

MEETING

FINCHLEY AND GOLDERS GREEN AREA PLANNING COMMITTEE

DATE AND TIME

THURSDAY 30TH NOVEMBER, 2017

AT 6.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

TO: MEMBERS OF FINCHLEY AND GOLDERS GREEN AREA PLANNING COMMITTEE (Quorum 3)

Chairman: Councillor Eva Greenspan

Vice Chairman: Councillor John Marshall

Councillor Arjun Mitra
Councillor Shimon Ryde BSc (Hons)
Councillor Jim Tierney
Councillor Melvin Cohen LLB
Councillor Alan Schneiderman

Substitute Members

| | | |
|-------------------|-------------|--------------|
| Ross Houston | Graham Old | Jack Cohen |
| Reuben Thompstone | Anne Hutton | Alon Or-Bach |
| Gabriel Rozenberg | | |

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 Services contact: Tracy Scollin 020 8359 2315 tracy.scollin@barnet.gov.uk
Media Relations contact: Sue Cocker 020 8359 7039

ASSURANCE GROUP

Please consider the environment before printing. The average print cost for this agenda is **£5.47 per copy**. Documents are available on:

<https://barnet.moderngov.co.uk/uucoverpage.aspx>

ORDER OF BUSINESS

| Item No | Title of Report | Pages |
|---------|--|-----------|
| 1. | Minutes of last meeting | 5 - 8 |
| 2. | Absence of Members (If any) | |
| 3. | Declaration of Members' Disclosable Pecuniary interests and Non Pecuniary interests (If any) | |
| 4. | Report of the Monitoring Officer (If any) | |
| 5. | 17/4460/CON - Ullswater Court (Ventilation), 92 Holders Hill Road, NW4 1LN | 9 - 12 |
| 6. | 17/5396/CON - Ullswater Court (boundary treatment and landscaping) 92 Holders Hill Road, NW4 1LN | 13 - 18 |
| 7. | 17/5013/FUL - Golders Green Delivery Office, St Georges Road, NW11 0LS | 19 - 40 |
| 8. | 17/3613/FUL - 8C And 9A Accommodation Road Golders Green, NW11 8ED | 41 - 50 |
| 9. | 17/5434/FUL - 203 The Vale, London, NW11 8TN | 51 - 62 |
| 10. | 17/5094/HSE - 5 Gratton Terrace, London, NW2 6QE | 63 - 70 |
| 11. | 17/5042/FUL - 18 Dingwall Gardens, London, NW11 7ET | 71 - 86 |
| 12. | 17/6412/HSE - 11 Theobalds Ave, London, N12 8QG | 87 - 96 |
| 13. | 17/6494/HSE - Sahara, 15 Winton Road, London N2 0TP | 97 - 110 |
| 14. | 17/5689/S73 - 48 Ravenscroft, London, NW11 8AU | 111 - 122 |
| 15. | 17/3559/FUL - Land adjacent 38 Needham Terr, London, NW2 6QL | 123 - 142 |
| 16. | 17/5049/HSE - 2 Howes Close, London, N3 3NX | 143 - 156 |

| | | |
|-----|---|-----------|
| 17. | 17/4905/S73 - The Sternberg Centre for Judaism, 80 East End Rd, London N3 2SY | 157 - 170 |
| 18. | Addendum (if applicable) | |
| 19. | 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 Tracy Scollin 020 8359 2315 tracy.scollin@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 Finchley and Golders Green Area Planning Committee

1 November 2017

Members Present:

AGENDA ITEM 1

Councillor Eva Greenspan (Chairman)
Councillor John Marshall (Vice-Chairman)

Councillor Arjun Mitra
Councillor Alan Schneiderman
Councillor Melvin Cohen
Councillor Shimon Ryde
Councillor Jim Tierney

1. MINUTES OF LAST MEETING

RESOLVED that the minutes of the meeting held on 17 October 2017 be agreed as a correct record.

2. ABSENCE OF MEMBERS (IF ANY)

None.

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

| Member | Item | Interest Declaration |
|--------------------------|--|---|
| Councillor Eva Greenspan | 22 And 24 Dollis Avenue London N3 1TX 17/1363/FUL | Councillor Greenspan declared a Non-pecuniary interest. She stated that she knew one of the objecting speakers. Councillor Greenspan took part in the consideration and voting process. |
| Councillor Arjun Mitra | Dersingham Road, NW2 1SP 17-3678-FUL | Councillor Mitra declared a Non-pecuniary interest. He stated that he was employed by the GLA. Councillor Mitta took part in the consideration and voting process. |

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. ADDENDUM

The Committee noted the addendum to the report which had been published on the Council's website circulated to Members of the Committee and noted verbally by the Senior Planning Officer.

6. 17-1363-FUL 22-24 DOLLIS AVENUE

The Planning Officer presented the report to the Committee.

The Committee heard verbal representation from Mr Melvin White and Ms Zoe Donoff who spoke in objection and a response from the applicant's representative.

Councillor John Marshall moved to amend the officers recommendation and defer the item in order for a Basement Impact Assessment to be completed, but this was not seconded. Councillor Marshal's amendment was therefore lost.

The Chairman moved to refuse the item against officer recommendation. This was seconded by Councillor Shimon Ryde. The Committee therefore voted on the motion to refuse planning permission

The vote recorded was:

In favour of refusing planning permission – 5

Against refusing planning permission – 2

Further to this, a vote took place for the precise reason for refusal.

The proposed development by reason of its size, footprint, massing, and width would be an overdevelopment of the site, appearing unduly obtrusive and detrimental to the character and appearance of the streetscene and general locality. The proposals would be contrary to policy DM01 of the Adopted Barnet Development Management Policy 2012 and policy CS5 of the Adopted Barnet Core Strategy 2012.

The vote recorded was:

For the reasons – 5

Against reasons – 2

Resolved:

That the Committee refused the application for the reasons listed above.

7. 17-3678-FUL, DERSINGHAM ROAD, NW2 1SP

The Planning Officer presented the report to the Committee.

The Committee heard verbal representation from Ms Collette Gamble and Mr Michael Zarghami (who spoke on behalf of his mother) who spoke in objection and a response from the applicant's representative.

Councillor John Marshall moved that the item be subject to a legal agreement to restrict occupiers of the development from obtaining parking permits. This was seconded by Councillor Arjan Mittra.

The vote was recorded below as:

1 For

3 Against

3 Abstain

This motion seeking a legal agreement was therefore lost.

Councillor Shimon Ryde moved that the item be refused. This was seconded by Councillor Arjun Mitra.

The vote was recorded as:

5 FOR Refusal

2 AGAINST Refusal

The Committee then debated the reasons for refusal and voted on the following reasons:

- 1) The proposed development by reason of its size, footprint, scale, massing and design would be an overdevelopment of the site, appearing unduly obtrusive and detrimental to the character and appearance of the general locality. The proposals would be contrary to policy DM01 of the Adopted Barnet Development Management Policy 2012 and policy CS5 of the Adopted Barnet Core Strategy 2012.
- 2) The proposed development by reason of the siting of terraces, windows and balconies would result in a perception of overlooking from neighbouring residential properties, being harmful to the visual and residential amenities of future occupiers. The proposals would be contrary to policy DM01 of the Adopted Barnet Development Management Policy 2012 and policy CS5 of the Adopted Barnet Core Strategy 2012.

Vote was:

The vote was recorded as:

5 in support of the reasons for refusal

2 AGAINST the reasons for refusal

Resolved:

That the Committee refused the application for the reasons listed above.

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

There were no urgent items.

The meeting finished at 8.30 pm

This page is intentionally left blank

Location Ullswater Court 92 Holders Hill Road London NW4 1LN

Reference: 17/4460/CON Received: 12th July 2017 **AGENDA ITEM 5**
Accepted: 13th July 2017

Ward: Finchley Church End Expiry 7th September 2017

Applicant: Watch Tower

Proposal: Submission of details of conditions 7 (Ventilation) pursuant to planning appeal APP/N05090/C/15/3005873 dated 21/06/16

Recommendation: Approve

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/her absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

Informative(s):

- 1 The plans accompanying this application are:

UC+011 A - South Elevation - Services
UC+012A - North Elevation - Services

Appendix 3 - Details of the Mechanical Ventilation System (received 12/07/2017)

Officer's Assessment

1. Policy Context

Relevant Development Plan Policies:

- London Plan (2016)
- Relevant Core Strategy DPD (2012): Policies CS NPPF, CS13
- Relevant Development Management DPD (2012): Policies DM04

2. Assessment of proposal

In 2010, planning permission (reference F/02820/10) was granted for the construction of a part 3/ part 4 storey building comprising of 9 flats, with accommodation in the roofspace, car parking and cycle storage. Associated landscaping and amenity space. A subsequent application (reference 14/07374/FUL) was refused by the Council in 2015 for the Temporary change of use for five years involving alteration and conversion of existing 3 bedroom flat to create en-suite facilities and kitchenettes to each room at flat 8 Ullswater Court.

The site is managed by the International Bible Students Association (IBSA) which is the administrative organisation for Jehovah's Witnesses in the United Kingdom. The organisation's headquarters are currently based in Mill Hill, The Ridgeway, and the units within Ullswater are currently housing some of the IBSA members. It is the intention to relocate the charity headquarters of Jehovah's Witnesses and its associated accommodation to Chelmsford which is expected to be completed around 2020.

The Council served an Enforcement Notice on the site in January 2015 as the approved 9 units had been subdivided into 36 dwelling units. The Planning Inspectorate considered appeals to both the Enforcement Notice and the refused change of use application from 2015. The decision concluded that there had been a breach of planning control as the approved 2010 permission had not been implemented and express planning permission was required. The Inspector corrected the breach as Without planning permission, the erection of 36 self-contained flats in a part 3 and part 4 storey building not in accordance with planning permission reference F/02820/10 granted 10 September 2010. The Inspector in their decision also granted an alternative planning permission for the erection of 9 (nine) self-contained flats in a part 3 and part 4 storey building on land at Ullswater Court 92 Holders Hill Road, London NW4 1LN. This reflects a variation of the original 2010 permission. The Enforcement Notice was amended to require the applicant to Cease the use of the building as flats other than in full compliance with the planning permission for 9 flats granted pursuant to appeal reference number APP/N5090/C/15/3005873 and required a 12 month period of compliance from the date of decision (21 June 2016).

Approval for these condition elements were previously considered by the committee and were refused at the meeting of 14 June 2016.

The application is being referred to committee as a result of local interest and discussions held at the previous committee meeting on this condition.

Condition 7 (Ventilation)

Condition 7 states:

Before the development hereby permitted is first occupied and used a 9 self-contained flats, details of the mechanical ventilation system including plant and machinery shall be submitted to, and approved in writing by, the local planning authority. Details shall include sound-insulating measures and material and mounted in a way which will minimise transmission of structure borne sound. The development hereby permitted shall be carried out in accordance with the approved details.

In regards to noise, the Inspector commented that the most appropriate method to safeguard resident's living conditions, noise emitted from plant and machinery can be addressed by requiring details to be submitted to the Council for its approval. The Inspector comments that *Environmental Health officers are best placed to assess the potential impact upon neighbours and any mitigation required.*

In terms of mitigation implemented on the site, attenuators were installed on the south elevation which was found to reduce the noise levels by around 10dB(A). In addition, acoustic ducting has installed around internal pipes to provide sound attenuation.

The ventilation details were previous considered at committee within a joint conditions application with proposed details for landscaping and boundary treatment. While the overall application was refused and it was acknowledged that residents had expressed objection to the ventilation details, the reason for refusal makes reference only to landscaping and boundary treatment details.

Environmental Health Officers visited the site, with specific reason to identify and assess any adverse noise impact on the neighbouring property at No.98 Holders Hill Road. During the visit, the ventilation equipment and boilers from Ullswater Court were on full power. Standing within the rear garden of No.98, adjacent to the habitable windows, there was no audible noise. Environmental Health Officers decided that as the plant/boiler noise was not audible above the background noise at No.98, a noise assessment was not necessary. As such Environmental Health is satisfied that appropriate measures have been previously carried out and that there is no adverse impact in terms on noise on the residential amenity of No.98. The Planning Officer accompanied the Environmental Health Officers and can confirm that the above account is accurate. Therefore, it is considered that the requirements of condition 7 are satisfied.

Corporate Anti-Fraud Team

Protecting the public purse

International Fraud Awareness Week (12 November – 18 November 2017)

All suspicions of fraud against the council and its contractual partners must be reported to CAFT. Call the fraud hotline on tel: 020 8369 2007 email: CAFT@barnet.gov.uk or visit www.barnet.gov.uk/anti-fraud

BARNET
LONDON BOROUGH

Cadcorp

Scale: 1:2000

© London Borough of Barnet 2017
Contains public sector information licensed under the Open Government Licence v2.0
© Crown copyright (and database right) 2017 OS 100017374 GUL. Use of this data is subject to terms and conditions

Map mode: Plan View Position: SW04 0R55 Selected items: 0

Officer's Assessment

1. Policy Context

Relevant Development Plan Policies:

- London Plan (2016)
- Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.
- Relevant Development Management DPD (2012): Policies DM01, DM02.
- Residential Design Guidance SPD (2016)

2. Public Consultation

The application is being referred to committee as a result of local interest and discussions held at the previous committee meeting on these condition elements.

2 responses have been received, comprising of 1 letter of objection and 1 letter of comment:

The letter of objection raises the following material considerations;

- Residents of HHR are pleased that the proposal includes the removal of white plastic panels from the frontage and also the cycle store on the north boundary;
- However, objection remains to the proposed retention of two parking spaces at the front of the building.

The letter of comment raises the following material considerations:

- Proposal fulfils the agreed amendments previously discussed between neighbouring residents and Officers.
- Residents of Aspen Court do not have an issue over the two remaining spaces.

3. Assessment of proposal

In 2010, planning permission (reference F/02820/10) was granted for the construction of a part 3/ part 4 storey building comprising of 9 flats, with accommodation in the roofspace, car parking and cycle storage. Associated landscaping and amenity space. A subsequent application (reference 14/07374/FUL) was refused by the Council in 2015 for the Temporary change of use for five years involving alteration and conversion of existing 3 bedroom flat to create en-suite facilities and kitchenettes to each room at flat 8 Ullswater Court.

The site is managed by the International Bible Students Association (IBSA) which is the administrative organisation for Jehovah's Witnesses in the United Kingdom. The organisation's headquarters are currently based in Mill Hill, The Ridgeway, and the units within Ullswater are currently housing some of the IBSA members. It is the intention to relocate the charity headquarters of Jehovah's Witnesses and its associated accommodation to Chelmsford which is expected to be completed around 2020.

The Council served an Enforcement Notice on the site in January 2015 as the approved 9 units had been subdivided into 36 dwelling units. The Planning Inspectorate considered appeals to both the Enforcement Notice and the refused change of use application from

2015. The decision concluded that there had been a breach of planning control as the approved 2010 permission had not been implemented and express planning permission was required. The Inspector corrected the breach as Without planning permission, the erection of 36 self-contained flats in a part 3 and part 4 storey building not in accordance with planning permission reference F/02820/10 granted 10 September 2010. The Inspector in their decision also granted an alternative planning permission for the erection of 9 (nine) self-contained flats in a part 3 and part 4 storey building on land at Ullswater Court 92 Holders Hill Road, London NW4 1LN. This reflects a variation of the original 2010 permission. The Enforcement Notice was amended to require the applicant to Cease the use of the building as flats other than in full compliance with the planning permission for 9 flats granted pursuant to appeal reference number APP/N5090/C/15/3005873 and required a 12 month period of compliance from the date of decision (21 June 2016).

Approval for these condition elements were previously considered by the committee and were refused at the meeting of 14 June 2016. Since then, a number of amendments have been to the proposal and are addressed within this application.

Condition 4 (Boundary Treatment)

Condition 4 states:

No development shall take place until there has been submitted to, and approved in writing by, the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before any of the 9 flats are occupied in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details.

The front boundary treatment comprises of a low brick base course with metal fence on top. A further 1.5m x 1.5m timber trellis with translucent panels is proposed behind. Further trellises are erected along the side boundaries. In terms of boundary treatments within the area, the Council will acknowledge that the character of boundary treatments within the locality is wide ranging and mixed. At the adjacent No.98 and Rochester Court, there is a high verdant hedge along the front boundary, while at Aspen Court which has low railings and thick evergreen hedge.

In terms of amendments in this application, the proposal will now remove the trellis with translucent panels to the front of the area of hardstanding, while the translucent panels from the bin store will be removed. In addition, the bike store sited along the side boundary with No.98 will be completely removed, with bike rack provision provided in the undercroft.

Overall, the proposed removal of trellis is considered to reduce the amount of clutter at the front of the site and the removal of translucent panels removes a hard visual element from the site. The presence of a singular low metal railing is considered to be more in keeping with the streetscene and would provide a further improved streetscene appearance from the previous refused scheme. As such, the details provided are considered acceptable to meet the requirements of condition 4.

Condition 5 (Landscaping)

Condition 5 states:

No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

At present, the area of hardstanding to the front of the site comprises of 16% soft landscaping through verges or strips of landscaping. It has capacity to accommodate 3 parking spaces. During discussions with the applicant, the percentage of landscaping has been increased to 29% and 1 parking space has been removed from this area. Overall, the proposed landscaping details are considered to be acceptable and provide an appropriate mix of hard and soft landscaping and would be comparable to other flatted developments within the wider street.

This page is intentionally left blank

1850 (PL) 010 P1 (Existing Ground Floor)
1850 (PL) 011 P1 (Existing First Floor)
1850 (PL) 012 P1 (Existing Roof Plan)
1850 (PL) 020 P1 (Existing South Elevation)
1850 (PL) 021 P1 (Existing West Elevation)
1850 (PL) 022 P1 (Existing North Elevation)
1850 (PL) 023 P1 (Existing East Elevation)
1850 (PL) 030 P1 (Existing Section 030)
1850 (PL) 031 P1 (Existing Section 031)

1850 (PL) 109 P1 (Proposed Basement)
1850 (PL) 110 P1 (Proposed Ground Floor Plan)
1850 (PL) 111 P2 (Proposed First Floor)
1850 (PL) 112 P2 (Proposed Second Floor)
1850 (PL) 113 P2 (Proposed Roof Plan)
1850 (PL) 120 P1 (Proposed South Elevation)
1850 (PL) 121 P2 (Proposed West Elevation)
1850 (PL) 122 P2 (Proposed North Elevation)
1850 (PL) 123 P2 (Proposed East Elevation)
1850 (PL) 130 P2 (Proposed Section)
1850 (PL) 131 P1 (Existing Section)
1850 (PL) 132 P2 (Proposed Section)

Daylight/Sunlight Assessment (received 01.08.17)
Design and Access Statement (received 03.08.17)
Heritage Statement (received 01.08.17)
Planning Statement (received 01.08.17)
Sustainability Appraisal (received 01.08.17)
Transport Assessment (received 01.08.17)
Travel Plan (received 01.08.17)
Utilities Statement (received 03.08.17)

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) Prior to the construction of the relevant part of the development, 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 site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:
- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
 - ii. site preparation and construction stages of the development;
 - iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
 - iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
 - v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
 - vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
 - vii. noise mitigation measures for all plant and processors;
 - viii. Staff travel arrangement;
 - ix. details of contractors compound and car parking arrangements;
 - x. Details of interim car parking management arrangements for the duration of construction;
 - xi. Provision of a banksman;
 - xii. Details of a community liaison contact for the duration of all works associated with the development.

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

- 5 No development other than demolition works shall take place until a surface water drainage strategy for the site has been submitted to and approved in writing by the local planning authority. All planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development - must use Sustainable Drainage Systems (SUDS) for the management of surface water runoff, unless demonstrated to be inappropriate.

Reason: To ensure that the development manages surface water in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the

Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems).

- 6 a) Prior to the installation of any ventilation/extraction plant, a report shall be submitted to the Local Planning Authority, 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.

Condition 6 is amended as follows:

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

This sound insulation shall ensure that the levels of noise generated from the proposed B1(a) use; as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

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

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

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

- 8 A Disabled parking space shall be provided and clearly marked with a British Standard disabled symbol where appropriate and made available for the use of disabled persons and their vehicles prior to the first occupation of the development and shall thereafter be kept available/ maintained for such use at all times.

Reason: To ensure and promote easier access for disabled persons to the approved building in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 9 Prior to occupation of the development parking spaces and the access to the car parking spaces from public highway shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking spaces shall be used only as agreed and not to be used for any purpose other than the parking and turning of vehicles in connection with approved development.

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

- 10 Prior to occupation of the development the approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained thereafter.

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

- 11 a) Prior to occupation of the development, details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority.

b) The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

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

- 12 Within 3 months of occupation a Travel Plan statement that meets the criteria of the current Transport for London Travel Plan guidance , currently 'Travel Planning for new development in London incorporating deliveries and servicing' and is ATTrBuTE compliant shall be submitted to and approved in writing by the Local Planning Authority. The document shall set out the transport policy to incorporate measures to reduce trips by the private car especially single occupancy and single passenger journeys and encourage non car modes such as walking, cycling and public transport and to reduce, consolidate or eliminate delivery trips. The Travel Plan Statement should include the appointment of a Travel Plan Champion, SMART

targets and a clear action plan for implementing the measures. The Travel Plan should be reviewed, updated and resubmitted in writing for approval in years 1, 3 and 5 in accordance with the targets set out in the Plan. Monitoring of the travel plan is to be funded by the applicant in accordance with the SPD.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with policies Core Strategy (adopted) 2012 CS9 and Development Management Policies (adopted) 2012 DM17.

- 13 Prior to the erection and installation of photovoltaic panels, details of the size, design and siting of all photovoltaic panels to be installed as part of the development shall be submitted and approved in writing by the Local Planning Authority. Calculations demonstrating the additional carbon emission reductions that would be achieved through the provision of additional panels shall also be submitted. The development shall be carried out and constructed in accordance with the approved details.

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

- 14 The level of noise emitted from any plant installed 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.

- 15 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 35.41% 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.

- 16 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.

- 17 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).

