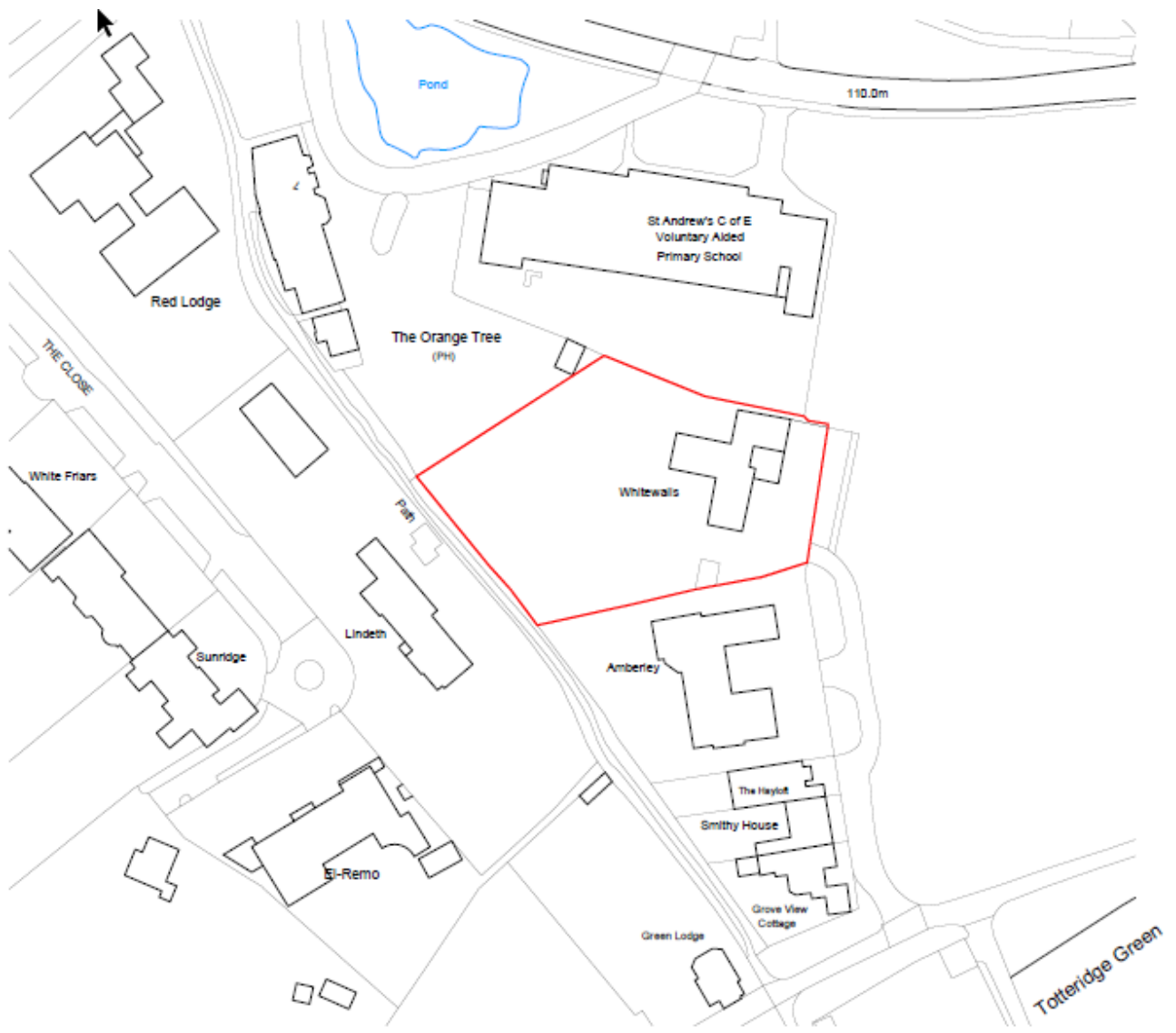
The original permission was deemed acceptable in regards to its impact on the character and appearance of the conservation area, subject to conditions. The case remains the same in this instance.