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

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 19 a) The non-residential development is required to meet the BREEAM 'Very Good' level.

b) Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason: To ensure that the development is sustainable and complies with Strategic and Local Policies in accordance with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2015).

- 20 Before the building hereby permitted is first occupied the proposed window(s) in the first floor on the west elevation facing Temple Gardens 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).

- 21 The use hereby permitted shall not be used before the hours of 07:30 or after 20:00 on any day.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

- 22 The premises shall be used for B1(a) Class and for no other purpose (including any other purpose in Class B of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

RECOMMENDATION III:

- 1 That if an agreement has not been completed by 31 December 2017, that unless otherwise in writing, the Head of Development Management should REFUSE the application 17/5013/FUL under delegated powers for the following reasons:

1. The proposed development does not provide a legal agreement to mitigate the highways impacts of the proposed development and it is therefore considered that it would have a detrimental impact on the free flow of traffic and parking provision contrary to policy CS9 of the Adopted Core Strategy and policy DM17 of the Adopted Development Management Policies DPD.

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 Damage to public highway as a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 3 The applicant is advised that the A598 - Finchley Road is a Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.
- 4 Any details submitted in respect of the Demolition Construction and Traffic Management Plan (DCMP) above shall control the hours, routes taken by delivery and construction vehicles, delivery arrangements (ensure that deliveries do not coincide and vehicles are not kept waiting and parked up on public highway causing obstruction), means of access and security procedures including provision of Banksman where required for managing construction traffic to and from the site and for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site where necessary on or adjacent to the site. The applicant is also advised that account needs to be taken of roads the traffic sensitive nature of any roads in the vicinity of the site and the number of schools in the vicinity of the site and needs to arrange deliveries outside the school pickup and drop off times if applicable.

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

- 5 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.

- 6 The development should discharge surface water runoff as high up the discharge hierarchy as possible. Where it is not possible to achieve the first hierarchy, discharge through the ground, applicants must demonstrate in sequence why the subsequent discharge destination was selected. Proposals to dispose of surface water into a sewer, highway drain, surface water body or another drainage system must be accompanied by evidence of the system having spare capacity downstream and acceptance of the surface water by the appropriate authority(ies).
- 7 The surface water drainage strategy shall use SuDS to manage peak surface water runoff rates in accordance with S2 and S3 of the Non-statutory Technical Standards for Sustainable Drainage Systems. SuDS shall be used to provide volume control in accordance with S4, S5 and S6 of the Non-statutory Technical Standards for Sustainable Drainage Systems.
- 8 The surface water drainage strategy for the site must be accompanied by evidence of an Adopting Authority accepting responsibility for the safe operation and maintenance of SuDS within the development. The Adopting Authority must demonstrate that sufficient funds have been set aside and / or sufficient funds can be raised to cover operation and maintenance costs throughout the lifespan of the development. The Adopting Authority shall be responsible for satisfying themselves of the suitability of the adopted SuDS prior to adoption, and shall keep records of operation and maintenance activities, for possible inspection by the Council.
- 9 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 £34,825 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 £0 payment under Barnet CIL.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

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

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

Officer's Assessment

The application is being referred back to committee for re-consideration due to a recent letter of objection being received (dated 08.11.2017) from the owners of the adjacent development at Land to the rear of 1069 Finchley Road. This letter stated that as adjacent neighbours, they were not formally consulted on the proposals as part of the consultation process. The Council confirms that they were not directly notified. As such, the Council considers it necessary to refer the application back to committee in order to consider this letter of objection and the material planning issues raised. This would bring the overall number of responses to 8, of which 7 are objecting and 1 in support. The objections are addressed in the report below.

1. Site Description

The application site is located on the northern side of St George's Road within the ward of Garden Suburb. The site also lies within the Temple Fortune Town Centre designation.

The site consists of a two-storey building of brick construction at the front of the site and a large pitch roofed single storey warehouse building to the rear. The site was previously in use as a Royal Mail sorting and distribution office, classified as Class B8 - Storage and Distribution. It is stated within the submission documents that the site has been vacant since September 2016. The site is not statutory listed or located within a conservation area.

The site is situated on the western edge of the town centre, in an area which transfers from commercial and retail properties to the east and residential terraces to the west. To the north and rear of the site, is land to the rear of the former Golders Green Police Station which has planning consent (reference 15/01377/FUL) for the construction of a new building up to five storeys containing 9no. self-contained flats. The site fronts on to St George's Road to the south, where there is a single storey MOT garage opposite. To the east and west, the rear elevations and gardens of Temple Gardens and Finchley Road face onto the application site.

2. Site History

Reference: 15/01377/FUL

Address: Land To The Rear of Former Golders Green Police Station, 1069 Finchley Road, London,

Decision: Refused

Decision Date: 30 June 2015

Description: Erection of a new building up to five storey including 11no. off street parking spaces, solar panels to roof, refuse/recycling facilities and cycle storage to create 9no. self-contained flats, following demolition of existing buildings

Appeal Reference: APP/N5090/W/15/3136451

Decision: Allowed

Decision Date: 04 April 2016

Reference: F/00076/10/LIC

Address: Golders Green Delivery Office, St Georges Road, London, NW11 0LS

Decision: Exempt

Decision Date: 10 November 2010

Description: Installation of a new green metal equipment cabinet. LICENCE NOTIFICATION

Reference: C02977F/01

Address: Golders Green Sorting Office St. Georges Road NW11

Decision: Unlawful

Decision Date: 07/01/2002

Description: Replacement windows.

Reference: C02977E

Address: Golders Green Sorting Office St. Georges Road NW11

Decision: Approved subject to conditions

Decision Date: 02/04/1975

Description: External staircase and doors for use as fire escape.

Reference: C02977D

Address: Golders Green Sorting Office St. Georges Road NW11

Decision: Unlawful

Decision Date: 02/12/1974

Description: A new door at first floor level and metal stairways and walkways to provide new means of escape

Reference: C02977C

Address: Golders Green Sorting Office St. Georges Road NW11

Decision: Approved subject to conditions

Decision Date: 29/04/1974

Description: The erection of first floor extension for use as kitchen and dining-room

Reference: C02977B

Address: Golders Green Sorting Office St. Georges Road NW11

Decision: Approve subject to conditions

Decision Date: 31/05/1972

Description: Erection of first floor extension for use as kitchen and dining-room

Reference: C02977A

Address: Golders Green Sorting Office St. Georges Road NW11

Decision: Refused

Decision Date: 28/07/1971

Description: Erection of first floor extension for use as games room.

3. Proposal

The application seeks consent for the demolition of the existing buildings on site (Class B8) and the redevelopment of the site to provide an office building (Class B1(a)) over four storeys including basement. The proposal also comprises of the provision of two car parking spaces, cycle parking and refuse storage. The proposal would provide 1,704sq.m (GIA) of office accommodation.

Amendments have been made to the application, which include:

- Reduction of 1st and 2nd floor levels at the rear of the site by 1m and 2m respectively.

4. Public Consultation

The most recent letter of objection received raised the following material considerations:

- Outlook from the residential development to the north will be impacted;
- Proposed building would appear unduly dominant from the ground floor residential units and will result in loss of outlook;
- Shortfall of parking spaces.

Consultation letters were sent to 289 neighbouring properties.

8 responses have been received, comprising 7 letters of objection and 1 letter of support.

The objections received can be summarised as follows:

- Alternative roof material would be more appropriate for the character of the area
- Increase in height to the rear portion of the development will have a significant and negative impact on the quality of outdoor space and light to gardens;
- Proposal will result in additional parking strain within the surrounding street;

The letter of support can be summarised as follows:

- Developer undertook a very professional consultation with local residents and impressed that our comments have been taken into account.
- Proposal is a high quality development which is sensitive to its surroundings.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the

development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS6, CS8, CS9, CS13, CS14, CS15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM11, DM14, DM17

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 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;
- Highways;
- Other material considerations.

5.3 Assessment of proposals

Principle of development

The existing site comprises of 709sqm (GIA) of Class B8 floorspace and the proposal would provide 1,704sq.m (GIA) of Class B1(a) office accommodation.

Barnet policy DM14 states that new office space should be located in the town centres before edge of centre or other sites as these are more accessible by public transport and will help contribute to the continued vitality of the rest of the town centres. In respect of the loss of B8 use, the site is not located within an area of protected industrial or business area. The site falls within the boundary of the Temple Fortune Town Centre and therefore the principle of new employment space is considered to be acceptable and a sequential test would not be required in this instance.

Overall, the proposal would redevelop an existing vacant employment site, increasing the floorspace by 995sq.m and would generate approximately 114 full time equivalent (FTE) jobs. For these reasons, it is considered that the principle of B1 office accommodation is appropriate and there would be no detrimental loss of employment of the site.

Impact on the character and appearance of the site, streetscene and surrounding area

Barnet policy DM01 expects that development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The Planning Authority considers that the existing building is a good example of an Edwardian sorting office and makes a positive contribution to the streetscene. As such, the Local Authority considers that the building should be considered as a non-designated heritage asset. Paragraph 135 of the NPPF identifies that the effect on the significance of a non-designated asset should be taken into account when determining a planning application. A balanced judgement must be reached with regard to the scale of any harm or loss caused and the significance of the heritage asset. With the demolition of the non-designated asset, it is considered that there is a resultant level of harm occurred through its demolition and complete loss.

In terms of layout and footprint, the existing building occupies the majority of the site. As such, it is considered that the proposed development which replicates this footprint is acceptable. The submitted Design and Access Statement makes comment that the proposed replacement building references the existing building on the site and the former Police Station around the corner on Finchley Road. In terms of massing and height, the overall height of the building will not exceed the existing ridge of the main building and will still remain subservient to the main buildings to the east along Finchley Road. The proposal can be sub-divided into 2 elements - front and rear. The front element will have a more traditional appearance, replicating the existing building. It will be constructed of red brick and slate to match the existing, with brick detailing around the fenestration. The scale and proportion of the new dormer windows are considered to be appropriate and appear visually subservient to the main building. Overall the front building is considered to be of a high quality design which references the design and detail of the existing building. With regards the rear element, this will still be constructed of red brick with the second floor being finished with metal cladding in order to visually break out the massing of this building. The overall height of this element sits lower than the front building ridge height and is set back at first and second floors to give separation to the neighbouring properties. This is considered to help break up and the overall massing across the site. The inclusion of two green roofs at first floor level along the boundary of Temple Gardens is considered to provide some visual improvement.

In terms of its impact on the character and appearance, the proposed development is considered to be a high quality and its design references the existing non-designated asset. In balancing its loss under paragraph 135 of the NPPF, the Planning Authority considers that the replacement building will still make a positive contribution to the character and appearance of the site and streetscene and therefore outweighs the harm caused through the loss of the non-designated asset.

Impact on amenity of neighbouring residents

In terms of potential impacts, there are existing properties to the east and west, and a new residential development has been approved to the north.

To the east, the rear elevations of the Finchley Road are located approximately 14m from the eastern elevation of the proposed development. It is considered that the impact towards these properties is likely to be limited in terms of loss of light or outlook due to the separation distance and the scale of development being of a similar scale. A proposed B1

(office) use is not considered to introduce significant overlooking issues due to the temporary use throughout the day of the building. In between the buildings on Finchley Road and the application site, there is a two storey residential building. The proposed development would propose to increase the overall height and bulk of the development along the whole length of the site. In terms of overbearing, there is some separation between the sites and it is considered that the inclusion of a setback along this elevation helps to reduce this impact. The applicant has also undertaken a daylight/sunlight assessment which concludes that there will be a full adherence to the BRE guidelines.

To the west, there is a row of terrace properties along Temple Gardens. It is proposed to replicate the single storey element along the boundary and therefore it is considered that would be no additional impact through this element. The first and second floor elements have been set away from the boundary and is considered unlikely to have any detrimental impacts. The sunlight/daylight survey states that the results show that there will be full adherence to the BRE guidelines. The first floor windows which face these properties will be installed with obscure glazing and as such, any overlooking impact will be removed. A number of representations received raised concerns over the loss of light to the rear gardens of these properties. In response, the Planning Authority considers that with the first and second floors being set away, any impact would be limited. In addition considering that the proposal is located to the east, any potential impact would only be restricted to the morning.

In terms of the potential impact to the north upon the approved residential development, the virtue of no proposed windows on the rear elevation of the proposed scheme would remove any overlooking concerns. However, the introduction of a part three storey building along and in close proximity to the northern boundary and southern elevation would likely have potential to impact in terms of loss of light, overbearing appearance and loss of outlook. During the process of the application, the northern elevation of the first and second floors was further reduced by 1m on the first and 2m on the second floor. The Planning Authority is satisfied that this reduction is sufficient to address the concerns regarding overbearing. Officers have had regard in their assessment to the floorplans of the adjacent development and taking into the account the revised setbacks and that the proposed rear element only runs along a portion of the shared boundary, the impact on the outlook of the residential occupiers is not considered to be so detrimental to warrant refusal of the application. The results of the sunlight/daylight assessment show that in the proposed condition the majority of the rooms within the consented development will continue to receive adequate daylight levels in accordance with the target values set out in the BRE guidelines. Three of the rooms tested fall below the guidelines in the proposed condition. However, it is stated that two of these three rooms would not meet the guidelines in the existing condition which is in part of the design of the consented development which contains single aspect rooms. As such, as it has been demonstrated that the proposed development would not have any further significant harm over and above the existing conditions, there is not considered to be a significant harm caused through loss of lights to these properties.

Highways and parking provision

In terms of parking provision, Barnet policy DM17 expects developments to provide parking in accordance with the London Plan. Policy 6.13 (Parking) states that maximum standards are set out in Table 6.2 in the Parking Addendum which for Outer London requires 1 space per 100-600sq.m. The Council's Traffic and Development service has reviewed the submitted highways documents and comments that for the creation of 1850sq.m and with a PTAL of 2, there would be a requirement of one space per 200sq.m.

There would therefore be a shortfall of 7 spaces but taking into consideration that the current site has a parking demand but supplies no parking, the shortfall is considered to be acceptable. In addition, there is a CPZ in operation in vicinity of the site so the occupiers of the building will not have the ability to park on the highway or obtain parking permits. There are no business permit zones within the surrounding area. There should be no highways impacts associated with the development.

Although a Travel Plan has been included with the planning submission this is in the form of a Framework Travel Plan rather than the required Travel Plan Statement. The submitted TP does not include targets. The TP Mode Share Targets should be displayed in a table breaking the % targets down by each year (Baseline and 1 to 5) and each mode and split into staff and visitor travel. The Action Plan is required to include short, medium and long term measures and actions that will cover the lifespan of the Travel Plan (at least 5 years). This should include when an action will be established as well as how often that action will be repeated/re-promoted. Each action should have clear ownership. As it is anticipated that the development will be occupied by a number of organisations a steering group should be setup which includes a Representative from each employer within the proposed development, the members of the steering group will work together to deliver the TP with the TP Champion (TPC). A condition will be attached requiring the submission of a new travel plan which should contain the above requirements.

Other material conditions

Refuse and Recycling

Refuse associated with the existing / previous use is stored within the building and along the east facing elevation. Refuse is collected with the existing uses from St George's Road.

Within the proposed development refuse would be stored along the east facing elevation of the building as per the existing situation. It would be accessible via an alleyway that abuts the eastern boundary of the site that leads from St George's Road. Servicing would be undertaken on-street in a similar manner to the existing situation.

Sustainability

London Plan policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. The Further London Plan Chapter 5 policies detail specific measures to be considered when designing schemes including decentralised energy generation (Policies 5.5 and 5.6), renewable energy (Policy 5.7), overheating and cooling (Policy 5.9), urban greening (Policy 5.10), flood risk management and sustainable drainage (Policies 5.13 and 5.15).

Local Plan policy DM01 states that all development should demonstrate high levels of environmental awareness and contribute to climate change mitigation and adaptation. Policy DM04 requires all major developments to provide a statement which demonstrate compliance with the Mayor's targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.

The application is accompanied by an Energy Strategy that states that the proposal will achieve BREEAM 'very good'. The application documents also advise that the proposed development will receive an overall on-site reduction of 35.41% in regulated emissions which meets the London Plan target.

5.4 Response to Public Consultation

Alternative roof material would be more appropriate for the character of the area - The rear of the site has very limited open views and the use of metal cladding on the rear building element is not considered to have an adverse impact on the character of the area.

Increase in height to the rear portion of the development will have a significant and negative impact on the quality of outdoor space and light to gardens - The separation and setback of the first and second floors from the boundary with Temple Gardens is considered to be acceptable and taking in addition the orientation of the site, is not considered to have a significant and negative impact on the gardens of the neighbouring properties.

Proposal will result in additional parking strain within the surrounding street - Due to the presence of a CPZ within the surrounding area, occupiers of the building will not be able to park within these streets and will not be able to obtain parking permits.

Outlook from the residential development to the north will be impacted - Officers have considered the floorplans of the adjacent development and considered that the proposed setback of the first and second floors and the fact that the rear element only runs along part of the site, the impact on outlook is not considered to be detrimental.

Shortfall of parking spaces - It is noted within the Council's Highways response that there is a shortfall of 7 spaces. However, in their assessment, the existing site provides no parking and taking into account its potential use, the shortfall is considered to be acceptable.

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 result in the creation of a high quality development, have an acceptable and positive 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 and there is no adverse highways impact. This application is therefore recommended for approval.

This page is intentionally left blank

| | | |
|-------------------|---|--------------------------|
| Location | 8C And 9A Accommodation Road Golders Green London NW11 8ED | |
| Reference: | 17/3613/FUL | Received: 6th June 2017 |
| | | Accepted: 14th June 2017 |
| Ward: | Childs Hill | Expiry 9th August 2017 |
| Applicant: | Mr D Grunberg | |
| Proposal: | Extension to roof including 5no new dormer windows across front roof slope of both properties and replacement of 1no rooflight to the rear roof slope of 8C Accommodation Road and associated alterations to elevations | |

AGENDA ITEM 8

Recommendation: Approve subject to conditions

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

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, drawing number 357/1, 357/2 REV A (Received 15/09/2017)

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 Notwithstanding the details shown on the hereby approved drawings, the PROPOSED rooflight to the rear facing Woodstock Road hereby approved shall be of a "conservation" type (with central, vertical glazing bar), set flush in the roof. The rooflights shall be obscure glazed and remain fixed shut.

Reason: To safeguard the character and appearance of the Conservation Area in accordance with policy DM06 of the Development Management Policies DPD (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. 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 located on the southern side of Accommodation Road, which is an access/service Road within Golders Green Town Centre Conservation Area.

The application site is B1 office use. Accommodation Road serves the rear of properties in Golders Green Road and currently consists of a row of terraced offices ranging from 1.5 to 3 storeys and some residential buildings. The properties on Accommodation Road back onto the rear of the properties located on Woodstock Road.

This building is not statutory listed or not locally listed.

A number of properties on Accommodation Road already have front dormers.

2. Site History

N/A

3. Proposal

Extension to roof including 5no new dormer window across front roof slope of both properties and replacement of 1no roof light to the rear roof slope of 8c Accommodation Road and associated alterations to elevations.

The proposal was previously for 4 larger dormers which have now been amended to 5 smaller dormers. (neighbours have been re-consulted)

Roof to 8c Accommodation Road where dormer 1 and 2 will be positioned, measuring approximately 2.1 metres in width each measuring 1.9 metres in height and 1.6 metres in depth.

Roof to 9A Accommodation Road from left to right dormer 1 would measure 2.4 metres in width measuring approximately 1.7 metres in height and 1.6 metres in depth. Dormer 4 and 5 will measure 2.2 metres in width, 1.7 metres in height and 1.6 metres in depth.

The dormers will have a gap of 0.5 between them and the dormers will not raise the roof height.

The rooflight to the rear will measure 0.5m X 0.7m

No change of use is proposed. However, the development would create 70m² of additional floor space for B1 office use ancillary to the main use.

The proposed dormers would be clad in zinc with grey metal frame windows.

4. Public Consultation

Consultation letters were sent to 136 neighbouring properties.

15 responses have been received, comprising 15 letters of objection in response to the first round of consultation.

The objections received can be summarised as follows:

- Overlooking

- Principle of development
- Overdevelopment
- Change of character
- Loss of original purpose small offices
- Site intensification
- Infringes on the neighbours
- Rubbish discarded
- Set precedent
- Overbearing
- Loss of amenity and privacy
- Proposal is bulky and will disturb the harmony and legal status of the Conservation Area
- Added noise
- Encroach on quiet enjoyment of garden and loss of privacy
- Curb damage
- Parking shortage
- Loss of light
- Blocking of Road with vans and skips
- Overbuilding for commercial or private gain
- Garden level difference

There have been some concerns raised with regards to the legitimacy of the objections received. This has been investigated and even though it is thought not all objections are of genuine submission, it is considered 5 or more might be.

Amended plans were sent out for re-consultation and 6 more responses were received comprising 6 letters of objection. The objections include some of the points raised above and as per the following:

- Conflict factor in our peaceful neighbourhood.
- Height of the building will be extended
- Building is adjacent to Statutorily Listed Buildings

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM06.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design. Policy DM06 requires development proposal to preserve or enhance the character and appearance of Conservation areas

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.
 - Golders Green Conservation Area Character Appraisal Statement
- The Golders Green Town Centre Conservation area appraisal states
"The urban character of Finchley Road and the crossroads contrasts dramatically with the quieter, intimate feel of the rear service Roads, Accommodation Road and Golders Way."

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of additional office accommodation;
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the Golders Green Conservation area of which it forms a part;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

It should be noted that the applicants submitted amended drawings reducing the size of the front dormers from 4 large dormers to 5 smaller dormers. The application will therefore be assessed in relation to the amended drawings.

The application site currently have pitched roofs with large glazed panel windows to the front. The proposal includes the removal of these panels.

1. Principle of additional office Accommodation.

The proposal would generate some 70sqm of additional B1 office space which is appropriately located within this town centre location. The principle of the development is considered acceptable.

2. Whether harm would be caused to the character and appearance of the existing building, the street scene and the Conservation area.

Policy DM06 requires development proposal to preserve or enhance the character and appearance of Conservation areas.

The proposed dormers would be located on the front roof of the application site, which also presents the highest roof form on the mews. However front dormers already form part of the character of the area and therefore the proposal will be consistent with and preserve the existing character.

Furthermore following recent approval at the neighbouring site No 10 -14 Accommodation Road which was granted permission for similar concept "front dormers" It is considered this will not detract from the character of the general locality of Accommodation Road.

The proposed rooflight to the rear of the site facing the rear of residential properties in Woodstock Road would not be visible from the street level and thus would have no adverse impact on the character and appearance of the existing building when viewed from outside of the public realm. It is considered that by reason of the siting and design to have an acceptable impact on the property and preserves the character and appearance of the Conservation area. It is not considered that it would harm the significance of the Conservation area as a designated heritage asset.

Accommodation Road although in a Conservation area, comprises a wide variety of materials and whilst the use of zinc is not a common feature it is considered, given the modest size of the proposed dormers and the the presence of a larger, more modern building at the eastern end of Accommodation Road which is finished in metal cladding, that the proposed materials are acceptable in this development.

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

Golders Green Road

Objections to the application have highlighted several issues relating to overlooking and loss of privacy and outlook for the occupiers of the flats above the shops that front Golders Green Road which back onto Accommodation Road.

The issue of overlooking / loss of privacy to the flats above the shops was considered at appeal in respect of the residential development at 10-14 Accommodation Road which proposed habitable room windows facing the rearmost elements of the these flats at a distance of some 13.5 - 15m. In assessing the situation the Inspector considered:-

"Many of the properties with the mews have already been converted to residential and, given the approval granted under the provisions of the GPDO for the premises to be converted to residential, the principle of residential use is accepted. Whilst the proposal would fail to provide the minimum distances between the buildings within urban areas it is

not uncommon for shorter distances to be acceptable. From my visit I am satisfied that the distance that would be between the front of the proposed dwellings and the rear of the properties on Golders Green Road would be sufficient to afford the residents of both properties a satisfactory level of privacy."

In this instance whilst the distances involved are 10m - 12m it should be noted that these distances are between the dormers and the rear wall of the relatively deep outriggers to the flats. These rear walls largely comprise the part obscure glazed entrances to the flats and windows being a mix of clear and obscure glazing. The rear main windows to the flat are set further back from the outriggers giving a distance of some 20m. In these circumstances and given that the proposed windows will serve offices it is considered that the privacy of neighbouring residents in Golders Green Road would not be seriously affected by the proposal.

Many properties on Accommodation Road already have front dormers of different sizes, whilst these front dormers are proposed on a higher roof form it is not considered this alone would form a reason for refusal.

The proposed dormers have been amended to align with the windows below and to also reduce size which minimises any visual impact to the amenity.

The proposed rooflight would be situated to the rear roof slope facing the rear properties in Woodstock Road and would be conditioned to be obscure glazed and to remain shut in order to protect the potential for perception of overlooking to arise given the relationship between the rooflight and neighbouring properties opposite.

It is therefore considered that the proposals would not result in adverse impact on the living conditions of neighbouring occupiers.

5.4 Response to Public Consultation

Mainly addressed in report

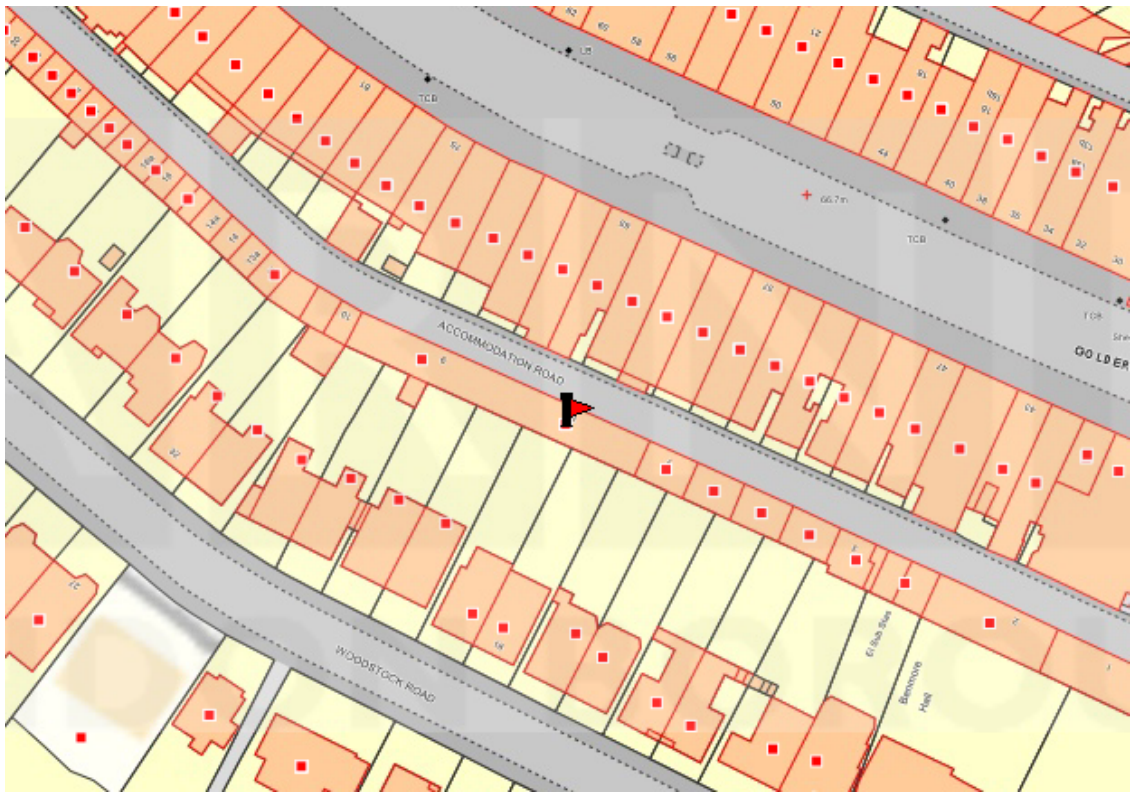
- Principle of development - front dormers and rooflight to the rear are in keeping with character- Overdevelopment - given the existence of other front dormers along Accommodation Road the proposed dormers to the application site are acceptable in principle. The size and siting are considered acceptable
- Loss of original purpose small offices - this application does not propose a change of use
- Site intensification - development is not out of scale
- Rubbish discarded - it is not considered the proposed development will harmfully increase refuse
- Set precedent - each application is assessed on its own merits
- Loss of amenity and privacy - addressed in repo
- Added noise - no change of use proposed
- Curb damage - not a reason to refuse permission. The increase in floor space does not generate additional parking requirement
- Parking shortage - no change of use proposed
- Blocking of Road with vans and skips - construction related activities are not a planning consideration
- Overbuilding for commercial or privacy gain - does not constitute a planning consideration
- Building is adjacent to Statutorily Listed Buildings - the proposal will not affect other buildings

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 Golders Green Conservation Area. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers and an appropriate town centre location. The application is therefore recommended for Approval.



This page is intentionally left blank

Location **203 The Vale London NW11 8TN**

Reference: **17/5434/FUL**

Received: 21st August 2017

Accepted: 1st September 2017

Ward: Childs Hill

Expiry 27th October 2017

Applicant: Mr Yashar Jamalfar

Proposal: Conversion of existing dwelling into 2no self-contained flats. Associated parking and refuse; retention of existing front porch; construction of new boundary wall to front area

AGENDA ITEM 9

Recommendation: Approve subject to legal agreement

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: 203/vale/17/2, 203/vale/17/a 1

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) 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).

- 4 The materials to be used in the external surfaces of the front boundary wall shall match those used in the existing building.

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).

- 5 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).

- 6 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).

- 7 The garden layout shall be carried out in accordance with approved plans and maintained permanently thereafter

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

Informative(s):

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

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

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

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

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the

Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

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

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

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

Relief or Exemption from CIL:

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

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

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

- 3 Refuse collection point should be located at a ground floor level and within 10m of the public highway. Levelled access should be provided for the refuse collection personnel to collect the bins.
- 4 East Barnet Road is a traffic sensitive road from Monday to Friday during 0800 hrs - 0930 hrs and 1630 hrs - 1800 hrs.

Therefore the applicant is advised that deliveries during the construction period should not take place between these hours. Careful consideration must also be given to the optimum route(s) for construction traffic and Development and Regulatory Services should be consulted in this

- 5 This tree stands on public highway land maintained by the Council. The grant of planning consent confers no rights for any work to be undertaken to the tree and you are advised to consult the Council's Trees & Woodlands Manager, Greenspaces and Streets on 020 8359 7838 prior to taking any further action.

Officer's Assessment

1. Site Description

The application site is a two storey semi-detached property situated on The Vale within the Childs Hill ward. The Vale comprises of mainly semi-detached dwelling houses, a number of which have been converted into flats. The site is not in a conservation area nor are there any listed buildings within the vicinity.

The proposal property benefits from a single storey rear extension and a roof extension involving front rooflights and side and rear dormers, found lawful under Ref 17/1471/192.

2. Site History

Reference: 17/1471/192

Address: 203 The Vale London NW11 8TN

Decision: Lawful

Decision Date: 23.05.2017

Description: Single storey rear extension. Roof extension involving hip to gable, rear dormer window, 2no. rooflights to front elevation to facilitate a loft conversion.

Reference: 17/3813/FUL

Address: 203 The Vale London NW11 8TN

Decision: Withdrawn

Decision Date: 12.07.2017

Description: Conversion of existing single dwelling house into 3no self-contained flats. Associated parking and refuse

Reference: 17/1501/FUL

Address: 207 The Vale London NW11

Decision: Approve subject to conditions

Decision Date: 09.05.2017

Description: Conversion of single family dwelling into 2no self-contained flats. Associated refuse and recycling store, amenity space and cycle storage

Reference: F/01540/12

Address: 201 The Vale London NW11

Decision: Approve subject to conditions

Decision Date: 02.07.2012

Description: Conversion of existing dwelling house into 2no self-contained residential units following rear and side extensions to roof including dormer windows to facilitate a loft conversion. Part single, part two storey rear and side extensions. New front porch. Provision of off-street parking and hardstanding. This scheme has been implemented (VOA records)

Reference: 16/5093/FUL

Address: 85 The Vale London NW11

Decision: Approve subject to conditions

Decision Date: 12.10.2016

Description: Demolition of existing single storey rear projection and the front of the existing garage. Conversion of existing single family dwellinghouse into 3no. self-contained flats including part single, part two storey side and rear extension and roof extension including rear dormer window and rooflights. Provision of 3no. off-street parking spaces, associated amenity space and refuse/recycling storage

3. Proposal

Conversion of existing dwelling into 2no self-contained flats: associated parking and refuse: retention of existing front porch

Dimensions: No extensions are proposed to the property under this application. The size of each flat and associated garden amenity space are as follows:

Flat 1 (Ground floor 1b/2p): 57.0m² and 53m² garden amenity space

Flat 2 (First and second floor 2b/3p): 77m² and 34m² garden amenity space

Retention of front porch. This measures 1.1m deep x 2.1m wide x 2.6m high (3.8m to apex).

The layout of the front area has been revised to accommodate one vehicle.

4. Public Consultation

Consultation letters were sent to 55 neighbouring properties.

5 No. responses have been received, comprising 5 letter of objection.

The objections received can be summarised as follows:

- Concern about the tree to the street
- Concern about parking arrangements
- Concern about the size of the existing front porch

Highways: No objection. Parking should be perpendicular to the street. The street tree means access for two vehicles would not be allowed.

Site Notice dated 07.09.2017.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan July 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.

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, DM08 and DM17.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design. DM08 seeks to ensure that development should provide where appropriate a mix of dwelling types and sizes in order to provide choice for a growing and diverse population for all households in the borough. DM17 will expect development to provide parking in accordance with the London Plan standards.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted April 2016)

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted April 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:

- The principal of flats in this location
- Amenity and living conditions of future occupiers
- 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.
- Parking and Highways
- Potential Impact on trees

5.3 Assessment of proposals

The principal of flats in this location

The Council recognises that flat developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land, however they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of

car parking and refuse facilities, that can have an unacceptable impact on the established character of an area.

Within Chapter 2 of the Core Strategy, which is a material consideration in the determination of this application, the Council state the following:

"The conversion of existing dwellings into flats can have a cumulative effect that damages the quality of the environment and detracts from the character of established residential areas. Conversions may be appropriate in certain types of property or street but can harm the character by changing the function of a neighbourhood through more activity which increases noise and disturbance and thus impacts on amenity. This intensification of use can often involve more people movements, increased car movements, more rubbish to be collected and more deliveries. Flat conversions must therefore be situated in appropriate locations characterised by housing that has already undergone significant conversions or redevelopment to small flatted accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate."

The conversion of a dwellinghouse into self-contained flats is acceptable within this vicinity. The examples under the history section show a number of recent approvals close to the subject site.

It is considered that the sub-division into flats and potential increase in people movements would not result in an unacceptable level of noise and disturbance for neighbouring occupiers.

Amenity and living conditions of future occupiers

Floorspace standards:

Table 2.1 of the Sustainable Design and Construction SPD 2016: Minimum Residential Space Standards states the following:

*1 bed 2 persons flat should provide 50m² of internal floor area.

*2 bed 3 persons flat should provide 61m² of internal floor area.

The proposal would provide the following:

Ground floor flat - 1b/2p - 57m²

First floor flat -2b/3p - 77.5m²

This meets the minimum residential space standards set out in Table 2.1 of the adopted Sustainable Design and Construction SPD (2016) and policy 3.5 of the London Plan.

Stacking:

Policy DM04 of the Development Management Document (2012) part d. states that proposals will be refused if it leads to an unacceptable level of noise and disturbance unless the scheme can demonstrate any mitigation measures. The proposed layout and stacking is considered sufficient to prevent any unnecessary noise or disturbance.

Outlook, light and privacy:

All proposed habitable rooms would be provided with sufficient light, aspect and outlook to provide future occupiers with a reasonable standard of living as recommended in the Sustainable Design and Construction SPD (2016). Occupiers would benefit from an acceptable degree of privacy.

Private amenity space:

Table 2.3 of the Sustainable Design and Construction SPD 2016: Outdoor Amenity Space Requirements states the following: For flats, 5m² of space per habitable room.

The Ground floor flat would provide approximately 53sqm of outdoor private amenity space and the first floor flat 34sqm. These would exceed the requirements set out in Table 2.3 of the adopted Sustainable Design and Construction SPD (2016).

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

It is considered that the sub-division into flats and potential increase in people movements would not result in an unacceptable level of noise and disturbance for neighbouring occupiers. The number of habitable rooms over the site will remain the same, at 5no. Other than the porch no external changes are proposed.

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

The external alterations are confined to the retention of the front porch. This measures 1.1m deep x 2.1m wide x 2.6m high (3.8m to apex). This is constructed of brick with a tile roof. The design is of a common standard. The approved porch at the adjacent property (201) is larger in width, and there are numerous examples both on the same side of the street and across the street. The porch is therefore not considered to be materially harmful to the appearance of the property or the wider streetscape. The front boundary wall will be rebuilt to approximately one metre high and will improve the street frontage.

Parking and Highways

There is a mature tree on the footway fronting the site and this prevents any meaningful alteration to the frontage and additional off street parking capacity. However, there is already one parking space available on site and subject to limits on the occupiers of the proposed conversion to purchase parking permits the conversion can be acceptable on highway grounds. This would also enable the front boundary wall to be partly rebuilt.

Potential Impact on Trees

The proposed development would not impact the health or quality of the trees on the site or neighbouring sites. Furthermore, there are no designated Tree Preservation Orders on site, or neighbouring the site. The parking arrangement will not affect the street tree if the existing driveway is used.

5.4 Response to Public Consultation

The porch is not considered to be so inappropriate such as to warrant refusal on design grounds, and it will not affect neighbour amenity.

The street tree will remain and the boundary wall will be rebuilt to ensure the parking is channelled across the crossover.

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.



This page is intentionally left blank

Location **5 Gratton Terrace London NW2 6QE**

Reference: **17/5094/HSE**

Received: 4th August 2017

Accepted: 7th August 2017

Ward: Childs Hill

Expiry 2nd October 2017

Applicant: WSD (Gratton) Ltd

Proposal: The proposal is for the erection of a garden room to the rear garden. The garden room will be located at the rear end of the garden. It will be 2.5m high, 2.0m wide and 3.0m deep (3.75m with overhang). It will be constructed in timber and glazing will be confined to a full glazed opening to the front and one high level window to each side elevation. It will have a flat roof with a slight fall to the rear and an overhang to the front.

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: 7208/G-LP, 7208/G-01, 7208/G-02, 7208/G-03B, 7208/G-04B, 7208/G-05B, 7208/G-06B, 7208/G-07B

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 use of the outbuilding hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit or dwelling.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 4 a) No development shall take place until details of the materials to be used for the external surfaces of the building 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.

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.

Officer's Assessment

1. Site Description

The application site contains a two-storey terraced dwellinghouse, located within Railway Terraces Conservation Area. The property is not statutory listed. The conservation area is centred on a group of former railway workers' cottages which are arranged in small terraces with communal front gardens and lie adjacent to an extensive area of railway tracks. The area is largely residential in character and is a quiet enclave set back from the busy main road on slightly rising ground. The overall appearance is defined by the red facing brick frontages and slate roofs, together with retained original doors, windows, chimney stacks and pots.

The adopted Character Appraisal (June 2016) further notes;

"Gratton Terrace lies at the front of the Conservation Area separated from Edgware Road by a narrow landscaped bank and the shops of Burlington Parade. Terraces of railway cottages run parallel to Gratton Terrace at the rear. Access to these cottages is only possible from Edgware Road via vehicular entrances at each end of Gratton Terrace, and pedestrian steps in the middle of the terrace.

Originally Gratton Terrace was divided into four blocks of ten houses and the access roads which divide the back terraces, passed between these blocks to reach the grass bank running along Edgware Road. At some point between 1915 and 1936 however, houses were built as infill development on two of these access roads linking three of the earlier blocks to create a continuous block of 34 houses on Gratton Terrace.

Gratton Terrace consists entirely of larger houses built for higher grade railway workers. These houses face onto Edgware Road, are built on a grander scale and feature large back gardens and more ornate architectural detailing."

2. Site History

(F/03491/09)

Reference: F/04111/13

Address: 5 Gratton Terrace, London, NW2 6QE

Decision: Approved subject to conditions

Decision Date: 12.11.2013

Description: Replacement of rear door and windows to front, side and rear elevations to match existing.

Reference: 17/4958/HSE

Address: 5 Gratton Terrace, London, NW2 6QE

Decision: Approved subject to conditions

Decision Date: 26.09.2017

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

Reference: 17/4962/HSE

Address: 5 Gratton Terrace, London, NW2 6QE

Decision: Approved subject to conditions

Decision Date: 26.09.2017

Description: Single storey rear extension with 2no rooflights following demolition of existing store. Alterations to rear access steps to garden and new doors in rear elevation (Amended description).

3. Proposal

The proposal is for the erection of a garden room to the rear garden. The garden room will be located at the rear end of the garden. It will be 2.5m high, 2.0m wide and 3.0m deep (3.75m with overhang). It will be constructed in timber and glazing will be confined to a full glazed opening to the front and one high level window to each side elevation. It will have a flat roof with a slight fall to the rear and an overhang to the front.

4. Public Consultation

Consultation letters were sent to 4 neighbouring properties in regard to the original design. 6 responses have been received, comprising 6 letters of objection.

The objections received can be summarised as follows:

- The garden room is too large
- The properties are locally listed
- The materials are inappropriate
- Green space within the garden will be consumed

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 Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM06.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as

neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

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

Railway Terraces Cricklewood Conservation Area Character Appraisal and Management Proposals (23.10.2016)

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 and conservation area;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

The garden room is now considered, following modifications, to be an acceptable addition to the rear garden. The height, scale and proportions are considered to be appropriate to the garden area and the scale of the garden room does not affect the setting of the locally listed house or the wider terrace. The garden room will sit centrally at the rear part of the garden but retain an area to the sides and rear to allow for maintenance but also give it a sense of presence. The room will be timber clad and will have a full glazed front facing down the garden, with the only additional glazing being two high level windows, one to each side. The development is considered to preserve the character or appearance of the property, the terrace or the Railway Terraces Conservation Area.

The size (height, width, footprint) of the room will ensure that it will have no material effect on the amenity of the adjoining occupants, in terms of light, outlook, aspect or privacy. The relatively small area of glazing will ensure neighbours will not feel 'psychologically' overlooked.

5.4 Response to Public Consultation

The garden room has been amended in terms of scale and design and will not harm either the setting of the terrace, the conservation area or the amenity of adjacent occupiers.

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

Overall, given the scale and design of the garden room and the amendments that have been made to the proposal, it is considered the room would be a subordinate and proportionate addition to the property and would not adversely impact the character and appearance of the local area and the Railway Terraces Conservation Area. The garden room is not considered to have a significant adverse effect on neighbouring properties. This application is therefore recommended for conditional approval.



This page is intentionally left blank

Location 18 Dingwall Gardens London NW11 7ET

Reference: 17/5042/FUL

Received: 2nd August 2017

Accepted: 4th August 2017

Ward: Garden Suburb

Expiry 29th September 2017

Applicant: Mr Joey Ben-Yoav

Proposal:

Single storey rear extension to extend existing ground floor flat. Creation of new self-contained unit within the loft following internal reconfiguration of first floor flat and extension of roof including 1no rear dormer window and 3no roof lights to front elevation

AGENDA ITEM 11

Recommendation: Approve subject to conditions

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

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

Site Location Plan (received 02/08/2017)
RE/DING18/18 Revision B (received 19/09/2017)
Noise Assessment Report (received 23/10/2017)

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 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

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

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

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 5 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).

- 6 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.

- 7 Prior to occupation of the development, Cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

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

- 8 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) and policies 5.2 and 5.3 of the London Plan (2015).

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

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

- 10 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevation(s), of the extension(s) hereby approved, facing No.16 Dingwall Gardens and No.20 Dingwall Gardens.

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).

- 11 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).