6. Equality and Diversity Issues

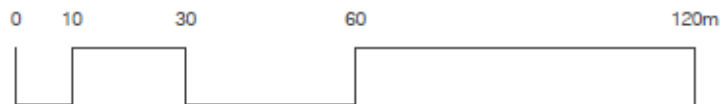
The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

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



Scale 1:1250



Location **Barnet General Hospital Wellhouse Lane Barnet EN5 3DJ**

Reference: **17/6519/RCU**

Received: 13th October 2017

Accepted: 31st October 2017

Ward: Underhill

Expiry 26th December 2017

Applicant: C/O Agent

Proposal: Change of use of cycle lane (retrospective) to provide additional 26 car parking spaces, retention of porta-cabin on a temporary basis, and subsequent re-provision of 20 car parking spaces

AGENDA ITEM 10

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: Location Plan, 70037771-SK-01 Rev D, RFH-BGH-PC-001, RFH-BGH-PC-002, RFH-BGH-PC-003, RFH-BGH-PC-004, RFH-BGH-PC-005, RFH-BGH-PC-006, RFH-BGH-PC-007.

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 The porta-cabin hereby permitted is granted for a temporary period only expiring 5 years from the date of this permission. On or before this date, the porta-cabin carried out in pursuance of this permission shall be removed from the site and the land restored to its former condition in accordance with a scheme which shall have been previously submitted to and been approved in writing by the Local Planning Authority.

Reason: The use hereby approved is not considered suitable as a permanent form of development due to the temporary nature of the construction.

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 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.

Officer's Assessment

1. Site Description

The application site relates to Barnet General Hospital which is located on the southern side of Wellhouse Lane. The hospital provides both inpatient and outpatient services.

Over the years, the hospital has undergone a large redevelopment in two stages. The building constructed as part of the first stage was opened in 1997 and provides surgical wards, ITU and Day Surgery, A&E, Theatres and Maternity services. The second stage was then built and was officially opened in February 2002. There are a large number of other buildings on the site which provide support services.

The hospital is located approximately 1km from Chipping Barnet Town Centre and has an area of 35,740 sqm. There are a total of 459 patient beds. The site currently employs 1882 equivalent full time staff.

There is an area of fallow, overgrown land to the north east of the site, adjacent to No.5 Wellhouse Lane.

This large site is bounded by mainly residential properties. The properties on Wood Street and Queens Road to the north of the site are generally large detached and semi-detached dwellings, with the northern side of Wood Street being within the Wood Street Conservation Area. Properties in West End Land to the southeast of the site are predominantly two storey terraced dwellings. The properties to the southwest further along Wellhouse Lane and Wellside Close are two storey semi-detached dwellings.

There are a number of accesses to the hospital site, all off Wellhouse Lane. There is a bus stop located outside of the hospital with a turning area. There are a number of car parks on the site, including a large car park on the western part of the site, located close to the main hospital building which is for visitor parking. A separate staff car park is accessed directly from Bells Hill and Wellhouse Lane.

The site has a Public Transport Accessibility Level (PTAL) of 2. This rating measures the amount of public transport service available with 6 being the highest level of accessibility.

There are parking restrictions on Wellhouse Lane close to the hospital and a Controlled Parking Zone covering parts of Wood Street and roads to the east of Wood Street. However the majority of roads around the hospital are uncontrolled.

2. Site History

Application Number: B/03959/12

Site Address: Barnet General Hospital, Wellhouse Lane, Barnet, Herts, EN5 3DJ

Decision: Approve

Decision Date: 08/02/2013

Description: Submission of details of condition No.9 (temporary parking arrangements) pursuant to planning permission Ref: B/01347/12 dated: 19/9/2012.