- 12 The applicants are advised that noise mitigation measures, set in Appendix B of the Noise Assessment Report, shall be implemented in order to ensure that no disturbance is caused by noise.

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).

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 applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 7294.

- 3 The applicant is advised that the bin store will need to be located within 10m of public highway with clear access to the bin store on collection days otherwise the dustbins will need to be brought to the edge of public highways. The applicant is advised to contact the Refuse Collection Team for further advice on refuse collection arrangement in the borough.

Officer's Assessment

1. Site Description

The application site is a two storey terraced property located at No.18 Dingwall Gardens. The property shares a party wall with the neighbouring premises at No.16 and No.20 Dingwall Gardens.

The host property is located north of Golders Green Town Centre and approximately a 10 minute walk from the underground station. The site benefits from a PTAL Rating of 3.

The host property at Dingwall Gardens appears to form part of a larger historical residential development including the neighbouring Forres Gardens, Hampstead Gardens, Alyth Gardens and Clifton Gardens. This local area is characterised by long terraced rows of housing with small gardens separate roads at regular interval. The area appears to involve a mixture of single family dwellings and flat conversions. The latter, are predominantly identified within Forres Gardens, Alyth Gardens, and Clifton Gardens.

The property does not benefit from permitted development rights.

The property is not located within a conservation area and is not a listed building.

2. Site History

Reference: C01987

Address: 18 Dingwall Gardens London NW11

Application Type: Full planning

Decision: Approved

Decision date: 21 Jun 1968

Description: Alterations to form bathroom.

Reference: 16/1355/191

Address: 18 Dingwall Gardens, London, NW11 7ET

Decision: Lawful

Decision Date: 15 April 2016

Description: Retention of conversion of a single dwelling house into 2no self contained flats (use class C3)

3. Proposal

The application seeks planning permission for the following:

- Single storey rear extension at ground floor to extend the ground floor flat. The extension will measure a maximum of 3.5 metres past the original rear wall and will measure 3 metres to the eaves and approximately 3.28 in maximum height. Due to sloping ground levels the extension will appear at height of approximately 3.8 metres when viewed from the rear elevation.

- Creation of new self-contained unit at loft following internal reconfiguration of first floor flat and roof extension including 1no rear dormer window and 3no roof lights to the front elevation. The proposed dormer will measure 5.3 metres in width, 2.6 metres in height, and approximately 3.4 metres in depth

4. Public Consultation

Consultation letters were sent to 82 neighbouring properties.

Following a series of amended plans, the application was sent for re-consultation for 14 working days on the 04/09/2017.

19 responses have been received, comprising 19 letters of objection.

The objections received can be summarised as follows:

- Ground floor rear extension will create loss of light and outlook
- Development is out of character
- Rear extension would be too high, too large, and extend too much.
- Flat roof to single storey rear will be out of character compared to neighbouring properties.
- The proposed roof skylight will cause light pollution.
- Additional flat would impact externally due to increased number of bins and metre boxes
- Single storey rear extension will create a sense of enclosure
- Impact on neighbouring privacy.
- Increase in population density.
- Stress on highways and on-street parking spaces.
- Overdevelopment of the property
- Rear extension would not leave adequate amenity space.
- Noise generated by additional flat (noise disturbance).
- Due to the proximity to the cemetery, soil should be tested for mercury, arsenic, formaldehyde and other dangerous chemical content.

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 Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

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

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

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

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

5.3 Assessment of proposals

The application seeks planning permission for a series of works which would allow for the reconfiguration of the existing property as well as the addition of 1no residential unit at roof level.

The host site is a terraced dwelling located at No.18 Dingwall Gardens. It is noted that the premise does not benefit from extensive planning history.

Principle of Development

The Borough has an attractive and high quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that is compatible with the established character of an area that is defined by the type and size of dwellings, layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

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

Policy DM01, of the Development Management Policies, states that the conversion of dwelling flats in roads characterised by houses will not normally be appropriate. This is because the loss of single family dwellings would change the character of the area.

The supporting text to Policy DM01 sets out the rationale behind this, which results in part from the characterisation study undertaken as part of the production of the Local Plan. This sets out the character of different parts of the borough and how this character changes and evolves overtime. The supporting text stated that protecting the character helps to maintain Barnet's heritage, and that development proposals, which are out of keeping with the character of an area will be refused. In particular, DM01(h) states that: "Conversion of dwellings into flats in roads characterised by houses will not normally be acceptable".

Preamble 2.8.1 to Policy DM01 further states that conversions of existing dwelling into flats can have a cumulative effect that is damaging to the quality of the environment and detracts from the character of established residential areas. Conversions may be appropriate in certain types of property or street, particularly where they are highly accessible. However, even in such locations they can harm the character of area by

changing external appearances and increasing activity. Such activity can often involve more people movements, increased car movements and parking stress, more rubbish to be collected, and more deliveries.

It is important to note that the host property at No.18 Dingwall Gardens benefits from a Certificate of Lawfulness (16/1355/191) for the retention of conversion of a single dwelling house into 2no self-contained flats (use Class C3). The use of flats at the host property has therefore already been established and the proposal would not result in a material loss of a family dwelling, as per policy DM01.

The submitted Planning Statement and accompanying plans, suggest that the property is currently subdivided in a 1 Bed 2 Person flat at ground floor and 2 Bed 4 Person flat at first floor. The total potential number of occupants is currently 6. The proposed external works and internal alterations would result in a reconfiguration of the ground floor and first floor flats and would result in a 2 Bed 3 Person flat at ground floor and a 1 Bed 2 Person flat at first floor. The proposed loft conversion would allow for the additional 1 Bed 1 Person self-contained unit. As per above, the proposal would support a maximum of 6 people to be living at 18 Dingwall Gardens. It is therefore considered that the proposal would not increase the number of occupiers and would not materially increase activity, car movements, parking stress, rubbish, and deliveries; to the extent of causing considerable harm to the character of the area.

With regards to the intensification to 3 flats rather than 2 flats, it is noted that similar properties, located at No.4 Forres Gardens, No.2 Alyth Gardens, and No.4 Clifton Gardens appear to have been converted into 3no self-contained units. Whilst it is however noted that majority of the existing conversions allow for 2 self contained units, it is considered, due to the examples above, that properties within the local vicinity may support an additional unit.

Furthermore, the proposed external works would primarily be located towards the rear of the property and therefore not visible from the local street scene. This further emphasises the moderate impact that the proposal would have on the existing character and appearance of the host property as well as the local street scene.

It is noted that in 2009 an appeal was dismissed against the conversion of a property from 2 to 3 flats at nearby 19 Forres Gardens on the grounds that the proposals would cause harmful noise and disturbance to neighbouring occupiers. This appeal decision has been taken into consideration. However officers do not consider that the harm is so significant in this case to warrant refusal, taking into account there has been a change in policy regime since.

It is due to the reasons above that the current proposal is considered, on balance, to be an acceptable addition to the area. The proposed creation of a new self-contained unit will not increase the already existing density and therefore the application is considered acceptable in-principle.

Impact on Character and Amenity of Neighbouring Residents

As stated, the host property is a two storey terraced dwelling. Whilst a number of extensions have been proposed, these are mainly going to be located towards the rear of the property and therefore not visible from the local street scene. It is noted that the ground floor extension has been amended following concerns raised by planning officers.

It is noted that the property benefits from a single storey rear projection. The outrigger currently projects centrally and approximately extends 3.47 metres in depth from the existing rear wall. With the benefit of site visit it is noted that single storey projection appears be a recurring feature amongst a considerable number of properties along Dingwall Gardens. Following discussions with the applicants, it is noted that the single storey projection also includes a smaller addition of approximately 1.4 metres in depth from what is thought to be the original rear wall. This addition sits along the boundary with No.16 Dingwall Gardens. Historic maps have confirmed the additions to the original property.

Paragraph 14.21 of the Council's Residential Design Guidance (SPD) states that single storey rear extensions on terraced properties should generally not exceed 3 metres in depth from the original rear wall. It is therefore acknowledged that, in this instance, the proposal would not fully comply.

The extension will project a maximum of 3.5 metres along the boundary with the neighbouring property at No.16 Dingwall Gardens. Notwithstanding this, the neighbouring property benefits from an existing single storey rear extension. It is noted that the neighbouring extension does not sit directly along the boundary. There are no windows between the neighbouring extension and the proposed extension at No.18. The extension will therefore not cause a harmful impact. It is also noted that the extension has been reduced in depth and will not project past the neighbouring extension. It is therefore considered that the single storey element will not impact on the original character of the host property and the neighbouring visual and residential amenities in terms of loss of light, outlook, and privacy.

On the other hand, the extension will project 3 metres past the original rear wall and sit along the boundary with No.20 Dingwall Gardens. The extension would further benefit from a bay feature which would extend a further 0.7 metres past the proposed extension. This would have negligible impact above the main extension.

The neighbouring premise does not benefit from a rear extension however, it does benefit from an existing single storey rear projection located centrally within the rear elevation. In contrast to No.16, the property at No.20 benefits from a bay window on the side elevation closest to the boundary with No.18 Dingwall Garden. As per the above guidance, 3 metres are considered acceptable for single storey rear extension on terraced properties. Whilst the extension complies, for the most part, with the above guidance, the proposed bay feature would increase the overall depth further to 3.7 metres.

Following a site visit at No.18 Dingwall Gardens, it is noted that the property benefits from an existing boundary wall with the neighbouring premise at No.20. According to the submitted plans, the wall measures approximately 1.6/1.7 metres in height and benefits from an associated trellis. The submitted plans suggest that mainly the proposed window to the bay feature would be visible as the retaining wall would sit below the existing boundary wall. Furthermore, the bay feature will sit at angle from the boundary and be further set back. As such, it is not considered that the proposed extension will harmfully impact the neighbouring property by reducing outlook and sunlight reaching the existing window.

A similar extension, measuring 3 metres in depth has been identified at No.10 Dingwall Gardens (F/01395/14). It is noted that the neighbouring property at No.12 benefits from a

central two storey projection. Furthermore, a bay window sits between the two storey projection to No.12 Dingwall Gardens and the extension at No.10 Dingwall Gardens.

The proposed extension to the rear has been amended following concerns raised by planning officers. The amended plans have reduced the overall depth of the extension, and, on balance, it is considered that harmful impacts have been mitigated. A number of single storey rear extensions have been identified amongst properties on Dingwall Gardens. It is therefore considered that the proposed extension at ground floor is in keeping with the character of the area and the established pattern of development.

It is therefore considered that the extension would not adversely impact on the character of the property, the local street scene, and the neighbouring visual and residential amenity.

The proposal further seeks planning permission for a loft conversion involving 1no rear dormer. The dormer would allow for an additional self-contained unit. The proposed dormer will measure 5.32metres in width, 2.55 metres in height, and approximately 3.4 metres in depth.

The Council's Residential Design Guidance states dormer extensions must appear as subordinate features towards the original dwelling and should generally not exceed half the width or half the depth of the original roof slope. In this instance, it is acknowledged that the proposed dormer will exceed half the width and half the depth of the original roof slope.

Notwithstanding the above, it is noted that a number of properties along Dingwall Gardens benefit from large dormer windows to the rear. This has been identified at No.16; 20; and 22 Dingwall Gardens. Furthermore, the neighbouring properties at No.4; 8; and 10 Dingwall Gardens also benefit from larger dormer extensions measuring approximately the full width of the original roof slope.

It is therefore considered that such extensions appear to form a predominant feature along Dingwall Gardens. The proposal is considered in keeping with the established character of the area and is not considered to harmfully impact on the original character of the property or the local street scene.

Impact on Future Occupiers

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough.

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 for bedroom require double bedrooms to provide a minimum floor area of 11.5sq.m and single bedrooms a minimum floor area of 7.5sq.m.

The Sustainable Design and Construction SPD also confirms that habitable floor space in rooms with sloping ceilings is defined as that with 1.5 m or more of ceiling height. A minimum ceiling height of 2.3 metres for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. This is strongly encouraged for habitable spaces within proposed lofts. Furthermore, new flats are expected to provide suitable outlook and light to all habitable rooms whilst not compromising the amenities of neighbouring occupiers.

Floor Area:

The London Plan (2016) and Barnet's policies and Sustainable Design SPD (Oct 2016) set out the minimum GIA requirements for residential units as follows:

- 2 bedroom, 3 person, 1 storey - 61sq.m (Flat 1)
- 1 bedroom, 2 person, 1 storey - 50sq.m (Flat 2)
- 1 bedroom, 1 person, 1 storey - 39sq.m (Studio Flat)

Flat 1, at ground floor, is considered to comply with the above standards as it will benefit from 66.43sq.m (GIA). The proposed single and double bedrooms will each meet the relevant space standard. It is further considered that the habitable space within Flat 1 will benefit from adequate outlook.

Flat 2 at first floor, is also considered to comply with the above standards as it will benefit from 50sq.m (GIA). The flat has been internally reconfigured and reduced from a 2 Bed 4 Person flat to a 1 Bed 2 Person flat. The proposed double bedroom will measure 14.5sq.m and therefore comply with the above housing standards. It is considered that the proposed unit at first floor will benefit from acceptable outlook to all habitable spaces and would result in adequate self-contained unit.

Flat 3 would be located at roof level as a 1 Bed 1 Person flat with a shower room and is therefore required to meet 37sq.m (GIA). The proposed flat will measure 38.35sq.m. As per above, national standards suggests that a minimum height of 2.3 metres should be provided for a least 75% of the gross internal space in order to provide for adequate quality. In this instance, 30sq.m or 79% of the loft space will benefit from a ceiling height of at least 2.3 metres in height. It is therefore considered that the proposed loft unit will comply with the relevant housing standards.

Policy DM02 states that development will be expected to demonstrate compliance with the minimum amenity standards as set out in the London Plan. Section 2.3 of the Sustainable Design and Construction SPD (2016) states that for flats there should be a minimum of 5sq.m of outdoor amenity space per habitable room.

In this instance Flat 1 at ground floor will benefit from 42.46sq.m of outdoor amenity space.

Preamble 3.7.1 of the Development Management Policies, states that when minimum standards are not met exceptions may be made if the proposals are located within regeneration areas or in core town centre where other amenity benefits are secured. It is noted that Flat 2 at first floor, and Flat 3 at roof level, will not benefit from outdoor amenity space. This is an existing position for Flat 2. Notwithstanding this, the property is located within close proximity to Golders Green Town Centre and Golders Green Underground Station therefore providing adequate outdoor activity. It is also noted that the host site is at close proximity with the Hampstead Heath Extension. This is further considered to mitigate the lack of outdoor space at 18 Dingwall Gardens.

The proposed reconfiguration of the existing flats, as well as the additional extensions, are considered to allow for more adequate living units which will benefit from acceptable habitable spaces, light, and outlook. On this basis, it is considered that the proposal would comply with Policies DM01 and DM02 of the Development Management Policies (2012).

Noise

A Noise Assessment Report has been submitted for the application. The assessment has been undertaken to identify key noise sources in the vicinity of the site which may have the potential to impact upon the proposed residential development, as well as the impact of any proposed noise sources that may exist within the proposed residential development.

Sound insulation between units should be incorporated into the scheme which should be in compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission). This is due to the vertical relationship between the proposed units. The applicant should achieve the required sound insulation levels; this will be enforced by an appropriate condition attached to the decision. The proposed internal stacking is considered appropriate and acceptable, helping to ensure a minimum of noise disturbance between the units.

It is acknowledged that external noise cannot easily be measured and therefore little weight is given to the provision of the report in terms of external noise and disturbance. Conditions are attached regarding provision of internal sound insulation.

It is considered that on balance any additional noise and disturbance, including that from external sources such as comings and goings; is not so harmful as to warrant refusal of this planning application.

Highways

It is noted that the application has been in consultation with the Council's Highways Department and the application has been considered approvable subject to conditions relating to cycle parking spaces and the provision of a Demolition and Construction Management Plan. The latter will ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interest of highway and pedestrian safety.

Officers have identified that the current parking provision for the existing property would be between 1-2.5 parking spaces in accordance with Policy DM17 of the development Management Policies. Due to the additional flat, highways officers consider that the proposed development would require a parking provision of between 1 -3.5 parking spaces to comply with Policy DM17. The property does not benefit from off-street parking and therefore, a shortfall of 1 parking space would occur.

Notwithstanding this, it is not considered that the proposal would materially impact highway grounds. The site is located within a PTAL rating of 3 (average). Nevertheless, the site is within close to Golders Green underground station and Golders Green Town Centre. The site also sits within an All Day Control Parking Zone (CPZ) which operates from Monday to Friday between 9.30am and 6 pm and Saturday between 2 pm and 6 pm.

Highways officers have identified that there are on-street parking spaces available on roads in the vicinity of the development which could accommodate the potential overspill created by the development.

On balance, the proposal has been identified acceptable on highway grounds and is considered unlikely to have additional detrimental impact on public highway and parking stress.

5.4 Response to Public Consultation

It is noted that a considerable number of comments have addressed concerns regarding the proposed application. Concerns have been raised regarding the impact on character and appearance on the host property and the local area. It is noted that the proposed extensions will be undertaken to the rear of the property and therefore will not be visible from the street scene.

As per the assessment above, a number of concerns related to the impact on character and neighbouring amenity from the proposed single storey rear extension.

Notwithstanding the comments, the proposed element to the rear has been amended following concerns raised by planning officers. The extension has been reduced in depth along the boundary with the neighbouring property at No.16 Dingwall Gardens and will not project past the neighbouring rear wall. On the other hand, the extension will project a moderate 3 metres along the boundary with No.20 Dingwall Gardens. The extension would extend further in depth due to the proposed bay window, notwithstanding this, the additional depth is not considered to materially impact on the neighbouring property. It is noted that the Council's Residential Design Guidance states that single storey rear extension on terraced properties should generally extend 3 metres in depth.

Further comments identified the proximity of the property to the Hoop Lane Cemetery and addressed the need to undertake soil tests for mercury, arsenic, and further toxic chemicals. It is noted that such tests would not be required for type of extension and conversion proposed in this instance. A single storey rear extension could be implemented under permitted development legislation and would not require such tests. Furthermore, the Council's Environmental Health department was consulted throughout the application. No comments have been made with regards to the toxicity of the land at 18 Dingwall Gardens or the surrounding area. Given the limited extent of works, it is not considered that a contaminated land study would be necessary.

Comments have addressed the concerns relating to an additional flat and the potential of negatively increasing density at No.18 Dingwall Gardens. This has been assessed in the report above. It is currently considered that the layout of the proposal will not increase the existing density to a harmful extent. Furthermore, the additional unit, as well as the reconfiguration of the existing units, will comply with the London Plan in terms of housing standards. As such, it is not considered that an additional self-contained unit will materially impact on an already established converted dwelling house, to the detriment of the local character and neighbouring amenity.

Finally, comments have been raised regarding the impact on appearance due to the increased number of recycling bins proposed. It is noted that the property already benefits from 3no bins and 2no bins are being proposed additionally. The property benefits from an existing hedge to the front elevation. The submitted plans suggest that the additional two bins would be partly screened by the existing hedge which would help ensure it does not harm the streetscene.

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.



Location 11 Theobalds Avenue London N12 8QG

Reference: 17/6412/HSE

Received: 10th October 2017

Accepted: 13th October 2017

Ward: Woodhouse

Expiry 8th December 2017

Applicant: Mrs Alison Cheung

Proposal: Single storey rear and side extension following demolition of existing rear extension

AGENDA ITEM 12

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:
 - SPP_00
 - SPP_01
 - SPP_02
 - SPP_03
 - SPP_04
 - SPP_05
 - SPP_06

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

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

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

- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

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

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.

Officer's Assessment

1. Site Description

The application site contains an end of terrace dwellinghouse located on the south side and eastern end of Theobalds Avenue, which is a predominantly residential area. The neighbouring property to the east is no. 23 Fredericks Place and the neighbouring property to the west is no. 10 Theobalds Avenue. The host property is not located within a conservation area, and is not listed.

The host property benefits from a two storey rear outrigger, with the main part of it measuring 3.5 metres in depth with the addition of a single storey rear extension at the end of it measuring 1.6 metres in depth. In its entirety, the outrigger measures 5.1 metres in depth. This single storey rear element will be demolished and replaced by the proposed side and rear extension.

Between the application site and the neighbouring property at no. 23 Fredericks Place there is an access way from the road to the rear of the garden of no. 21 Fredericks Place.

2. Site History

There is no relevant planning history relating to the application site.

No.9 Theobalds Avenue, which has been referred to in the Design and Access Statement and within objection comments, has received approval for a single storey side and rear extension under ref; 16/1397/HSE.

This approval was for the retention of single storey rear and side extension following reduction in height, retention of first floor rear extension. This approval was sought following an enforcement notice served to demolish the unlawful part single part two storey rear extension, dated 8th December 2014 under ref: ENF/01565/14/F.

3. Proposal

This application seeks planning permission for:

Single storey rear and side extension following demolition of existing rear extension.

This L-shaped extension would infill the gap between the rear outrigger and the boundary shared with no. 10 Theobalds Avenue and would wrap around the rear of the remaining two storey outrigger. The extension would measure 2.8 metres in depth from the remaining two storey outrigger and 6.5 metres in depth along the boundary shared with no. 10 Theobalds Avenue. The extension would measure 2 metres to the eaves from the ground floor level at the application site, and have a maximum height of 2.8 metres. The roof of the extension would be pitched away from the boundary with no. 10 Theobalds Avenue and would be flat to the rear of the outrigger.

A gap of 0.5 metres would be maintained between the flank wall of the extension and the boundary shared with the access way serving the rear of no. 21 Fredericks Place.

The proposal includes 3no. rooflights.

4. Public Consultation

Consultation letters were sent to 8 neighbouring properties, 8 objections were received, along with one comment in support and one representation.

Objections are as follows:

- Concern that inspiration for the proposal has been taken from no.9 Theobald Avenue, which has received an enforcement notice in relation to the rear extension
- Loss of light and overshadowing to neighbouring kitchen, sitting room and study as well as part of the garden area
- Overbearing and visually obtrusive resulting in an unacceptable sense of enclosure.
- Lack of clarity in respect of demolition of existing rear extension
- Out of character
- Concerns over discrepancies between artists impression and proposed plans
- Concern in respect of boundary location and rights of way
- Concern over use of access between host property and no. 23 Frederick Place
- Will set an undesirable precedent for similar extensions in the area
- Too bulky and prominent compared to the size of the host property
- Overlooking and loss of privacy

Representation as follows:

- No objection to the proposal

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 (MALP)

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

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

Barnet's Local Plan (2012)

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

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

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

Supplementary Planning Documents

Residential Design Guidance SPD (adopted 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

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

5.3 Assessment of proposals

Impact on Street scene, Existing Building and Character of the Area:

Given the siting of the proposed side and rear extension, it would not be readily visible from the street and thus would not cause a detrimental impact to the character of the street scene.

Barnet's Residential Design Guidance; paragraph 14.21 sets out that single storey rear extensions on terraced properties should not exceed 3 metres in depth. Although the depth of the extension in its entirety being 6.5 metres and exceeding the guidance depth the proposal would line up with the existing rear wall of the neighbouring property at no.10 Theobalds Avenue and is considered to be appropriate in size, and thus would not appear visually obtrusive or overbearing.

The pitched roof of the extension would be sympathetic to the pitched roof of the outrigger. Moreover, the materials used in the construction of the extension would be similar to those used in the construction of the existing dwellinghouse. Therefore, the proposed extension, by virtue of its scale, siting and design, would be considered appropriate and sympathetic to the character of the host property and the surrounding area.

Therefore, the proposed side and rear extension is not considered to detract from neither the character of the host property or the locality.

Impact on Neighbouring Amenity:

The neighbouring property at no. 10 Theobalds Avenue to the west of the application site adjoins the host property and both form a part of a terrace. The neighbouring property also benefits from an outrigger and is set down at a slightly lower level. The proposed extension is proposed to be in line with the rear building line at no.10 Theobalds Avenue. Moreover, the roof of the extension would be pitched on the side of the neighbouring property with an eaves height of 2 metres, when measured from the application site, which does not exceed the height of the existing fence. Given that the extension would not extend beyond the rear wall of the neighbouring outrigger and that the eaves height of the extension would not exceed the height of the existing fence, it is not considered that the proposal would cause significant adverse impact to the amenity of the neighbouring residents at no. 10 Theobalds Avenue, in terms of loss of light or outlook, or appear overbearing when viewed from the neighbouring side.

The proposal includes 3no. rooflights at a height of 1.9 metres from the internal floor level facing the neighbouring property at no.10. The neighbouring property features one obscure glazed window to the side elevation which would face the proposed rooflights, therefore, given the siting of windows on the neighbouring property and the siting of the rooflights and the height at which the rooflights will be located, it is not considered that the privacy of either the neighbouring residents or the residents of the host property would be compromised, as there wouldn't be a visible view into or out from the rooflights.

The neighbouring property on the other side of the host property is no. 23 Frederick Place. The rear of this property is staggered and is sited in a way that the rear of the neighbouring property would be set back from the rear of the extension by a length of approximately 6 metres. Furthermore, the flank wall of the proposed extension would be set back from the neighbouring boundary by approximately 1.8 metres. Therefore, due to the spatial relationship between the host property and the neighbouring property, along with dense vegetation which lines the boundary between these properties, it is considered that the proposal would not cause any significant impact to the amenity of these neighbouring residents, in terms of loss of light or outlook.

Taking all of the above into account, it is not considered that the proposed extension by virtue of its size and siting, would cause harmful impact to neighbouring amenity in terms of loss of light, outlook, privacy or appear overbearing.

5.4 Response to Public Consultation

-Concern that inspiration for the proposal has been taken from no.9 Theobald Avenue, which has received an enforcement notice in relation to the rear extension:

It has been noted that the rear extension at no.9 Theobald Avenue has been investigated by planning enforcement. Regardless of the current state of the extension at this site, the Design and Access Statements stated that the proposal at the host property will draw inspiration from the approved plans at no.9 Theobald Avenue under reference; 16/1397/HSE. The proposal at no. 11 Theobalds Avenue is similar in that the eaves of the side extension will be pitched away from the boundary. Ultimately, each application is assessed on its own merits.

-Loss of light and overshadowing to neighbouring kitchen, sitting room and study as well as part of the garden area:

Addressed in appraisal.

-Overbearing and visually obtrusive resulting in an unacceptable sense of enclosure:

Addressed in appraisal.

-Lack of clarity in respect of demolition of existing rear extension:

The existing property benefits from a previous rear extension to the rear of the outrigger. The proposal shows that this will be demolished and replaced by the proposed side and rear extension.

-Out of character:

Addressed in appraisal.

-Concerns over discrepancies between artists impression and proposed plans:

The placard attached to the front gate of the property does not relate to the proposal at the host property, but is rather an advertisement for the architects.

-Concern in respect of boundary location and rights of way:

Not a material planning consideration.

-Will set an undesirable precedent for similar extensions in the area:

Each application is assessed on its own merits.

-Too bulky and prominent compared to the size of the host property:

Addressed in appraisal

-Overlooking and loss of privacy:

Addressed in appraisal.

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 extensions 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 a significant adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



This page is intentionally left blank

Location Sahara 15 Winnington Road London N2 0TP

Reference: 17/6494/HSE

Received: 12th October 2017

Accepted: 13th October 2017

Ward: Garden Suburb

Expiry 8th December 2017

Applicant: Mr B Gerrard

Proposal: Installation of automatic metal gates and gate pilasters to both existing entrances in the front, including provision of railing sections to rear of existing hedge

AGENDA ITEM 13

Recommendation: Refuse

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

- 1 The proposed gates and pilasters, by reason of their height and design, would be inappropriate and intrusive features which would significantly detract from the open nature of the frontages in this part of Winnington Road, to the detriment of the character and appearance of this part of the Hampstead Garden Suburb Conservation Area.

The application is therefore found unacceptable and contrary to Policies DM01 and DM06 of the Local Plan Development Management Policies (2012); Policy 7.3 of the London Plan (2016) and the Supplementary Planning Guidance in the form of the 'Hampstead Garden Suburb Conservation Area Design Guidance' as part of the Hampstead Garden Suburb Character Appraisals (October 2010).

Informative(s):

- 1 The plans accompanying this application are:

Location Plan

Block Plan

Drawing No. AJS_GAM_689 (Gates drawing and Elevation drawing)

Covering letter dated 10 October 2017 by JCE planning and architectural consultancy

Photographic evidence

Heritage Statement dated September 2017 by Architectural History and Conservation (AHC) Consultants

Newspaper extract

Officer's Assessment

The application is recommended for refusal. Councillor Marshall has called for the application to be determined by area planning committee as 'it might be considered an interesting attempt to improve security in an aesthetically acceptable way'.

1. Site Description

The application site is a detached property located on the eastern side of Winnington Road, within Area 15 of the designated Hampstead Garden Suburb Conservation Area.

The site is located within the part of the Conservation Area that has an Article 4 Direction.

It is not a statutory or locally listed building.

Winnington Road forms the eastern boundary of the Suburb south of Lyttelton Road. It curves down the gentle north facing slope of the hill running from Hampstead Lane in the south to Lyttelton Road in the north.

There are trees covered under a Tree Preservation Order in the rear garden (TPO reference TPO/CA/372/G1). As part of the conservation, all trees are subject to planning control.

2. Site History

Reference: TPP/0761/16

Address: Sahara, 15 Winnington Road, London, N2 0TP

Decision: Trees: Approved subject to Conditions

Decision Date: 30 December 2016

Description: 2 x Oak (applicant's ref. T1, T2) - Crown thin 20% as specified. Group G1 of Tree Preservation Order

Reference: F/04940/14

Address: 15 Winnington Road, London, N2 0TP

Decision: Refused

Decision date: 05 September 2014

Description: Installation of 2no.pairs of automatic metal gates and gates pilasters to both existing entrances in the front including provision of railing sections to rear existing hedge.

Appeal decision: Dismissed

Appeal decision date: 23 April 2015

3. Proposal

The application seeks consent for the installation of automatic gates and gate pilasters to both existing entrances in the front, including provision of railing sections to rear of existing hedge.

The gates will be 3.32 metres in width and be 1.75 metres at the highest point.

The pilasters and gates will be made in steel, top coated in the colour black. The wall will be finished with similar bricks to match existing (Standard London Stock).

4. Public Consultation

5 consultation letters were sent to neighbouring properties.

A site notice was erected on 26 October 2017

A press notice was published on 26 October 2017

0 responses have been received.

Councillor Marshall has called for the application to be determined by area planning committee as 'it might be considered an interesting attempt to improve security in an aesthetically acceptable way'.

HGS CAAC were consulted at a meeting on 15 November 2017. They recommended refusal saying that gates are not appropriate for that part of Winnington Road.

Although not a formal consultee, it is understood that the HGS Trust have granted consent for the development.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.

- Relevant Development Management Policies: DM01, DM02, DM06.

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

Supplementary Planning Documents

The Council Guide 'Hampstead Garden Suburb Conservation Area Design Guidance' as part of the Hampstead Garden Suburb Character Appraisals was approved by the Planning and Environment Committee (The Local Planning Authority) in October 2010. This leaflet in the form of supplementary planning guidance (SPG) sets out information for applicants on repairs, alterations and extensions to properties and works to trees and gardens. It has been produced jointly by the Hampstead Garden Suburb Trust and Barnet Council. This leaflet was the subject of separate public consultation.

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the alterations would be a visually obtrusive form of development which would detract from the character and appearance of the street scene and this part of the Hampstead Garden Suburb Conservation Area.
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to trees of special amenity value.

5.3 Preamble

Hampstead Garden Suburb is one of the best examples of town planning and domestic architecture on a large neighbourhood or community scale which Britain has produced in the last century. The value of the Suburb has been recognised by its inclusion in the Greater London Development Plan, and subsequently in the Unitary Development Plan, as an 'Area of Special Character of Metropolitan Importance'. The Secretary of State for the Environment endorsed the importance of the Suburb by approving an Article 4 Direction covering the whole area. The Borough of Barnet designated the Suburb as a Conservation Area in 1968 and continues to bring forward measures which seek to preserve or enhance the character or appearance of the Conservation Area.

The ethos of the original founder was maintained in that the whole area was designed as a complete composition. The Garden City concept was in this matter continued and the architects endeavoured to fulfil the criteria of using the best of architectural design and materials of that time. This point is emphasised by the various style of building, both houses and flats, in this part of the Suburb which is a 'who's who' of the best architects of the period and consequently, a history of domestic architecture of the period of 1900 - 1939.

The choice of individual design elements was carefully made, reflecting the architectural period of the particular building. Each property was designed as a complete composition and design elements, such as windows, were selected appropriate to the property. The Hampstead Garden Suburb, throughout, has continuity in design of doors and windows with strong linking features, giving the development an architectural form and harmony. It is considered that a disruption of this harmony would be clearly detrimental to the special character and appearance of the Conservation Area. The front of the properties being considered of equal importance as the rear elevation, by the original architects, forms an integral part of the whole concept.

5.4 Assessment of proposals

Relevant policy:

Policy DM01 of Barnet's Development Management Policies Document (2012) states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

Policy DM06 of Barnet's Development Management Policies Document (2012) states all heritage assets will be protected in line with their significance. All development will have regard to the local historic context. Development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet.

The Hampstead Garden Suburb Design Guidance SPD (2010) and Character Appraisal (2010) is also a material consideration.

Paragraph 129 of the National Planning Policy Framework (2012) states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 131 of the NPPF states that determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 states that considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Policy CS5 of Barnet's Core Strategy (2012) states that developments should be safe, attractive and fully accessible. It also states that the Council will work with partners to proactively protect and enhance Barnet's heritage including conservation areas.

London Plan Policy 7.3 states that development should reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating. Point (e) states that places, buildings and structures should incorporate appropriately designed security features.

Paragraph 7.10 of the London Plan states that: Development should reduce the opportunities for criminal and anti-social behaviour and contribute to a sense of security without being overbearing or intimidating. Places and buildings should incorporate well-designed security features as appropriate to their location and use, which maximise the security of people and property without compromising the quality of the local environment.

Paragraph 69 of the NPPF (2012) states that planning policies and decision, should aim to achieve places which promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Planning Practice Guidance also advises that designing out crime and designing in community safety should be central to the planning and delivery of new development. This is fully discussed in Paragraph 10 (reference ID: 26-010-20140306) of the PPG.

Impact on character and appearance of the street scene and designated Conservation Area:

The proposed development is identical to that previously refused by the Local Planning Authority under application reference F/04940/14, dated 05 September 2014.

This application went to appeal (appeal reference APP/N5090/D/15/3004968, dated 23 April 2015) where it was dismissed by the Planning Inspectorate. See the appendix of this report for the full Inspectors decision.

The main issue of the appeal was the effect on the character and appearance of the Hampstead Garden Suburb Conservation Area.

In Paragraph 3 of the appeal decision, the Inspector states: 'The front boundaries to the houses along the northern section of Winnington Road are generally lower, more open and less grand than the southern section, better reflecting the informal, domestic style which characterises Hampstead Garden Suburb as a whole. The emphasis on an informal garden setting to the houses is of significance to the historic and architectural interest of the conservation area and is an important part of its garden suburb character and appearance.'

The Inspector continues, in Paragraph 4: 'The hedge at the appeal property, as with others along the road, partially encloses the front garden, but its green and natural character fits in well with the 'garden suburb' approach and contributes to the attractive character of the street. The elaborate and formal appearance of the proposed gates and pilasters would be in complete contrast to the existing character and appearance of this part of Winnington Road and much of the conservation area. The gates, although reduced in size from an earlier scheme, would be substantial and would erode the informal, more exposed garden setting of No 15 reducing its value to the conservation area. The scheme would, therefore, fail to preserve or enhance the character and appearance of the conservation area.'

Impact of crime and perception/fear of crime:

In line with the National Planning Policy Framework (2012), the Inspector considered the public benefit of the proposal, in particular crime prevention.

In Paragraph 5 the Inspector states: 'Although the harm would be considerable, it would be less than substantial and, in these circumstances, the National Planning Policy Framework (NPPF) indicates that public benefit can be taken into account. In this case, crime prevention is put forward by the appellant, but it is not clear whether other less intrusive approaches that may have similar benefits have been explored or what the risk of crime is in the area. Nevertheless, while I attach some small weight to the provision of gates, as the appellant views them as a deterrent, this would be insufficient to outweigh the harm arising from the scheme.'

Since this appeal decision, it has been advised that a crime has occurred at the application property on the front driveway (21 June 2017) which resulted in harm to the applicant. The applicant has included various documents with the submission to evidence this. In response to Paragraph 5 of the Inspector's decision, the applicant argues that less intrusive approaches including CCTV and security lights had not been effective in the prevention of this crime. The applicant argues that crime, and the perception and fear of crime, should be considered as material considerations which justify the grant of permission.

Planning Officers acknowledge that the planning balance has now changed due to the incident that has occurred at the property. Officers accept that crime, and the perception and fear of crime, must now be given greater weight in the assessment of this application.

However after careful consideration it is not considered that crime, and the perception and fear of crime, would, taking all relevant factors into consideration, outweigh the harm clearly identified by the Inspectorate on the character and appearance of the Hampstead Garden Suburb Conservation Area.

The gates would represent a visually intrusive form of development within the informal garden setting of this part of Winnington Road. Crime and perception/fear of crime would not outweigh this. The gates are not considered an appropriately designed security feature in the context of its location, contrary to point (e) of London Plan Policy 7.3.

Additional matters:

It is also noted that the Hampstead Garden Suburb Trust have granted provisional consent for the proposed development. However, the Inspector stated in Paragraph 6: 'The support of the Hampstead Garden Suburb Trust would not alter my conclusions on the harmful effect of the proposal on the character and appearance of the conservation area.' The case remains the same in this instance.

As per the previous decision, it is not considered the proposed development would impact the amenity of neighbouring occupiers, or harm the health of trees on site, to an unacceptable level.

5.5 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 the proposal would detrimentally fail to protect the character of this part of the Hampstead Garden Suburb Conservation Area. This harm identified by a previous Planning Inspector is not outweighed by the threat, and perception/fear, of crime. The application is therefore recommended for REFUSAL.

8. Conditions in the event of an appeal

Should an appeal against this decision be allowed the Local Planning Authority would ask that the following conditions are applied to any consent:

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

Location Plan

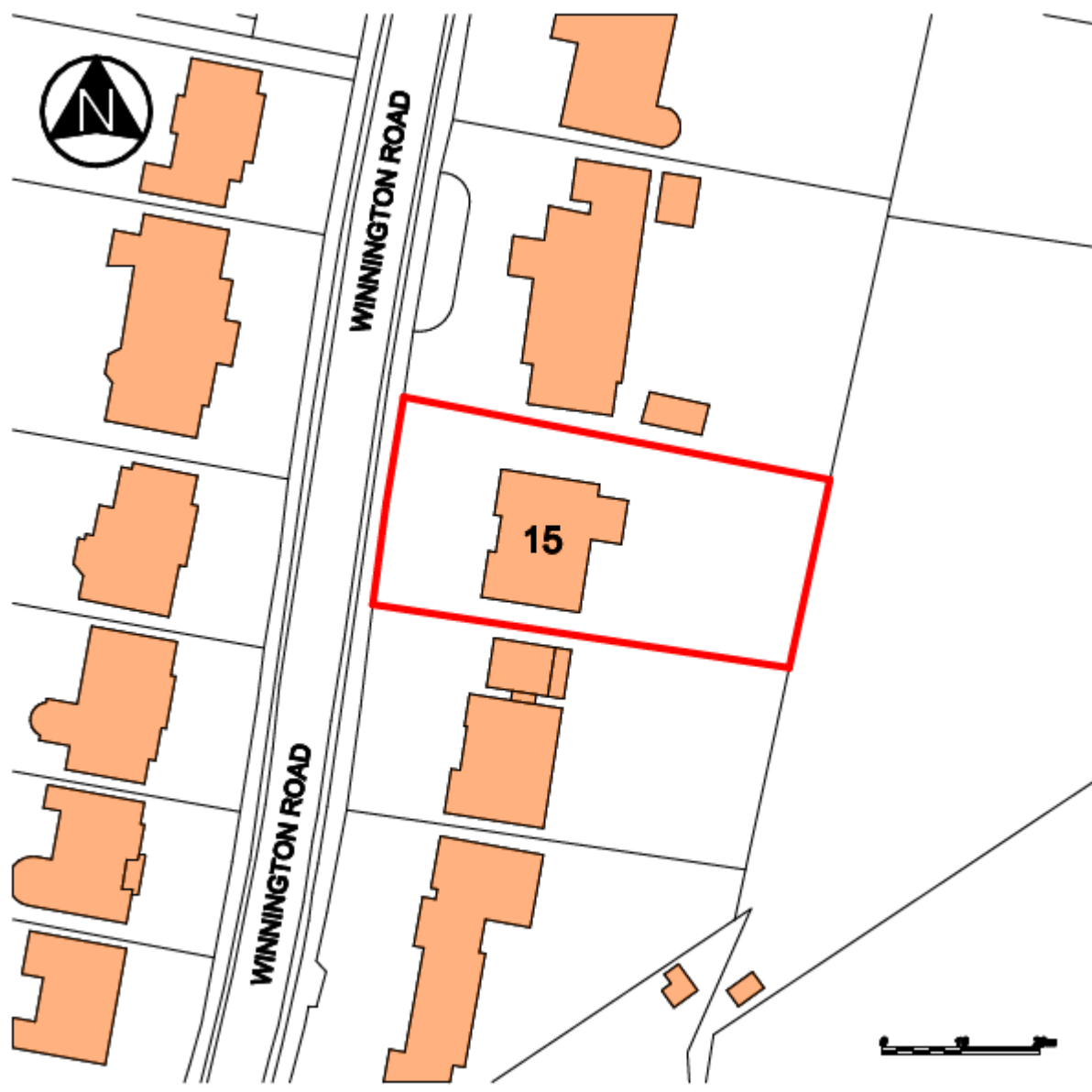
Block Plan

Drawing No. AJS_GAM_689 (Gates drawing and Elevation drawing)

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.





Appeal Decision

Site visit made on 9 April 2015

by C Thorby MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 April 2015

Appeal Ref: APP/N5090/D/15/3004968

15 Winnington Road, London N2 0TP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr B Gerrard against the decision of the Council of the London Borough of Barnet.
 - The application Ref F/04940/14, dated 5 September 2014, was refused by notice dated 3 November 2014.
 - The development proposed is installation of 2 pairs of automatic metal gates and gate pilasters to both existing entrances in the front including provision of railing sections to the rear of existing hedge.
-

Decision

1. The appeal is dismissed.

Reasons

2. The main issue in this case is the effect on the character and appearance of the Hampstead Garden Suburb Conservation Area.
3. The front boundaries to the houses along the northern section of Winnington Road are generally lower, more open and less grand than the southern section, better reflecting the informal, domestic style which characterises Hampstead Garden Suburb as a whole. The emphasis on an informal garden setting to the houses is of significance to the historic and architectural interest of the conservation area and is an important part of its garden suburb character and appearance.
4. The hedge at the appeal property, as with others along the road, partially encloses the front garden, but its green and natural character fits in well with the 'garden suburb' approach and contributes to the attractive character of the street. The elaborate and formal appearance of the proposed gates and pilasters would be in complete contrast to the existing character and appearance of this part of Winnington Road and much of the conservation area. The gates, although reduced in size from an earlier scheme, would be substantial and would erode the informal, more exposed garden setting of No 15 reducing its value to the conservation area. The scheme would, therefore, fail to preserve or enhance the character and appearance of the conservation area.
5. Although the harm would be considerable, it would be less than substantial and, in these circumstances, the National Planning Policy Framework (NPPF)

indicates that public benefit can be taken into account. In this case, crime prevention is put forward by the appellant, but it is not clear whether other less intrusive approaches that may have similar benefits have been explored or what the risk of crime is in the area. Nevertheless, while I attach some small weight to the provision of gates, as the appellant views them as a deterrent, this would be insufficient to outweigh the harm arising from the scheme.