Application Number: B/01347/12

Site Address: Barnet General Hospital, Wellhouse Lane, Barnet, Herts, EN5 3DJ

Decision: Approve with conditions

Decision Date: 26/09/2012

Description: Enlargement of existing A&E Department involving single storey extension to provide Resuscitation Unit; single storey courtyard infill to provide Paediatric Assessment Unit with 3no. rooflights and new staircase; single storey courtyard infill to provide Clinical Decision Unit with 4no. rooflights. New two storey extension with a canopy to provide Obstetrics & Midwifery-Led Birthing Units. Creation of 2no. new ambulance bays and provision of 202 parking spaces

Application Number: N01070AH

Site Address: Barnet General Hospital & Elmbank House Wellhouse Lane BARNET

Decision: Approve with conditions

Decision Date: 30/04/1998

Description: Demolition of buildings and replacement with a building up to 4 storeys in height, ancillary buildings and associated car parking. Erection of temporary buildings during construction. Demolition of Elmbank.

Application Number: N01070S

Site Address: Barnet General Hospital Wellhouse Lane BARNET

Decision: Approve with conditions

Decision Date: 11/04/1989

Proposal: Construction of bus turn around facility and provision of associated landscaping.

There have been numerous other applications in respect of extensions, new buildings etc on this site.

3. Proposal

This application seeks planning permission for the change of use of cycle lane (retrospective) to provide additional 26 car parking spaces, retention of porta-cabin on a temporary basis, and subsequent re-provision of 20 car parking spaces.

This application is part retrospective following notification from the LPA that there had been a breach in planning permission as the porta-cabin located in Car Park A was conditioned to be removed following a phased completion of the extensions to the hospital in November 2013. The porta-cabin remains on site today and subsequently removes the provision of 20 parking spaces. Furthermore, an additional 26 car parking spaces have been provided within the car park through the conversion of an internal cycle lane. An additional of 20 car parking spaces are also provided through reconfiguration of the existing car park layout.

4. Public Consultation

Consultation letters were sent to 51 neighbouring properties.
0 responses have been received.

Greater London Authority - No comment.

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.

Draft London Plan 2017

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS9, CS11.
- Relevant Development Management Policies: DM01, DM02, DM13, DM17.

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.

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 building, 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; and
- Whether harm would be caused to highways safety and parking provision.

5.3 Assessment of proposals

As mentioned above in Section 2, planning permission (reference B/01347/12), was approved on the 26th September 2012 for development comprising of the following;

"Enlargement of existing A&E Department involving single storey extension to provide Resuscitation Unit; single storey courtyard infill to provide Paediatric Assessment Unit with 3no. rooflights and new staircase; single story courtyard infill to provide Clinical Decision Unit with 4no. rooflights. New two storey extension with canopy to provide Obstetrics & Midwifery-Led Birthing Units. Creation of 2no. new ambulance bays and provision of 202 parking spaces".

Condition 9 attached to this permission required "a phasing plan for the transitional arrangements for parking at the hospital during construction of the extensions and new car park shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include phasing proposals of the development and a schedule of parking demonstrating that parking can be maintained on site at existing levels. The development hereby approved shall be carried out in accordance with such details as approved".

The approved Transitional Parking Plan under this condition details phasing and confirms the porta-cabin would be removed in November 2013. As explain above, the porta-cabin remains on site and upon this basis this condition has been breached. Consequently, this application seeks planning permission for the retention of porta-cabin on a temporary

basis, the change of use of a cycle lane (retrospective) to provide additional 26 car parking spaces and subsequent re-provision of 20 car parking spaces.

It should be noted that all the above works relating to the additional parking spaces have been implemented on site, the portacabins were implemented as part of the original application and this application seeks the retention of these temporarily for further 5 years.

Impact on the character and appearance of the property and general locality: (Principle)

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), 7.4 and 7.6 (both of the London Plan).

Both the London Plan and the Barnet's Local Plan recognise that the provision of health care facilities are required in order to accommodate growth in the need for services.

The agent has confirmed that the porta-cabin within Car Park 1 is currently fully occupied by hospital staff tasked with reducing 'bed blockers'; and social workers employed by Barnet Council. The Trust have confirmed that there is no other space across the hospital site to accommodate these services, particularly as Thames House is not a long term viable option due to the condition of the building. Therefore, there is a need for this additional accommodation on the site due to limited alternative suitable space available elsewhere on the site.

The porta-cabin has been located within the site since 2008. It is located close to the main hospital building and the maternity ward and as such is viewed within the context of the site. The porta-cabin stands at two storeys in height, however its location adjacent to the raised bus interchange means that it neither dominates over nor competes with the surrounding buildings and does not appear incongruous in the context of the site.

As such, it is considered that the porta-cabin is acceptable to remain as a temporary solution to the lack of office space located on-site. The potacabins would be conditioned for a period of 5 years from the date of planning permission. After 5 years the portacabins are required to be removed from site permanently.

Impact on the amenities of neighbouring occupiers

The porta-cabin will remain in situ as it currently is on site, and the relocation and additional parking spaces will be provided by reconfiguring an existing car park and conversion of the internal cycle lanes.

The impact of the extensions on neighbouring properties would not be appreciable as a result of the siting of the porta-cabin within the hospital grounds and the visibility of the site itself from the residential areas nearby.

The nearest residential properties which adjoins the site are the properties located in West End Lane. As such, a separation distance of over 100 metres will be maintained.

The additional parking spaces which are to be accommodated within the existing car parks and cycle lane will not cause a significant increase in vehicle noise by virtue of being located within existing car parks.

The additional car parking spaces would allow more cars to be parked within the hospital site and less cars parked on surrounding residential roads. As such, this would be an improvement to neighbouring residents.

The proposal is considered to comply with policy DM01 of the adopted Local Plan and therefore is considered to have an acceptable impact on neighbouring amenities.

Impact on highway safety and parking

This application seeks permission for the change of use of cycle lane (retrospective) to provide an additional 26 car parking spaces and re-provision of 20 car parking spaces for hospital users.

The Councils Highways Team considered this information submitted under previous applications (ref: B/01347/12 and B/03959/12), and were satisfied with the details provided.

The proposed arrangements will result in a sufficient level of parking being maintained across the site during the temporary use of the porta-cabin and an additional 20 spaces on the site. Therefore the increase in parking provision as a result of this application will help reduce parking pressures across the site.

As such, the proposal is not considered to cause harm to highways safety and parking on the site and therefore complies with policy DM17 of the adopted Local Plan.

5.4 Response to Public Consultation

N/A

6. Equality and Diversity Issues

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

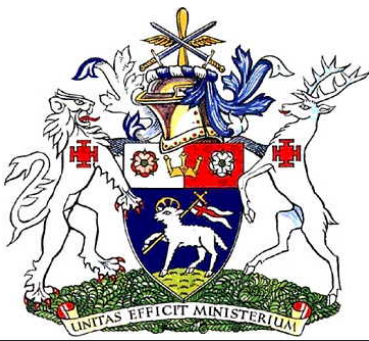
7. Conclusion

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

Site Location Plan



This page is intentionally left blank



Chipping Barnet Planning Committee
18th January 2018

| | |
|--------------------------------|---|
| Title | Planning Enforcement Quarterly Update October 2017 to December 2017 |
| Report of | Head of Development Management |
| Wards | All |
| Status | Public |
| Urgent | No |
| Key | No |
| Enclosures | None |
| Officer Contact Details | Fabien Gaudin, fabien.gaudin@barnet.gov.uk , 020 8359 4258 |

Chipp

Summary

The report provides an overview of the planning enforcement function in the period between October 2017 and December 2017.