6. The support of the Hampstead Garden Suburb Trust would not alter my conclusions on the harmful effect of the proposal on the character and appearance of the conservation area. The case referred to in 2004, pre-dates the approach to heritage assets set out in the NPPF and, therefore, carries limited weight. I do not know the circumstances of the gates at No 14, but they are not typical of the frontage treatments of houses along this part of Winnington Road and would not justify the proposal.
7. The appeal scheme would be contrary to Barnet's Local Plan Development Management Policies policies DM01 and DM06, conservation area design guidance and character appraisal, where, consistent with the NPPF, they seek to protect local character including that of the historic environment. The appeal is dismissed.

Christine Thorby

INSPECTOR

This page is intentionally left blank

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

- 3 The materials to be used in the external surfaces of the extensions shall match those used in the existing building.

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).

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

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

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

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

- 6 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 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.

- 7 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).

8 a) Before the development hereby permitted is first occupied or the use first commences, parking spaces and turning spaces as shown on Drawings 1711-PL-1-3B shall be provided and marked out within the site.

b) The parking spaces shall be used only in accordance with the scheme approved as part of this condition and not be used for any purpose other than the parking and turning of vehicles in connection with the approved development.

Reason: To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2016.

9 Before the development hereby permitted is first occupied, the existing amenity space shall be subdivided and laid out in accordance with the details on Drawing 1711-PL-1-3B and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

10 Before the building hereby permitted is first occupied the proposed window(s) facing Croft Court Hotel, No. 44 Ravenscroft Avenue on the western flank wall of the single storey rear extension hereby approved 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 October 2016).

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

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 12 No flat within the development shall be occupied until cycle parking and cycle storage facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority. The cycle parking and cycle storage shall be permanently retained thereafter.

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

- 13 The use of the outbuilding hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit or dwelling.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 14 The works hereby approved under this application shall be undertaken prior to the building first being occupied and permanently maintained thereafter in accordance with the details hereby approved.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. 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 £1015 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 £3,915 payment under Barnet CIL.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

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

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

- 3 The applicant is advised that any alteration if required to the existing crossovers or provision of new crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for crossover under Highways Act 1980. Reinstatement of any redundant crossovers, removal or relocation of any existing street furniture or alteration to road markings would be done at the applicant's expense, under a rechargeable works agreement, by the Council's term contractor for Highway Works. You may obtain an estimate for this work from the Crossover Team in Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 4 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

Officer's Assessment

1. Site Description

The application site is a detached dwellinghouse located on the northern side of Ravenscroft Avenue. Croft Court Hotel, No. 44 Ravenscroft Avenue is located to the east of the application site. No. 50 Ravenscroft Avenue is located to the west of the application site. Eagle Lodge, a flatted development, is located to the north of the application site.

The detached dwellinghouse has an existing rear dormer window, 2 no. existing hip to gable roof extensions and an existing two storey rear extension. The property is currently being converted to four self-contained flats.

The application site is not located within a conservation area and nor does it contain a listed building nor is adjacent to a listed building.

2. Site History

Reference: 17/2412/FUL

Address: Lane 48 Ravenscroft Avenue, London, NW11 8AU

Decision: Approved subject to conditions

Decision Date: 20.06.2017

Description: Conversion of existing property into 4no. self-contained flats including a single storey rear extension. Associated amenity space, refuse storage area and provision of 2no. off-street parking spaces. Retention of roof extension including rear dormer window. Demolition of existing outbuilding. (AMENDED DESCRIPTION).

The single storey rear outbuilding is to be demolished and removed from the application site.

Reference: 16/6615/FUL

Address: 48 Ravenscroft Avenue, London, NW11 8AU

Proposal: Conversion of existing property into 5no self-contained flats. Conversion of garage into habitable room, insertion of window to replace garage door. Single storey rear extension. New

outbuilding to rear. Associated refuse and recycling store, parking, amenity space. , .

Decision: Withdrawn.

Decision Date: 10 April 2017

Reference: 16/8101/FUL

Address: 48 Ravenscroft Avenue, London, NW11 8AU

Proposal: Conversion of existing property into 5no self-contained flats. Conversion of garage into habitable room, insertion of window to replace garage door. Single storey rear extension. New

outbuilding to rear. Associated refuse and recycling store, parking, amenity space.

Retention of roof extension including rear dormer window (AMENDED DESCRIPTION).

Decision: Refused.

Decision Date: 20 March 2017

Reference: 16/0308/192

Address: 48 Ravenscroft Avenue, London, NW11 8AU

Proposal: Two storey rear extension. Removal of chimney. Conversion of garage into habitable room, insertion of window to replace garage door. Erection of outbuilding to rear garden.

Decision: Lawful.

Decision Date: 1 February 2016

3. Proposal

The proposal seeks to amend the drawings in regard to the footprint, height and mass of the rear outhouse. The proposal seeks to amend the drawings in regard to the footprint, height and mass of the rear outhouse. The depth has been reduced by 2.5 metres to 5.5 metres; the pitched roof altered to a flat roof with a retained eaves height at 2.5 metres. The width is maintained at 8.5 metres.

4. Public Consultation

Consultation letters were sent to 97 neighbouring properties.

Four objections have been received, and one comment, although the latter was not submitted directly to the Council. In summary the objections are:

- The third revision
- Still overcrowded
- The building is an eyesore
- Why does a garden store need a toilet?
- The building will be turned into separate living accommodation

No objections to the revised plans for the outbuilding provided the drawings are adhered to i.e. the elevations are removed, the building is reduced in size and suitable trees are planted along the boundary fence.

Although the Council has received four separate planning objections and it is therefore technically permissible for consideration of the application to be made under delegated powers; it is nevertheless considered appropriate for the matter to be considered by the committee given that the earlier decision was made by the committee.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the

development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan. The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS10, CS11,
- Relevant Development Management Policies: DM01, DM07, DM13

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.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 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:

- The suitability of the design changes to the existing outbuilding
- The implications for amenity standards within the site
- The effect on neighbour amenity.

5.3 Assessment of proposals

The rear outbuilding as built is a large structure within the garden. The alterations will ensure that the proposal is more contextual. The depth has been reduced by 2.5 metres and together with the change of the pitched roof from a ridge height of 4 metres to a flat roof of 2.5 metres, the bulk and mass is now acceptable. The eaves height will remain at 2.5 metres. The render material will remain but an improved painting scheme will help the appearance further. The reduction in the mass and scale will also result in a reduction in the fenestration.

Internally, it will remain sub divided into a bicycle store, garden store, garden room and communal wc. There is no objection to these facilities in an outhouse, and which is not uncommon in Barnet, but an additional condition will be added to ensure that the space is not used as separate and independent residential accommodation.

- The implications for amenity standards within the site

The present structure occupies a large area of the rear part of the garden and the reduction in the footprint will make the area, in particular that behind the outhouse, more usable. The reduction in the height and mass will ensure that the individual garden plots are less in shadow and will receive more light. In particular, the plot to the rear will feel less oppressive and unpleasant to use as an amenity space as a result of the alterations. As a result of the alterations, the garden areas for each of the flats are as follows:

- o Flat A 49.10sqm
- o Flat B 71.25sqm
- o Flat C 80.10sqm
- o Flat D 68.55sqm

- The effect on neighbour amenity

The outhouse as it stands has no material effect on the light, outlook, aspect or privacy to adjacent residents. Nevertheless it does remain a highly visible feature. However, the height, scale and bulk ensure that the building draws attention to itself in a part of the garden where it should be more discreet. The reduction in the height and footprint and other measures will make the structure less obvious and therefore improve the openness of the rear gardens of the neighbouring properties. This will be of particular benefit to the residents of Eagle Court. The alterations will ensure that the amenity of adjacent residents is protected and will improve in regard to light, outlook and aspect.

5.4 Response to Public Consultation

The issues raised by the objectors are covered above.

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 amendment to the condition would not give rise to any unacceptable impacts on the character and appearance of the application site, the street scene and the locality, or have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



This page is intentionally left blank

Location **Land Adjacent 38 Needham Terrace London NW2 6QL**

Reference: **17/3559/FUL**

Received: 5th June 2017

AGENDA ITEM 15

Accepted: 12th June 2017

Ward: Childs Hill

Expiry 7th August 2017

Applicant: Mr Sam Hassan

Proposal: Demolition of existing double garages. Erection of a two-storey single family dwellinghouse (two bedrooms). New patios to front and rear garden areas. Amended design to roof (extended eaves) and boundary walls (This is a further extension to the consultation period)

Recommendation: Approve subject to s106

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)

RECOMMENDATION I:

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. 3. Cost of amending traffic order to prevent residents of the development from obtaining parking permits - £2,000
4. Monitoring of the Agreement - £100

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Planning Performance and Business Development Manager/Head of Development Management approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Head of Development Management or Head of Strategic Planning:

1 The development hereby permitted shall be carried out in accordance with the following approved plans: 5001, 5002D, 5003D, 5004D, 5005D, 5100F, 5101E, 5103F, 5102F, 5105D,

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) 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).

4 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).

5 a) No development other than demolition works shall take place until details and of the materials to be used for the external surfaces of the building and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details shall include a panel board on site with brick, mortar and bonding detail, sample of roof slate and details of fenestration, eaves detailing, doors, boundary walls and fencing and pipework/guttering.

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.

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

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).

7 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.

8 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.

9 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.

10 Condition

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

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

Reason

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

11 Prior to occupation of the development, Cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason

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

12 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

13 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).

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

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

15 a) A scheme of hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.

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

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

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

RECOMMENDATION III:

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 £2450.00 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 £9450.00 payment under Barnet CIL.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

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

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

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

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

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

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 4 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 5 Any details submitted in respect of the Demolition Construction and Traffic Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact.
- 6 For any proposal new crossovers or modification to the existing crossovers, a separate crossover application must be submitted for approval to the Highways Authority. Details of the construction and location of the new crossover are required to be agreed with the highway authority. Any street furniture, road markings or parking bays affected by the proposed works following site investigation would be relocated at the applicant's expense.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team in conjunction with the highway tree section as part of the crossover application. The outcome of this assessment cannot be prejudged.

Please Note: A maximum width of a crossover allowed from a public highway is 4.8 meters.

Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Works on public highway shall be carried out by the Council's contractors. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 7 Damage to public highway as a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic

will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimize risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition

- 8 Refuse collection points should be located within 10 meters of the Public Highway. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.

Officer's Assessment

1. Site Description

The application site is located on the eastern side of Needham Terrace, within the Childs Hill ward. It contains a single storey double garage that serves No.38 Needham Terrace. No. 38 Needham Terrace is an end of terrace dwelling that is located to the south of the application site. No. 39 Needham Terrace is a detached dwelling located to the north of the application site.

The application site is located within Cricklewood Railway Terraces Conservation Area. The conservation area is centred on a group of former railway workers' cottages which are arranged in small terraces with communal front gardens and lie adjacent to an extensive area of railway tracks. The area is largely residential in character and is a quiet enclave set back from the busy main road on slightly rising ground. The overall appearance is defined by the red facing brick frontages and slate roofs, together with retained original doors, windows, chimney stacks and pots.

2. Site History

Reference: C01998D

Address: Land adjoining 38 Needham Terrace, London, NW2 6QL,

Decision: Approved subject to conditions

Decision Date: 18.11.1970

Description: the erection of two lock-up garages.

Reference: 15/05673/FUL

Address: 38 Needham Terrace, London, NW2 6QL,

Decision: Refused.

Decision Date: 24 March 2016

Description: Demolition of existing double garage and erection of new detached two-storey two bedroom dwelling with associated amenity space refuse storage.

An appeal was made against the proposal and it was dismissed (ref: APP/N5090/W/16/3159344)

3. Proposal

The demolition of existing double garages; the erection of a two-storey two-bedroom single family dwellinghouse of 72sqm gja. New enclosed patios to front and rear garden areas, refuse and cycle storage. The application site has a depth of approximately 12.2 metres and a width of approximately 5.3 metres.

4. Public Consultation

Consultation letters were sent to 47 neighbouring properties. A site notice was published on 22.06.2017 and press notice published 20.06.2017. Further consultation was carried out on 30.10.2017 and 13.11.2017.

51 responses have been received, comprising 37 letters of objection, and 12 letters of support.

The objections received can be summarised as follows:

- The proposal will harm the character and appearance of the conservation area
- The design does not reflect that of the railway cottages
- There will be a loss of existing garage space
- The proposal will lead to a loss of light to neighbours

- There will be a loss of privacy for neighbours
- An increase in parking problems
- The unit and rooms are under sized
- A sense of enclosure would be created
- An increase in the spread of Japanese knotweed
- The proposal is inconsistent with conservation guidelines

The support comments received can be summarised as follows:

- The garages are an eyesore and a cottage is more acceptable
- A house on the site would make it safer and cleaner

Highways: No objection subject to conditions and S106

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5.
- Relevant Development Management Policies: DM01, DM02, DM06, DM08, DM17.

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

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

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.

Residential Design Guidance SPD (adopted October 2016).

Railway Terraces Cricklewood Conservation Area Character Appraisal and Management Proposals (23.10.2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- The principle of locating a residential use at this site
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the scheme would provide an adequate standard of accommodation for future residents.
- Highway and parking matters

5.3 Assessment of proposals

The principle of locating a residential use at this site

In the appeal decision (Ref APP/N5090/W/16/3159344) it was considered that a new dwellinghouse would be acceptable on the application site provided that it was designed in such a way that it preserved the character and appearance of the Cricklewood Railway Terraces Conservation Area and would not materially impact the amenity of neighbouring and adjoining occupiers.

There is no planning objection to the loss of the lock up garages. It is understood that they are in current use. However, that is not necessarily a reason to prevent alternative and more suitable uses for the site. The loss of garages has not been raised previously as a reason to refuse alternative development on this site either in officer advice or Inspectors comments. The London Plan encourages the best and most effective use of urban sites and this site lends itself to an alternative use and building.

The character of the conservation area is heavily defined by its residential use. The proposed residential addition would therefore be appropriate in land use terms. The immediate environment would be suitable for further residential accommodation.

Impact on the character of the area

The NPPF requires that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. The NPPF requires the local planning authority to ensure the new development makes a positive contribution to the conservation area. Furthermore, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

A key aim of Policy DM06 of Barnet's Development Management Policies (2012) is to preserve the distinctive character of conservation areas. Properties on Needham Terrace share a commonality of detail, design and scale. Needham Terrace is characterised by 2 storey detached residential properties with pitched roofs.

The Conservation Area Guidelines for the Railway Cottages state 'Whilst there are few opportunities to build additional properties within the area, should the occasion arise, careful consideration would need to be given to the scale, siting and design of any new development and a high standard of design and materials will be expected.

The existing garages are not characteristic of the conservation area and whilst at best their presence may be described as neutral, this is due to their established presence over a long period of time rather than any architectural or design merit. Their replacement with a building that is closer to the established form, height and scale of the terraced house will enhance the appearance and character of the conservation area. It is accepted that the building will be detached and has a lower roofline and therefore less in character than is the case with the established terraced house. However, the proposal will infill a current gap between the established terrace and the detached property at 39, and complete the street.

In the appeal decision (Ref APP/N5090/W/16/3159344), the Inspector noted that an infill proposal would preserve the character and appearance of the conservation area, and that the dwelling would suitably reflect the scale and appearance of other dwellings in this part of the conservation area. The inspector therefore found that a similar scheme had no harmful impact on the character and appearance of the conservation area and it is considered that it would be unreasonable to raise this now.

The design itself will draw on the height, form and scale of the existing 19thC houses. The facing material will be brick, and this will be subject to condition to achieve a good quality product. A wall panel would be required to be built on site to ensure brickwork, mortar and bonding adequately match the original properties. The roof will be of slate and the design of the eaves overhang will reflect that of the older properties.

Impact on the amenities of neighbours

Policy DM01 seeks to ensure that new development does not materially affect the amenity of adjacent occupiers. The new house will occupy a footprint that ensures the two storey front elevation aligns with that of 39 Needham Terrace, and is set 3 metres back from the front elevation edge of No.38 Needham Terrace. The proposal has a half width single storey forward extension which aligns with the front edge of No.38. Although it extends forward of No.39, the relationship is no different to that of the existing single storey garages which are in fact closer to the side wall of No.39. To the rear the proposal will align with the leading edge of No.39, and although it would be forward of No.38, the building mass has been adjusted since the first proposal by setting part of the wall back by 0.8 metres.

In terms of light, therefore, there will be no material loss to either adjoining property from the front. The scheme has changed since the previous refusal at appeal. Primarily, the building now aligns with No.39 in terms of the two storey element, and the second storey forward projection has been removed. At the rear, the building line has been pulled back where it is adjacent to No.38. To the rear, there will therefore be no material light loss to No.39. whilst the alterations will ensure that in terms of BRE standards, there will be no material loss of light No.38. The proposal lies to the north of No.38. The outlook to Nos.38 and 39 will also be retained with oblique views from windows of either property to the subject development being one of single storey walls.

No windows are proposed in the side elevations of the new house, so there will be no material loss of privacy to neighbours.

The properties at Nos.39 and 40 Johnston Terrace face the site from the west at a distance of approximately 12 metres way. However they face each other over a public highway and although the proposal is forward of the historic building line, the conservation area as a whole is defined by the narrow street pattern and elevations that are closer to each other than would be the case in more suburban locations. As a result of the orientation of the properties, there would be no material loss of light to Nos.39 and 40.

As a land use, a single dwelling house is an appropriate neighbouring use for adjacent property and one that will not be harmful.

Whether the scheme would provide an adequate standard of accommodation for future residents

The London Plan and Barnet policy DM02 set out standards for internal and external amenity levels in new build residential schemes.

Internal Design Standards: The residential unit will have a total internal area of 72.00sqm. The London Plan requirement for a two bedroom/three person house would be 70sqm, and therefore the proposal complies with this criterion. The principal bedroom will have 14sqm (sqm) and the second bedroom 10sqm (sqm). The living/diner/kitchen will provide 31.4sqm (sqm). The size of rooms and the layout of the property are partly determined by the context and the confines of the site.

External Design Standards: Policy requirement for an external private open space for a two bedroom house is 40sqm. The proposal provides 19sqm. Whilst this falls below the usual requirement, the conservation area as a whole is characterised by small private open areas, therefore in this case it is considered acceptable.

The residential unit will have outlook to front and rear and will therefore be provided with natural through-ventilation. The unit will have an outlook and aspect that is very similar to the adjoining properties, reflecting its context and modest scale. Daylight and sunlight levels received by the property will also be acceptable, and the degree of privacy will be similar to neighbouring properties.

Highway and parking matters

In Highway terms, the proposal will result in the loss of 2 garages and 2 additional forecourt parking spaces for the existing dwellings. The Public Transport Accessibility Levels (PTAL) rating for the site is 3, which represents a medium accessibility level and the site is within a Control Parking Zone. This is an all-day controlled parking zone (CPZ) Zone CT between 09.00 and 22.00.

Site observations by Highway Officers show that there is high on-street parking pressure on roads in the local area, and it is considered that a further residential development of without parking provision, in addition to the loss of existing off street parking would result in unacceptable additional parking pressure in the vicinity of the site.

It is considered that the proposal would be acceptable with a Legal Agreement to amend the Traffic Order that regulates the schedule of addresses for the CPZ where the site is located.

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 would be attached in the event planning permission is granted] 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 6% 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/would be attached in the event planning permission is granted] to ensure compliance with the Policy

In terms of water consumption, a condition [is attached/would be attached in the event planning permission is granted] 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

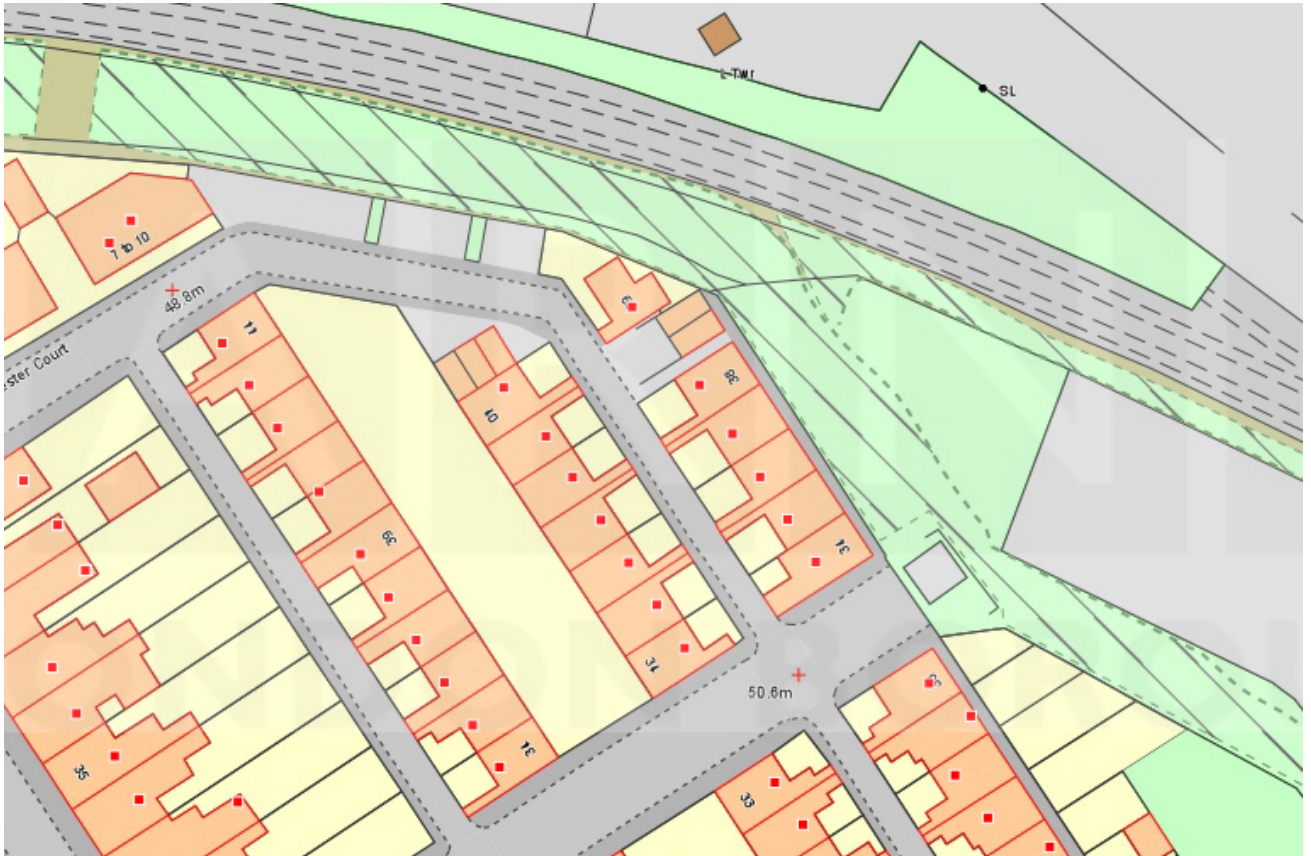
The objections and concerns from residents have been considered within the evaluation above. The Inspectors report did not object to the principle of an infill development. The alterations to the scale, mass and height will ensure that there will be no material loss of amenity to neighbouring properties. The design is a balance between the existing 19thC terrace and the single detached end property.