Recommendation

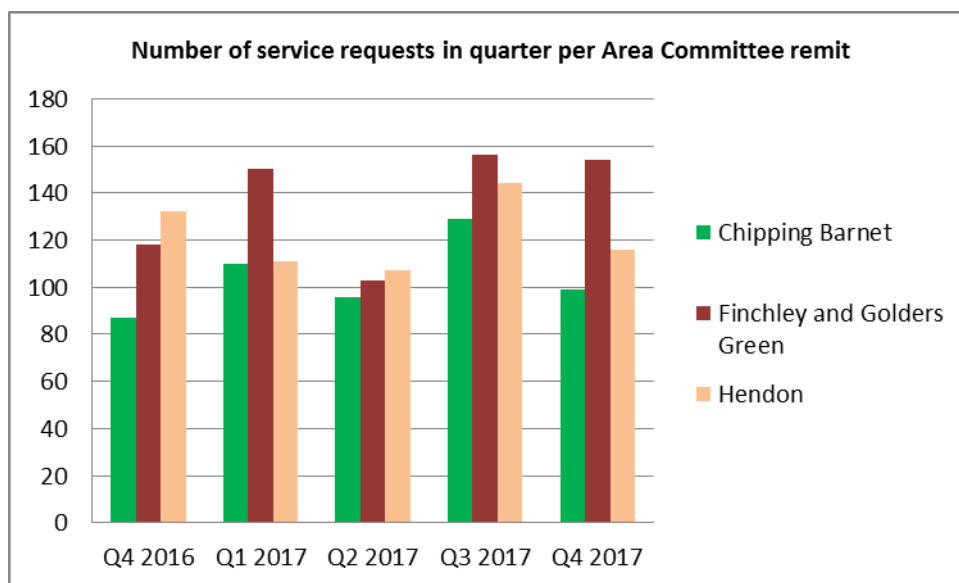
1. That the Committee note the Planning Enforcement Quarterly Update for the period of October 2017 to December 2017.

1. WHY THIS REPORT IS NEEDED

- 1.1 Members' involvement is crucial in maintaining an effective enforcement service because Members often have to be the public face of the Council when faced with issues which might require the taking of formal (or informal) enforcement action. This report has been prepared to provide an overview of the enforcement function over the period of October to December 2017.
- 1.2 Further updates will be reported quarterly and will include comparisons with previous quarters.

1.3 Number of service requests

In the period between July and September 2017, the Council received 429 requests to investigate an alleged breach of planning control which is the highest number of requests in the past year. As with previous quarters, the number of requests varied significantly between different wards and Parliamentary constituencies as shown below:



| Chipping Barnet | | | | | |
|-----------------|---------|---------|---------|---------|---------|
| Ward | Q4 2017 | Q3 2017 | Q2 2017 | Q1 2017 | Q4 2016 |
| Brunswick Park | 7 | 21 | 14 | 8 | 17 |
| Coppetts | 8 | 19 | 9 | 20 | 12 |
| East Barnet | 13 | 15 | 16 | 20 | 8 |
| High Barnet | 19 | 28 | 13 | 24 | 14 |
| Oakleigh | 15 | 16 | 13 | 11 | 15 |
| Totteridge | 26 | 20 | 18 | 17 | 13 |
| Underhill | 11 | 25 | 13 | 10 | 8 |

| Finchley and Golders Green | | | | | |
|----------------------------|---------|---------|---------|---------|---------|
| Ward | Q4 2017 | Q3 2017 | Q2 2017 | Q1 2017 | Q4 2016 |
| Childs Hill | 41 | 56 | 30 | 47 | 36 |
| East Finchley | 6 | 16 | 10 | 7 | 9 |
| Finchley Church End | 23 | 12 | 12 | 20 | 10 |
| Golders Green | 31 | 28 | 17 | 19 | 20 |
| Garden Suburb | 20 | 21 | 8 | 18 | 11 |
| West Finchley | 19 | 12 | 12 | 12 | 13 |
| Woodhouse | 14 | 11 | 14 | 27 | 19 |

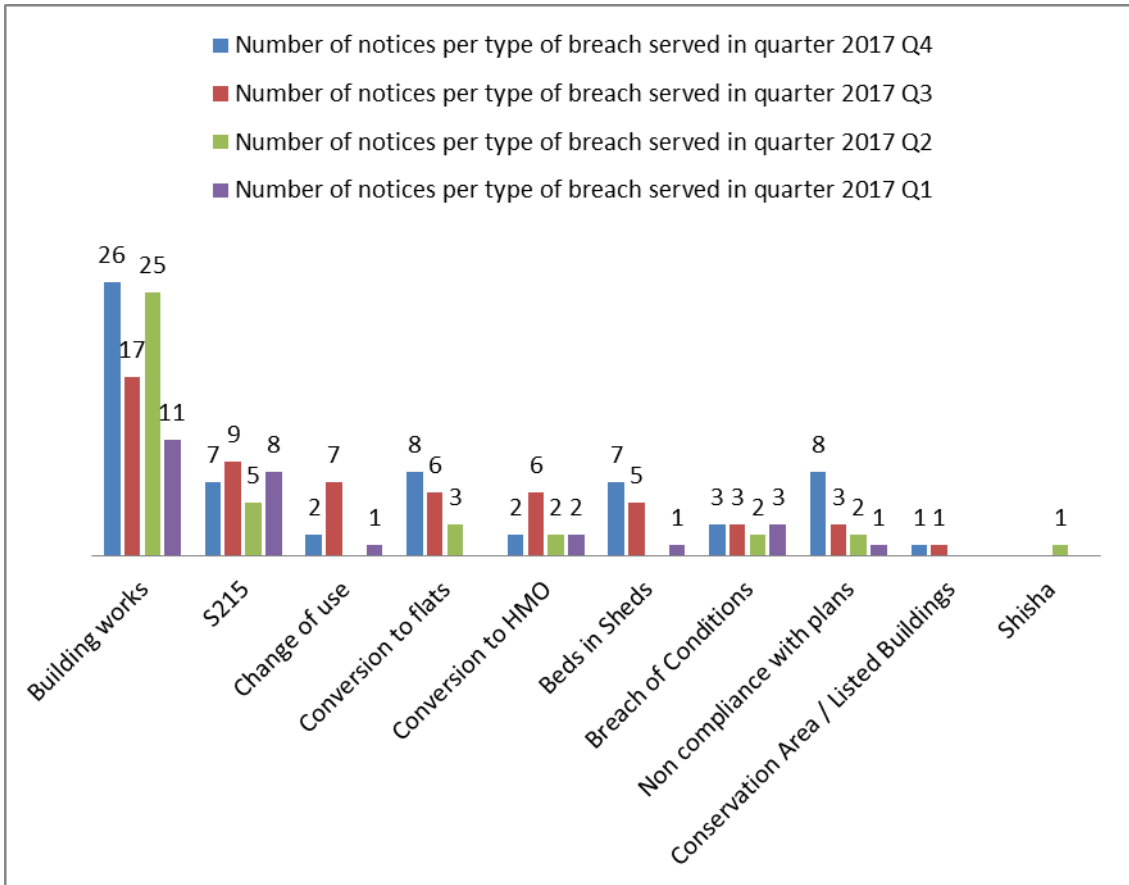
| Hendon | | | | | |
|-------------|---------|---------|---------|---------|---------|
| Ward | Q4 2017 | Q3 2017 | Q2 2017 | Q1 2017 | Q4 2016 |
| Burnt Oak | 14 | 21 | 13 | 12 | 12 |
| Colindale | 10 | 11 | 6 | 4 | 8 |
| Edgware | 9 | 22 | 13 | 17 | 18 |
| Hale | 16 | 19 | 16 | 18 | 15 |
| Hendon | 26 | 26 | 12 | 26 | 27 |
| Mill Hill | 15 | 13 | 22 | 21 | 25 |
| West Hendon | 26 | 17 | 16 | 13 | 27 |

Future quarterly updates will show the evolution of number of requests quarter on quarter.