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 conditional approval and legal agreement



Appeal Decision

Site visit made on 8 December 2016

by **Daniel Hartley BA Hons MTP MBA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 December 2016

Appeal Ref: APP/N5090/W/16/3159344

38 Needham Terrace, Cricklewood, London NW2 6QL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Stephen Hartnoll against the decision of the Council of the London Borough of Barnet.
 - The application Ref 15/05673/FUL, dated 9 September 2015, was refused by notice dated 23 March 2016.
 - The development proposed is the demolition of an existing double garage and the erection of a new detached double storey two bedroom dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposal upon the living conditions of the occupiers of No 39 Needham Terrace in respect of outlook and (ii) whether or not it is necessary to prohibit on-street car parking in the locality.

Reasons

Site and proposal

3. The appeal site comprises a flat roofed double garage set back from the main road. The area is predominantly residential in character and the appeal site falls within the Cricklewood Railway Terraces Conservation Area (CA). The garage belongs to No 38 Needham Terrace and is positioned between the said end of terrace dwelling and No 39 Needham Terrace which is a detached dwelling.
4. It is proposed to demolish the garage and to erect a two storey two bedroom dwelling. The two storey element of the proposed dwelling would be in line with the front elevation of No 38 Needham Terrace. There would be single storey development fronting Needham Terrace including an open paved area. The proposed dwelling would be similar in height to the adjacent No 39 Needham Terrace.

Living Conditions

5. Whilst I note that there does appear to be some dispute about whether or not the occupier of No 39 Needham Terrace objected to the proposal at planning application stage, I have in any event taken into account all representations

made by the occupier of this property including the comments made as a result of the appeal notification process.

6. The proposed two storey dwelling would be built beyond the rear elevation of No 39 Needham Terrace and would abut the common boundary with the rear garden area of this property. I acknowledge that the double garage already abuts this boundary, but this has a flat roof and is single storey in height. The proposed dwelling would be considerably higher than the existing double garage and would appear as a very dominant and overbearing mass of development for users of this garden. The appeal garage already has an impact upon the enjoyment of the rear garden of No 39 Needham Terrace. I do not consider that this existing impact justifies allowing more harmful development.
7. I accept that the affected garden is relatively small and that there is a larger garden to the west of No 39 Needham Terrace. However, I do not consider that the size or number of gardens should reasonably have a bearing upon whether development is acceptable or not. The appellant states that the affected garden is used mainly for storage purposes. However, I was able to see, as part of my site visit, that this garden area was not being used solely for storage, but rather it was being used as a plant/herb bed and the siting of a shed.
8. For the reasons outlined above, I conclude that the proposal would not accord with the sustainability, design and amenity aims of Policies CS NPPF, CS1 and CS5 of Barnet's Local Plan (Core Strategy) Development Plan Document 2012; Policy DM01 of Barnet's Local Plan (Development Management Policies) Development Plan Document 2012 (DMDPD); Policy 7.6 of the London Plan 2016 and the Barnet Residential Design Guidance Supplementary Planning Document 2013 (SPD). I note the appellant's comments about some of the above policies (for example Policy CS1) not specifically referring to amenity and that some refer only to the need for good design. I consider that all of the above policies are relevant as the need for good design encompasses the need for acceptable amenity impacts. Paragraph 001(Design) of the Planning Practise Guidance states that "*achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations*".

Car Parking

9. The appellant has submitted a planning obligation as part of the appeal: the appeal site falls within an all-day controlled parking zone. The planning obligation intends to prohibit the ability of the occupiers of the appeal property from applying for a car parking permit(s) within the all-day controlled parking zone.
10. As part of my site visit, I was able to see that there was limited opportunity to park a vehicle in the locality. Policy DM17 of the DMDPD states that "*with limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the applicant will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits*".
11. Whilst the appellant has indicated that the rear garden/outside amenity space could be used for the parking of a vehicle, in this instance I do not consider

that such parking would be acceptable. This is because the amount of outside amenity space is deficient when considered against the 40 square metre requirement in the SPD. Had the appeal been allowed, it would have been necessary to have imposed a planning condition which ensured that this space was solely used for outside amenity space purposes.

12. In the absence of any on-site permitted car parking provision, and given the on-street car parking pressures and limitations within the immediate locality, a completed planning obligation would be necessary having regard to Policy DM17 of the DMDPD. As the appeal is being dismissed for other reasons, it has not been necessary for me to consider the appellant's submitted planning obligation in detail (or to ensure that it is dated and signed). An acceptable planning obligation would not overcome the significant harm that would be caused to the living conditions of existing and future occupiers of No 39 Needham Terrace.

Other Matters

13. I note the evolution of the scheme including amendments to the design of the proposed dwelling. I have no reason to disagree with the Council that this infill proposal would preserve the character and appearance of the CA. The dwelling would suitably reflect the scale and appearance of other dwellings in this part of the CA.
14. The occupier of No 39 Needham Terrace has drawn my attention to the position of a rear ground floor window to his property. I was able to see this as part of my site visit and the window served a kitchen/diner. I consider that the scale and proximity of the proposed development when viewed from this window would be such that it would have a significant enclosing impact. Furthermore, and notwithstanding the Council's reason for refusal, I consider that the position and height of the dwelling would be such that there would be some loss of sunlight / overshadowing to this window (as well as part of the rear garden), particular in the early mornings. This adds to the harm that I have identified in respect of my conclusions on the main issues.
15. I have taken into account the representations made by other interested parties. I do not disagree with how the Council responded to these representations in the planning officer report. None of the other matters raised outweigh my conclusions on the main issues.

Conclusion

16. For the reasons outlined above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Daniel Hartley

INSPECTOR

This page is intentionally left blank

Location **2 Howes Close London N3 3NX**

Reference: **17/5049/HSE**

Received: 3rd August 2017

AGENDA ITEM 16

Accepted: 3rd August 2017

Ward: Finchley Church End

Expiry 28th September 2017

Applicant: Mr John Gethins

Proposal: Two storey side extension following demolition of the existing garage facing No. 3 Howes Close and first floor side extension facing No. 1 Howes Close. Single storey front infill extension. Roof extension involving rear dormer window with recessed first floor terrace. Alterations to front and rear roof. Associated changes to fenestration

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:

Design and Access Statement including:

Site Location Plan

485.(1).0.001, 002, 003, 004, 005A, 006A, 007A, 008, 009

485.(1).1.000, 001, 002, 003, 004, 005

485.(1).2.001A, 002A, 003A

485.(1).3.001, 002

Daylight and Sunlight Assessment Report

Comparable images/drawings

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 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the flank elevation(s), of the extension(s) hereby approved, facing The Vicarage No. 1 Howes Close and No. 3 Howes Close.

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

Informative(s):

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

Background Information:

The application was deferred by the Finchley and Golders Green Area Planning Committee on 17th October 2017 for the following reasons:

“The applicant would be asked to produce a Daylight and Sunlight Report on both neighbouring properties”.

A re-consultation of neighbouring properties was undertaken and a further 5 comments from the previously consulted neighbours were received listed below:

-The proposed application and drawings do not adequately show the bad effect the building will have, most of all to the immediate neighbours particularly no 3 and the entire Close where all the buildings share a similar appearance.

-Frontage is completely out of character and ugly especially when viewed from flats opposite.

-Alterations to the north elevation of 2 Howes Close would significantly detract from views of neighbouring dwellings undermining the harmony, appearance and amenity of the street scene to create a stark, poorly differentiated mass of brick and glass totally out of keeping with neighbouring homes.

-An objector has asked for the previous comments to be noted (dealt with under the initial planning report in appendix 1 below).

Officer's response:

It is considered that the above comments were dealt with within the previous planning report.

Recommendations made within the submitted Daylight/Sunlight report:

Page 9 of the report 'Daylight Results' states that in excess of 80% of current levels of light will be retained and no significant impact on neighbouring properties in terms of daylight is envisaged and the scheme is compliant with BRE recommendations for daylight.

Page 10 of the report 'Sunlight Results' states that all windows would retain greater than 80% of their current values. The scheme is therefore considered to be compliant with BRE guidance for sunlight and there will be no adverse effect on the sunlight received to neighbouring properties.

The planning officer considers that due to the size, siting and design of the extensions that the proposal would be a proportionate addition to the proposal property which would have an acceptable impact on the character of the area, general locale and current streetscene. The extensions would not have an adverse impact on the amenities of the neighbouring properties in relation to loss of sunlight or daylight, to an unacceptable degree.

The conclusion on page 11 of the Daylight/Sunlight report states the following:

“9.1 The Using industry standard methodology, we have made numerical analyses to ascertain the effects of the proposal at 2 Howes Close and the levels of change in daylight and sunlight for the windows and garden of the neighbouring properties.

9.2 The main criteria used in this analysis to show compliance are the Annual Probable Sunlight Hours and Vertical Sky Component tests.

9.3 As has been shown, the effect on VSC is within the 80% guidance value in all cases. There will therefore be no adverse impact on neighbouring residents in terms of daylight.

9.4 In terms of sunlight, it has been shown that all windows meet the BRE criteria by virtue of either retaining 80% of their existing value, or 25% of annual hours and 5% of winter hours. The neighbouring garden also retains in excess of 80% of their current values.

9.5 There will therefore be no adverse impact on sunlight receipt to neighbouring properties.

9.6 From a planning perspective therefore, it is the conclusion of this report that the effect of the proposed development is entirely acceptable in planning terms without adverse impact on the neighbours”.

The submitted Daylight and Sunlight Assessment report dated November 2017, in the opinion of the officer, demonstrates that there would be no material harm to the neighbouring amenities in relation to loss of light. The Officer’s recommendation remains for approval of the scheme. The associated planning report, as submitted at the previous meeting, is attached below as Appendix 1.

Appendix 1:

| | | |
|-------------------|---|--|
| Location | 2 Howes Close London N3 3NX | |
| Reference: | 17/5049/HSE | Received: 3rd August 2017 Accepted: 3rd August 2017 |
| Ward: | Finchley Church End | Expiry 28th September 2017 |
| Applicant: | Mr John Gethins | |
| Proposal: | Two storey side extension following demolition of the existing garage facing No. 3 Howes Close and first floor side extension facing No. 1 Howes Close. Single storey front infill extension. Roof extension involving rear dormer window with recessed first floor terrace. Alterations to front and rear roof. Associated changes to fenestration | |

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:

Design and Access Statement including:

Site Location Plan

485.(1).0.001, 002, 003, 004, 005A, 006A, 007A, 008, 009

485.(1).1.000, 001, 002, 003, 004, 005

485.(1).2.001A, 002A, 003A

485.(1).3.001, 002

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 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the flank elevation(s), of the extension(s) hereby approved, facing The Vicarage No. 1 Howes Close and No. 3 Howes Close.

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

Informative(s):

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

Officer's Assessment

1. Site Description

The property is a 2 storey detached property located on the private road Howes Close which is within the Finchley Church End ward.. The road allows the access to 3 detached houses from Mountfield Road. The three detached houses present similar vernacular architectural style although No.2 and No.3 are considerably more modern.

To the north of the site and beside the Howes Close entrance, there are two four-storeys buildings hosting flats. The property site is in between The Vicarage and No. 3 Howes Close.

It is not within a conservation area and is not a listed building.

2. Site History

No planning history.

3. Proposal

The applicant proposes a 'Two storey side extension following demolition of the existing garage facing No. 3 Howes Close and first floor side extension facing No. 1 Howes Close. Single storey front infill extension. Roof extension involving rear dormer window with recessed first floor terrace. Alterations to front and rear roof. Associated changes to fenestration'.

Dimensions:

Two storey side extensions

Two-storey facing No. 3 Howes Close would measure 3.3m high to the eaves, 8.9m to the top of the roof set down from the main roof by 0.4m, set away approximately 1m from the neighbouring side boundary and would replace the existing garage. A large rooflight would be inserted into the front roof slope of the extension.

The first floor side extension facing the vicarage would measure 3.3m high to the eaves, 9.2m to the top of the roof from the base of the ground floor level and would be set away by 1m from the neighbouring side boundary.

Single storey front extensions

The single storey front extension would be centralised at the front elevation having a width of 5.5m and would project forwards of the property by approximately 0.8m and join the existing main catslide roof element.

The roofs of the extensions would remain set at least 1.7m below the neighbouring roofs at No. 3 and The Vicarage, as is the existing situation. 2No. large rooflights would be inserted into the front roof slope.

Rear dormer/roof alterations and rooflights

The rear roofslope would contain a centralised dormer and 3No. large rear rooflights, with the dormer having a recessed balcony. The rear dormer would be 3.6m wide, 2.4m deep and 2.3m high.

4. Public Consultation

Consultation letters were sent to 15 No. neighbouring properties.

6 No. responses have been received by way of objections.

3 No. objectors requested to speak at committee.

The comments and objections are as follows:

-Proposed changes to the north elevation of 2 Howes Close would significantly and negatively impact upon the view that residents have

-Materials not in keeping

-Loss of light through neighbouring accessing stairs

-Solid brick wall only 2 metres (approx.) away from neighbouring property leading to a sense of enclosure

-The design would unbalance the houses

-Bulk of extension is out of proportion to the plot of land on which the house stands

-Frontage out of kilter with the Arts and Crafts style of the other two houses

-Windows and glazing are oversized and unpleasant looking in the context of the surrounding properties

-Dormer window will adversely impact the privacy of neighbouring house and rear garden

-Front driveway incongruous with the surrounding houses

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

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

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

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

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

5.3 Assessment of proposals

The application proposes the construction of an extension on part of the flat roof of the property to form a new room for storage purposes.

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

Policy DM01 seeks to protect and enhance Barnet's character to create high quality places. The Design and Access Statement submitted states that the design includes the idea of dividing, overlapping and merging to form the new from the existing. The architects have taken the 'modernist primary shapes from the local arts and craft vernacular of the properties within the locality and utilised the geometries of the existing catslide roof'.

Furthermore they have stated that 'The division and the unifying of the historic site pivots around the heart of the house, the central atrium'.

Section 14.15 of the Residential Design Guidance SPD 2016 states:

'Side extensions should not be more than half the width of the original house. In addition, the setting back of the front wall of side extensions from the front building line can help to reduce the visual impact on the street scene. First floor side extensions should normally be set back 1 metre from the front main wall of the existing house'.

The proposed extensions would to each side measure less than half the width of the dwelling and due to the siting of the catslide roof would allow for an adequate set back when viewed in relation to the neighbouring properties at the Vicarage and No. 3 Howes Close. Therefore, the proposed design is considered to enhance and protect the character of the existing house whilst allowing for much needed habitable rooms without compromising the existing design.

Whilst the neighbouring vicarage house has a traditional design including dormers and two storey outriggers, the neighbouring property at No. 3 Howes Close is similar in design to the proposal property at No. 2, having characteristic catslide roof elements and dormer roof extensions, albeit both neighbouring properties are considerably larger in size than No.2 .`

It is considered important that there is adequate visual interest on the front roof given its significant expanse. The applicant has put forward rooflight style glazing to allow for this which is acceptable as long as privacy is maintained.

The proposed extensions would allow for a more even streetscene and would not have an adverse impact on the current streetscene on this private road.

Objections have been raised in relation to the proposed materials for the extensions including roof tiles. The applicant has provided amended drawings showing that the proposed brickwork and roof tiles will match the existing dwellinghouse. This would allow for continuity within the design and would in turn protect the existing character of Howes Close and its' current streetscene. In order to ensure high quality materials a condition requesting the submission of materials is attached.

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

Objections have been raised in relation to loss of light and a sense of enclosure to neighbouring properties. It is considered that the scheme in relation to the neighbouring amenities would not cause loss of light or a sense of enclosure. Whilst the proposed first floor element would project forwards adjacent to the side elevation facing The Vicarage, the extension would be set away from this neighbouring side boundary by approximately 1m. Furthermore, historic drawings show that the first floor window facing the proposal property from this neighbouring site serves a bathroom and not a habitable room. The extension would include a prolonging of the existing catslide element and thus lowers in height the further forwards it projects.

The proposed two storey element facing No. 3 Howes Close will replace the garage. This house is set considerably higher than the proposal property. The new extension would be set down by a minimum of 1.7m below the roof of the neighbouring dwellinghouse. The extension would be set at least 1m away from this side boundary. The side window with on the neighbouring property serves a staircase which leads to the downstairs hallway. Generally, landing windows do not serve habitable rooms and therefore such an impact in practice is generally acceptable. It is not considered that the extension would be so harmful as to warrant refusal of the scheme. Thus whilst the extension would be seen from this side window, the extension would not project rearwards beyond the existing rear elevation of the proposal property. No windows are proposed within the side elevations and therefore there would be no overlooking on to the neighbouring amenities.

Furthermore, the existing two storey rear projection will be removed from the house and the construction of a rear dormer window and recessed balcony will be centralised into the roof. It is not considered that any further overlooking is envisaged from the recessed terrace beyond the rear dormer window.

Thus, the proposed extensions are deemed acceptable in regard to amenity of neighbouring occupiers.

Outlook and natural light

Furthermore, the proposed scheme would provide sufficient light and outlook to current and future occupiers. The design allows for adequate natural light from the proposed glazing within the enlarged rooflights. This would enhance the outlook to the inhabitants.

Private amenity space:

The development would retain and maintain the private amenity space to the rear. These would comply with the requirements set out in Table 2.3 of the adopted Sustainable Design and Construction SPD (2016) and it is thus considered that the proposed extension would not compromise the sites amenity space.

Conclusion

It is therefore concluded that the application is acceptable in relation to the size, siting and design. The extension would not compromise the character of the immediate locale and current streetscene and would have an acceptable impact on the neighbouring amenities. The proposal is not contrary to the Residential Design Guidance SPD 2016 and associated planning policies. The application is recommended for APPROVAL subject to conditions.

5.4 Response to Public Consultation

Dealt with within the main body of the report.

6. Equality and Diversity Issues

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

7. Conclusion

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



This page is intentionally left blank

011, 411-L-100H, 411-L-105A, 411-L-110J, 411-L-120G, 411-L-200J, 411-L-230G, 411-L-240H, 411-L-250D, 411-L-300F, 411-L-320G, 411-L-330G, 411-L-315D, 411-L-310F, 411-L-305D, Acoustic Report from Arup Acoustics dated 09/06/08 and numbered 123813/MJW.

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 pedestrian access in the boundary wall fronting East End Road and the secondary access in the boundary wall with Pavillion Mews shall only be used for the purpose of the emergency evacuation of the site and shall be used for no other purpose.

Reason: In the interests of safeguarding residential amenity and in compliance with policies DM01, DM02, DM13 and DM17 of the Adopted Local Plan Development Management Policies DPD (2012) and policies CS1, CS NPPF and CS9 of the Local Plan Core Strategy (2012).

- 4 No external lighting, floodlighting or other means of external illumination shall be affixed to the external elevations of the building, or placed/erected within the site without the prior written consent of the local planning authority pursuant to a planning application. Any external lighting, floodlighting or other means of external illumination shall be installed and thereafter retained in full accordance with the approved details.

Reason: To enable the local planning authority to retain control over these matters in the interests of the amenities of adjoining properties and to safeguard the setting of the adjoining listed building and in compliance with policies DM01, DM02, DM06, DM13 and DM17 of the Adopted Local Plan Development Management Policies DPD (2012) and policies CS1, CS NPPF, CS5 and CS9 of the Local Plan Core Strategy (2012).

- 5 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 and in compliance with policies DM01, DM02 of the Adopted Local Plan Development Management Policies DPD (2012) and policies CS1, CS NPPF and CS9 of the Local Plan Core Strategy (2012).

- 6 The use of the premises for the purposes hereby permitted (unless otherwise agreed in writing by the local planning authority or as set out in any associated legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) shall only take place between the hours of 8.00am and 10.30pm Fridays and 8.00 and midnight Saturdays and between 7.30am and midnight on all other days.

Reason: In the interests of the amenity of occupiers of neighbouring residential properties and in compliance with policies DM01, DM02, DM13 and DM17 of the Adopted Local Plan Development Management Policies DPD (2012) and policies CS1, CS NPPF and CS9 of the Local Plan Core Strategy (2012).

- 7 The level of noise emitted from the operation and use of the synagogue 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 any neighbouring property which existed at the time of this decision notice. If the noise emitted has a distinguishable, discreet 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 1metre outside the window of any room of any existing neighbouring property at the time of this decision notice.

Reason: In the interests of safeguarding residential amenity and in compliance with policies DM01, DM02, DM13 and DM17 of the Adopted Local Plan Development Management Policies DPD (2012) and policies CS1, CS NPPF and CS9 of the Local Plan Core Strategy (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. 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 Sternberg Centre is located on the southwest side of East End Road opposite the junction with Manor View. The Sternberg Centre occupies a site of approximately 3.03 hectares and incorporates a mixture of land uses, functions and facilities principally for the Jewish Community.

Beyond the site, the area is predominantly residential, although there is another school adjoining the site along East End Road to the southeast and sports grounds to the opposite side of East End Road. Basing Way housing estate is located to the south of the site.

The site comprises:

- o An 18th Century moated site which is designated as a Scheduled Ancient Monument.
- o An 18th Century three storey Manor House which is designated as a Grade II* Listed Building.
- o A three storey flat roofed extension and link building to the side of the Manor House.
- o A three storey modern building (the Beit Limmud building) and a number of original single storey outbuildings (the stable block).
- o A two storey house on the south east corner of the site that provided accommodation for the caretaker.
- o A newly built school.

The site is not located in a conservation area. There are a number of Tree Preservation Orders for the site and there is an area order for the area around the external boundaries of the site along East End Road and along the boundary with the Basing Way Estate.

The Sternberg Centre plays a major role in the life of the Jewish Community. It includes the central facility of Reform Judaism in the UK and accommodates a large number of organisations that inter-act to provide religious and community services to both the local and national Jewish Communities.

The site essentially contains the Head office and community centre of Reform Judaism in the UK and Europe, the Akiva primary school, the New North London Synagogue and Gan Alon Nursery and the Leo Baeck College and Centre for Jewish Education. The Sternberg Centre was established in 1981 after the Manor House and its grounds were collectively purchased by a number of Jewish organisations. Together they formed the Manor House Trust, which administers the site.

2. Site History (selected)

Reference: 14/07798/S73

Address: The Sternberg Centre For Judaism, The Lodge, 80 East End Road

Decision: Refused

Decision Date: 27.01.2017

Description: Variation of condition 18 (Hours of Use) pursuant to planning permission reference F/00690/08 dated 24/07/2008 for 'Erection of synagogue (Variation of planning permission C00403CL/05 dated 30-09-2005 for demolition of existing Akiva School, link

block, caretakers house and all timber-framed and prefabricated outbuildings, and erection of new Akiva School block adjacent Windermere Avenue and Pavillion Mews, new synagogue adjacent St. Theresa's Primary School and extension and alterations to existing stable block/Biet Limmud building including meeting/conference rooms, associated offices and canteen, together with associated changes to landscaping, provision of 50 car-parking spaces, single storey refuse store and alterations to Manor House). Variations to include relaxation of restricted hours of use to allow extension of opening hours of premises between 8.00am and Midnight Fridays and Saturdays and between 7.30am and Midnight on all other days

Reasons for refusal:

The proposed variation to hours in this predominantly residential area would cause harmful loss of residential amenities to surrounding residents. The proposals would be contrary to policies DM01 and DM13 of the Adopted Barnet Development Management Policies 2012. Appeal Status: Appeal in progress.

Reference: F/00008/11

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Approved subject to conditions

Decision Date: 15 March 2011

Description: Variation of Condition 7 (Cycle Parking) pursuant to planning permission F/00690/08 dated 24/07/08 to alter location of cycle parking (but not number of spaces).

Reference: F/04726/10

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Approved subject to conditions

Decision Date: 8 February 2011

Description: Use of vacant building (Stables block) as a Jewish Military Museum (Use class D1). Internal alterations including extension to existing Mezzanine (25m²). Alterations to roof including insertion of 4 dormer windows facing courtyard. Replacement of all windows and doors with new double glazed windows and doors.

Reference: F/00730/08

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Approved subject to conditions

Decision Date: 24 July 2008

Description: Erection of synagogue (Variation of Listed Building consent C00403CM/05 dated 30-09-05 for demolition of existing Akiva School, link block, caretakers house and all timber-framed and prefabricated outbuildings, and erection of new Akiva School block adjacent Windermere Avenue and Pavillion Mews, new synagogue adjacent St. Theresa's Primary School and extension and alterations to existing stable block/Biet Limmud building including meeting/conference rooms, associated offices and canteen, together with associated changes to landscaping, provision of 50 car-parking spaces, single storey refuse store and alterations to Manor House) (LISTED BUILDING CONSENT)

Reference: F/00690/08

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Approved following legal agreement

Decision Date: 24 July 2008

Description: Erection of synagogue (Variation of planning permission C00403CL/05 dated 30-09-2005 for demolition of existing Akiva School, link block, caretakers house and all

timber-framed and prefabricated outbuildings, and erection of new Akiva School block adjacent Windermere Avenue and Pavillion Mews, new synagogue adjacent St. Theresa's Primary School and extension and alterations to existing stable block/Biet Limmud building including meeting/conference rooms, associated offices and canteen, together with associated changes to landscaping, provision of 50 car-parking spaces, single storey refuse store and alterations to Manor House).

Reference: C00403CL/05

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Approved following legal agreement

Decision Date: 30 September 2005

Description: Demolition of existing Akiva School, link block, caretakers house and all timber-framed and prefabricated outbuildings, and erection of new Akiva School block adjacent Windermere Avenue and Pavillion Mews, new synagogue adjacent St. Theresa's Primary School and extension and alterations to existing stable block/Biet Limmud building including meeting/conference rooms, associated offices and canteen, together with associated changes to landscaping, provision of 50 car-parking spaces, single storey refuse store and alterations to Manor House.

Reference: C00403CG/04

Address: The Sternberg Centre For Judaism, 80 East End Road, London, N3 2SY

Decision: Refused

Decision Date: 29 July 2004

Description: Demolition of existing Akiva School, link block, caretakers house and all timber-framed and prefabricated outbuildings, and erection of new partially submerged Akiva School block adjacent Windermere Avenue, new synagogue adjacent St. Theresa's Primary School and extension of existing stable block/Biet Limmud including an auditorium partially positioned below ground level, together with associated changes to landscaping, car-parking and alterations to Manor House.

3. Proposal

Permission is sought for the variation of condition 18 (hours of use) of planning permission F/00690/08 dated 24/04/2008. That application sought planning permission for the Erection of synagogue (Variation of planning permission C00403CL/05 dated 30-09-2005 for demolition of existing Akiva School, link block, caretakers house and all timber-framed and prefabricated outbuildings, and erection of new Akiva School block adjacent Windermere Avenue and Pavillion Mews, new synagogue adjacent St. Theresa's Primary School and extension and alterations to existing stable block/Biet Limmud building including meeting/conference rooms, associated offices and canteen, together with associated changes to landscaping, provision of 50 car-parking spaces, single storey refuse store and alterations to Manor House).

Condition 18 of the planning permission stated the following:

The use of the premises for the purposes hereby permitted (unless otherwise agreed in writing by the local planning authority or as set out in any associated legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) shall only take place between the hours of 8.00am and 10.30pm Fridays and Saturdays and between 7.30am and 10.30pm on all other days.

Reason: In the interests of the amenity of occupiers of neighbouring residential properties.

The application proposes the variation of the condition to achieve the following:
The use of the premises for the purposes hereby permitted (unless otherwise agreed in writing by the local planning authority or as set out in any associated legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) shall only take place between the hours of 8.00am and 10.30pm Fridays and 8.00am and midnight Saturdays and between 7.30am and midnight on all other days.
Reason: In the interests of the amenity of occupiers of neighbouring residential properties.

The variation is to keep the existing hours on Friday but increase the closing hours from 10.30pm until midnight all other nights. The previously refused variation to the hours sought to extend the opening hours to midnight on all nights.

4. Public Consultation

Consultation letters were sent to 146 neighbouring properties.
15 responses have been received, comprising 13 letters of objection and 2 letters of support.
The objections can be summarised as follows:

- o The existing hours were in place to minimise disruption however there are noisy activities taking place. The Activities Management Plan (AMP) allows for a relaxation of the controls on certain days and holidays. Because of this, other restrictions should not be relaxed.
- o There is anti social behaviour which occurs, generally when people are leaving the site including banging of car doors, people talking, headlights shining into neighbouring windows.
- o There is insufficient car parking in the area to accommodate the demand from this site. The parking that was meant to be provided for this development has not been constructed.
- o The extended hours and the resulting noise and illumination from the site would only increase the detrimental effect the site has had on wildlife in the area
- o Lack of privacy for neighbouring residents as a result of people entering and exiting via the external stairwell
- o This is not the first time they have applied for additional hours. It has previously been refused and should be refused again.
- o There are outstanding issues at the site including the fee payable under the s106 agreement which should be dealt with before anything else for this site is considered.
- o The figures given in the statement are not accurate
- o The statement says no objections have been received but there have been complaints directly to the NNLS and Councillors and enforcement.
- o The site does not keep windows closed nor the fire door and there is a lack of privacy and exacerbated noise as a result.
- o The additional 1 and ½ hours needed to get people out of the building is unnecessary

The representations can be summarised as follows:

- o Terminating events earlier takes away from these events considerably
- o Such restrictions do not apply to other similar developments
- o The synagogue is an invaluable community asset.
- o No noise complaints have been made
- o The events held ensure doors and windows are closed and no disturbance to neighbours.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2015

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

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS9 and CS10
- Relevant Development Management Policies: DM01, DM02, DM04, DM13 and DM17

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the local highway network would be able to accommodate any additional parking demand arising from the proposed extension to the hours of use.
- The implications for the development on the existing Section 106 agreement and its future implementation.

5.3 Assessment of proposals

Permission is sought for the variation of condition 18 (hours of use) of the synagogue building which was permitted under planning application permission F/00690/08. That

application was a variation of an earlier planning permission in 2005 for the erection of a new school and synagogue. This variation seeks permission for the synagogue to be able to be used until midnight on all days other than Friday. The planning application F/00690/08 was granted on 24 July 2008 and was completed in 2011. This would be in addition to the relaxation of hours of use controls permitted for holy days, holidays and religious festivals in written agreement with the Council. These days are defined by the Section 106 agreement as being Pesach (four days), Shavuot (2 days), Succoth (3 days), Yom Kippur (1 day), Rosh Hashanah (2 days), Chanukah (1 day), Purim (1 day) and Simchat Tora (1 day).

The planning application F/00690/08 was submitted to the Council to deal specifically with sound insulation and acoustic impact details that lead to design changes requiring a further application to be submitted. Although the option of non-material minor amendments was considered, officers were of the view that these alterations to the design and the possible amenity implications were material and as such, an application for a variation of the previous planning permission was made.

The applicant is the New North London Synagogue and they have advised that since the building has been occupied, the premises have been used as a valuable community resource not just for the membership but also for the wider community in the area. The facilities allow for the site to accommodate life cycle and rites of passage events such as Bar Mitzvahs and wedding celebrations. The applicant has advised that there have been 25 Bar Mitzvahs and other celebratory parties since moving into the building in April 2011. The applicants have taken particular steps to ensure that no disturbance takes place to neighbours, including the closure of any openings, sound level limitation and servicing and disposal on the day after.

However the 22.30pm finish has meant that there is reluctance from the community to holding such events at the Sternberg Centre. The applicant has advised that in practice, celebrations have to stop much earlier to allow sufficient time to vacate elderly people and disabled people from a celebration before 22.30pm. Nevertheless, it is considered that the existing operational activities would be able to occur satisfactorily within the existing hours set out within Condition 18 of the 2008 planning permission.

The condition was imposed on the planning permission to protect the amenity of occupiers of the neighbouring residential properties. Any impacts can manifest themselves in two ways, firstly through the noise impacts arising from the actual use whether that may include amplified noise and sound and the or from the movements and activities of people dispersing from the premises after the conclusion of the use of the synagogue as approved.

Environmental Health officers were consulted on the planning application and provided a written response to officers. Further clarification was sought from the applicant who confirmed their current practices of closing windows during amplified speech and music and compliance with condition 26. No objections were raised by Environmental Health officers to extending the hours.

Objectors have stated complaints have been lodged with the New North London Synagogue directly and with the Council. Environmental Health Officers have advised that no specific complaints have been recorded relevant to this proposal and there is nothing to suggest a recent nuisance has been witnessed at the site. Complaints were made some years ago relating to building works which are not relevant to this proposal. The applicant

has confirmed they have not received any complaints by residents about noise at evening NNLS events.

Nevertheless, the potential for the site to be used until later in the evening and for events requiring amplified noise and sound will require some safeguards including confirmation that windows and openings will be closed at times when amplified sound is not broadcast but when there may be high attendance. In addition, the sound limiter should ensure that noise events are at least 5dB(A) below the background noise level as measured from any point 1 metre outside the window of any room of neighbouring residential properties.

The original hours of use condition was considered acceptable and reasonable in providing a balance between the needs of the users and the function of the site along with the amenity considerations of neighbours. A number of objectors have raised concerns about people returning to cars parked around local streets, turning on headlights, closing car doors, talking loudly in a peaceful residential environment. The environmental health officer has not received any specific complaints in relation to the use of the synagogue in connection with these actions.

The Section 106 agreement has been revised and secures the implementation and adherence to an Activities Management Plan (AMP) to ensure that the Council retains oversight of the activities, times and population on the site at any one time. The AMP sets out requirements which include the details of the estimated number of parking spaces, sound attenuation measures and management and stewarding of attendees to mitigate against any adverse impact on the locality. The AMP also obliges the applicants to provide CCTV pictures and records of events and numbers of attendees to the Council on request. The AMP also requires the applicants to direct their attendees to be considerate to neighbours and to have a named person for responding to complaints.

The proposal does not give rise to any additional floorspace and the AMP will still impose restrictions on the numbers of attendees on the site and in conjunction with a Car Parking Management Plan that is also secured through the Section 106 legal agreement, it is considered that the proposed variation of the condition would not give rise to any additional parking. Highways officers have been notified of this application and have raised no objections to this application.

In varying the condition, the Council has had regard to the requirements of the NPPF and the NPPG to ensure that the condition passes the tests set out therein and is an appropriate method to address the obvious impacts that would arise from the development. The extension of the hours to midnight would be acceptable and would not give rise to an unacceptable level of harm given all the safeguards that exist. It is noted that condition 26 of the decision notice states that the noise from the air handling unit, chiller, shul exhaust fans, kitchen extract fans and the ground source heat pump shall be at least 5dB(A) below the background noise level as measured from any point 1 metre outside the windows of any room of a neighbouring property. This would help mitigate any noise impacts to surrounding residents.

Given the questions raised by the environmental health officer about amplified noise and sound and the applicants willingness to use sound monitors and limiters, it would be appropriate to also ensure that this condition is amended to include all noise the premises. As such, former Condition 18 (now condition 6) should be amended as follows:

The use of the premises for the purposes hereby permitted (unless otherwise agreed in writing by the local planning authority or as set out in any associated legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) shall only

take place between the hours of 8.00am and 10.30pm Fridays and 8.00 and midnight Saturdays and between 7.30am and midnight on all other days.

Reason: In the interests of the amenity of occupiers of neighbouring residential properties.

And, former Condition 26 (now Condition 7) should be amended as follows:

The level of noise emitted from the operation and use of the synagogue 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 any neighbouring property which existed at the time of this decision notice. 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 any existing neighbouring property at the time of this decision notice.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

As already stated, given the mixture of different uses and occupiers within the Sternberg Centre as outlined at the head of this report and to limit the impact of the proposed development on the residential amenity of neighbouring properties, a Section 106 agreement has been in place since 2005 subsequently varied by the 2008 application. This is now replaced by a revised and updated S106 agreement which disregards matters which are no longer relevant and takes forward the matters which mitigate harm. This consists of three key elements: (A) Site development and phasing plan (B) Activities Management Plan and (C) Car Parking Management Plan (CPMP).

As part of the Legal Agreement attached to C00403CL/05 and F/00690/08, the applicants agreed with the Council to make a staged payment of £205,000 to research and identify the likely highway impacts arising from the development and to design, develop and implement the mitigation measures arising from the studies. The legal agreement established that at Stage 1, £65,000 would be paid to the Council towards the cost of designing the baseline parking review. Stage 2 would seek the payment of £25,000 to implement this review. Stage 3 would consist of a payment of £25,000 towards the cost of design, preparation and consultation of the Traffic Management Improvements. Stage 4 would comprise a payment of £155,000 towards the cost of implementing the Traffic Management Improvements. The Stage 1 payment was required to be made within 28 days of the commencement of the construction of the Akiva School.

Construction began in 2006 and completed in 2008. The Hall was also completed several years ago. Given that the actions in Stage 2 did not take place, it follows therefore that Stages 2, 3 and 4 cannot be taken forward. Given that the triggers have been missed by the Council, no further payments can be made. The applicants sought a refund of £65,000 from the Council of the monies that had been paid. The Council was not in a position to support this and under the dispute resolution terms of the legal agreement, the applicants enacted section 5 of the Agreement where an independent expert witness would determine whether any party (applicant or Council) would pay the other any undue costs.

The applicants sought reimbursement of £65,000 comprising the Stage 1 costs, given that it failed to enact any of the subsequent stages pursuant to the actions associated with the parking review or the development of mitigation measures. The expert adjudicated that a sum of £16,500 should be paid in reimbursement and concluded that there is no legal scope to secure further payment in this regard.

Following the refusal of the previous application by the Finchley and Golders Green Committee in January 2017, the applicants have sought to appeal against the refusal demonstrating that the additional hours would not result in any significant harm to the local residential amenity. Furthermore, they assert that they have robust management measures to ensure that no harm exists. The decision of the Inspector is due imminently. This proposal is similar to the previously refused scheme except that the applicant proposes to retain the existing hours on Friday (whereas they previously sought to extend the hours to midnight on all nights).

While the appeal decision is pending, officers have agreed with the applicants to take forward a revised legal agreement to capture the enforceable obligations such as the activities management plan, the car parking management plan and the phasing plan. In order to support the appeal process, the applicant was required to agree with the Council a completed unilateral undertaking which was processed and sent to the Planning Inspectorate in accordance with the 'Planning Appeals: Procedural Guide (2016).

This application would also be subject to the same legal agreement which has already been completed. Irrespective of the outcome, a planning permission will still be subject to the obligations set out in a legal agreement either from 2008 or from the current appeal and application.

As such, it is considered that the recommendation associated with this application to vary condition 18 should be accompanied by a wholly new legal agreement that seeks to take forward the same terms of the previous legal agreement including the AMP and CPMP. A S106 has been signed and executed ahead of this committee report.

5.4 Response to Public Consultation

The objections raised have been considered in the report above.

Other matters:

- o There are outstanding issues at the site including the fee payable under the s106 agreement which should be dealt with before anything else for this site is considered: A new section 106 is in place which removes the reference to the financial contribution as it is no longer applicable. This is detailed above.

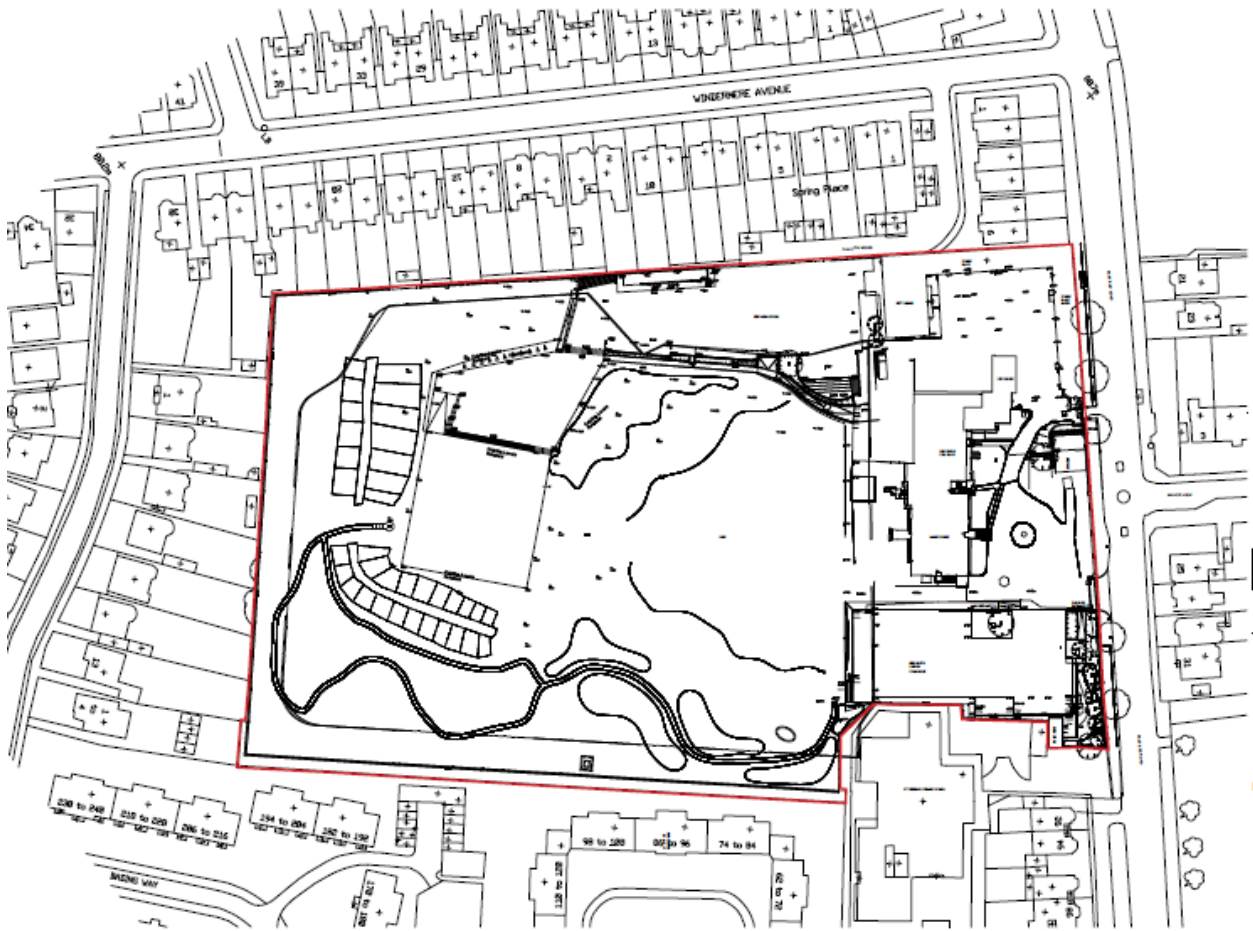
- o The statement says no objections have been received but there have been complaints directly to the NNLS and Councillors and enforcement: No complaints have been received by either the NNLS or Council.

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 all other relevant attached conditions, the variation of the hours of use condition is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



This page is intentionally left blank