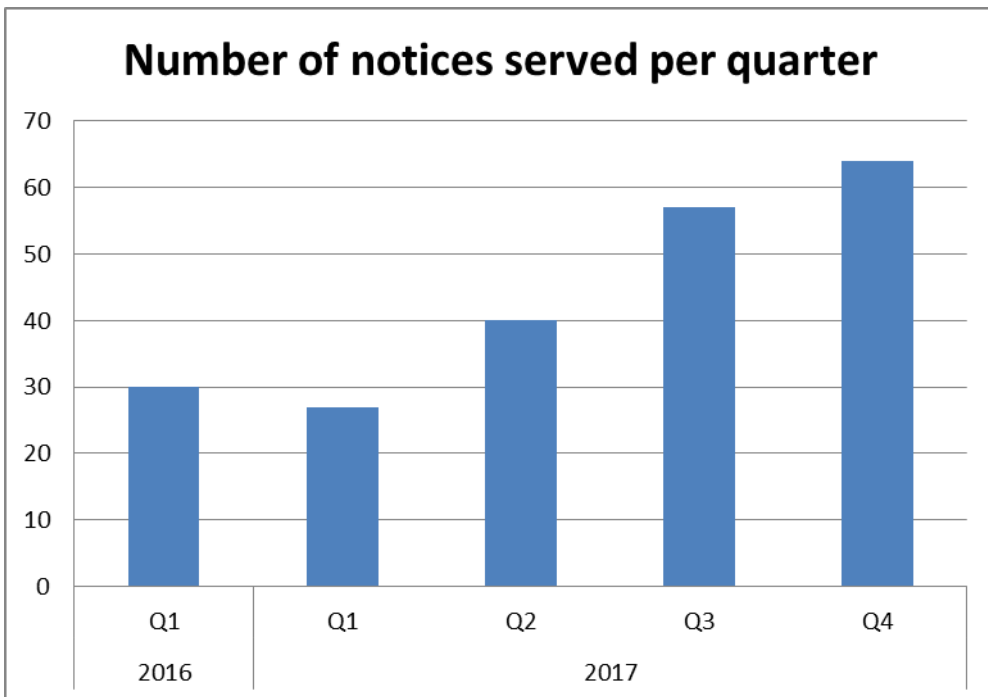
1.4 Formal Enforcement Action

Enforcement Action should always be commensurate with the breach. When considering enforcement action the alleged breach of planning control and associated development must be assessed against relevant planning policies and other material planning considerations. A notice, if it is considered appropriate to serve one, must state the reason why the development is unacceptable (the same principles as a planning application). The role of planning enforcement is not to automatically rectify works without consent. Also, when considering enforcement action the Planning Authority should not normally take action in order to remedy only a slight variation in excess of what would be permitted development. The serving of a formal notice would in most cases follow negotiations with land owners to voluntarily resolve the breach and a number of cases are resolved in this way (see next section). Furthermore, the majority of cases are resolved without the need to take formal enforcement action and the table in section 1.5 shows details of such cases resolved in the last quarter.

In the last quarter, 64 Enforcement Notices (of all types but excluding Planning Contravention Notices) were served which is an increase from the 57 in Q3, 40 in Q2 and 30 notices served in Q1 and is an all time high for the Council. Whilst notices relating to building works continue to constitute the most common type of notices served across the Borough, the last quarter showed a continued increase in the number of more complex notices served against unlawful residential uses: 8 notices were served against unlawful flat conversions, 2 against unlawful Houses in Multiple Occupancy and 7 against Beds in Sheds.



The increase in the number of notices served has been sustained throughout 2017.



Benchmarking:

The Department for Communities and Local Government recently released planning applications and enforcement statistics for the period ending September 2017.

According to those statistics, Barnet now has the fourth busiest enforcement team in the country. According to the official figures, the team served 111 enforcement notices out of a total of 143 of all types in the year ending in September 2017. This is up from eighth for the year ending September 2016 and Barnet's highest ever position in the standings. The mean annual return of enforcement notices from all 339 planning authorities was 13.7.

1.5 Cases Closed and Investigation Conclusion

Cases resolved without the need to take formal enforcement action between October and December 2017

| | Q4 2017 | Q3 2017 | Q2 2017 | Q1 2017 |
|--|----------------|---------|---------|---------|
| <u>Full compliance</u> following serving of enforcement notice | 35 | 42 | 18 | 11 |
| <u>Informal compliance</u> Works carried out and/or use ceased with breach resolved informally | 73 | 117 | 82 | 42 |
| <u>Lawful development</u> No breach of planning control was identified following investigation | 232 | 282 | 254 | 167 |
| <u>Breach detected</u> but harm insufficient to justify enforcement action | 52 | 101 | 61 | 22 |
| <u>Total</u> | 392 | 542 | 415 | 242 |

The decrease in the number of completed investigations compared to the last quarter is reflective of the fact that officers have reviewed a significant number of older less urgent cases and have focused on the serving of enforcement notices as highlighted in section 1.4.

1.6 Notable cases updates

Finchley and Golders Green

In early December the Council successfully prosecuted the owners of 279 Golders Green Road, NW11 for converting the house into flats. The case was re-opened in summer on the basis of representations made by the owner who had previously been found guilty in his absence of the same offence. The case has been adjourned for sentencing and confiscation.

The unlawful sub-division/change of use cases of 24 Llanvanor Road, 90 The Drive and 97 Hendon Way are continuing through the Court systems The

Council is pursuing Proceeds of Crime in relation to each. Convictions have been obtained in respect of the first two cases and the third is following a different procedure due to the defendant being out of the country.

The Council was successful in its Prayle Grove court appeal hearing which began in April 2017 and was awarded its full costs in defending the notice. The works required by the upheld notice were completed and it is understood that the house will be brought back into occupation very soon.

A notice directed against the unauthorised use of 45 Etchingham Park Road, N3 has been upheld after a public inquiry. The owners now have until 11 May to restore the property to a single dwelling. The Council was awarded its full costs in defending its notice due to failures on the part of the appellant. The Council was also successful at a hearing into unauthorised extensions at 14 Golders Manor Drive, NW11. The majority of appeals are dealt with by way of written representations rather than at hearings or inquiries and officers are always happy with successful verdicts after being subjected to cross examination.

The High Court injunction case concerning Pentland Close continues. The defendant, who has previously been imprisoned for continuing to store waste and materials at his house, was convicted for a second time in August and handed a 3 month custodial sentence suspended for three years. The Council will approach the Courts with a request that the sentence be activated due to an apparent failure to undertake the works required by the High Court judge.

The Council took the rare and serious step of serving a stop notice in respect of a domestic basement in Golder Manor Drive. Colleagues in Building control and the health and safety executive had voiced grave concerns about the site and asked if planning enforcement could assist. Work on the basement has now come to a halt whilst a planning application is considered. Stop notices are generally reserved for instances where damage can be irreparable or the consequences of the activity of the most serious nature and compensation may be paid where sufficient justification for such a notice does not exist.

Hendon

A trial in respect of a beds in sheds case in Kings Close, NW4 is due to begin in early 2018. Officers had previously obtained a warrant to force entry into the outbuilding they suspected to be in dwelling use. On previous, announced, visits officers formed the impression that it was likely that cooking facilities had been temporarily stripped out to disguise the everyday use of the building as a dwelling.

Chipping Barnet

The “shanty town” development at Hendon Wood Lane that was the subject of television and press headlines has been removed and its residents relocated. A small number of residents remain in buildings that had become immune from enforcement action prior to the Council receiving reports of a possible breach of planning control.

Borough-wide

‘Junk and Disorderly’ a waste removal company was successfully prosecuted for the permanent display of adverts on cars parked at prominent points on the public highway. The offending vehicles have been removed and officers are now speaking to other companies that are putting up similar unneighbourly and obtrusive signs.

Phase two of the joint planning enforcement / greenspaces direct action project was completed in December. This phase saw further untidy sites being cleared; The destruction of an unauthorised hardstanding on a grass verge and; The planting of trees to replace some unlawfully felled. The owners are being chased for the costs of undertaking the works. Preparations for a phase three in early 2018 are already well-advanced.

A further seven recommendations for prosecutions were made to HB public law in during the period covering a range of development types

2. REASONS FOR RECOMMENDATIONS

2.1 Not Applicable

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 Not Applicable

4. POST DECISION IMPLEMENTATION

4.1 Not Applicable

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 Not applicable

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 Not applicable

5.3 Social Value

5.3.1 Not applicable

5.4 Legal and Constitutional References

5.4.1 Not applicable

5.5 Risk Management

5.5.1 Not applicable

5.6 Equalities and Diversity

5.6.1 Not applicable

5.7 Consultation and Engagement

5.7.1 Not applicable

5.8 Insight

5.8.1 Not applicable

6. BACKGROUND PAPERS

6.1 None

This page is intentionally left blank