

MEETING

CHIPPING BARNET AREA PLANNING COMMITTEE

DATE AND TIME

TUESDAY 3RD SEPTEMBER, 2019

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

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

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

Richard Cornelius
Tim Roberts

Laurie Williams
Roberto Weeden-Sanz

Reema Patel

Substitute Members

Alison Cornelius
Thomas Smith
Lisa Rutter

Paul Edwards
Jo Cooper

Pauline Coakley Webb
Julian Teare

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

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

Andrew Charlwood – Head of Governance

Governance Service contact: chippingbarnet@barnet.gov.uk

Media Relations contact: Gareth Greene 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of last meeting	5 - 10
2.	Absence of Members (if any)	
3.	Declaration of Members' Disclosable Pecuniary interests and Non Pecuniary interests (if any)	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	2 Bruce Road Barnet EN5 4LS (High Barnet)	11 - 24
7.	Queen Elizabeths School Queens Road Barnet EN5 4DQ (High Barnet)	25 - 34
8.	42 Brookhill Road Barnet EN4 8SL (East Barnet)	35 - 56
9.	4 Mount Road Barnet EN4 9RL (East Barnet)	57 - 68
10.	Kingmaker House Station Road Barnet EN5 1NZ (Oakleigh)	69 - 106
11.	Any item(s) the Chairman decides are urgent	

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Decisions of the Chipping Barnet Area Planning Committee

15 July 2019

Members Present:-

AGENDA ITEM 1

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

Councillor Richard Cornelius Councillor Reema Patel
Councillor Tim Roberts Councillor Roberto Weeden-Sanz
Councillor Laurie Williams

CHAIRMAN'S INTRODUCTION

The Chairman welcomed everyone to the meeting and explained that the running order had been revised.

1. MINUTES OF LAST MEETING

RESOLVED that the minutes of the meeting held on 12 June 2019, 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)

Councillor Patel declared a non-pecuniary interest, as she knew one of the speakers – agenda item 8 (20 Queens Parade).

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

Items contained within the addendum would be dealt with under individual agenda items.

6. DAVID COURT 1044 - 1046 HIGH ROAD LONDON N20 0QR (TOTTERIDGE)

The Committee received the report and the addendum.

Representations were received from Christos Protopapas and Yvette Scherer

RESOLVED that the application be approved, subject to the conditions in the report AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the

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

FOR	4
AGAINST	2
ABSTAINED	1

7. WOODSIDE PARK UNDERGROUND STATION, STATION APPROACH LONDON N12 8SE (TOTTERIDGE)

The Committee received the report.

Representations were heard from Ash Selby, Olivia Ellah and the applicant.

The Committee voted on the Officer’s recommendation to approve the application:

FOR	3
AGAINST	4
ABSTAINED	0

It was moved by Councillor Sowerby and seconded by Councillor Cornelius, that the application be **REFUSED** for the following reasons:

1. The proposed development in particular ‘Block B’ by reason of its massing, excessive height, close proximity to St Barnabas Church and its extensive depth across the entire rear elevation of the Church Building would detrimentally harm the setting of the Locally Listed Building. Furthermore, the proposed building would significantly obscure the rear elevation of this non designated heritage asset when viewed from the Northern Line and be visually obtrusive when viewed from Holden Road contrary to policies 7.4, 7.6 and 7.8 of the London Plan, policies CS1 and CS5 of Barnet’s Adopted Core Strategy (2012) and policies DM01 and DM06 of the Adopted Development Management Policies DPD (2012) and paragraph 197 of the National Planning Policy Framework 2019.
2. The proposal would provide no off-street parking or disabled provision to serve the proposed development. This would result in additional kerbside parking to the detriment of highway and pedestrian safety and the free-flow of traffic, contrary to policy 6.13 of the London Plan and policies CS9 and CS15 of the Local Plan Core Strategy (adopted September 2012), and Policy DM17 of the Local Plan Development Management Policies DPD (adopted September 2012).

FOR (refusal)	4
AGAINST (refusal)	2
ABSTAINED	1

RESOLVED that the application be refused for the reasons detailed above.

8. 6 ARNCLIFFE CLOSE LONDON N11 3FD (COPPETTS)

The Committee received the report.

A Representation was heard from the applicant's agent.

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

FOR	4
AGAINST	2
ABSTAINED	1

9. 1 HALLIWICK COURT PARADE WOODHOUSE ROAD LONDON N12 0NB (COPPETTS)

The Committee received the report and addendum.

A Representation was heard from Mr Derry Murphy

RESOLVED that the application be approved subject to the conditions detailed in the report, **PLUS** a further condition, agreed at the meeting, restricting amplified music after 8pm **AND** the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or 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).

FOR	6
AGAINST	1
ABSTAINED	0

10. 20 QUEENS PARADE FRIERN BARNET ROAD LONDON N11 3DA (COPPETTS)

The Committee received the report.

RESOLVED that the application be approved, subject to the conditions detailed in the report **AND** the Committee grants delegated authority to the Service Director –

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

FOR	5
AGAINST	1
ABSTAINED	1

11. ABBEY ARTS CENTRE 89 PARK ROAD BARNET EN4 9QX (EAST BARNET)

The Committee received the report and the addendum.

A representation was heard from the applicant's agent.

RESOLVED that the application be approved, subject to the conditions detailed in the report **AND** the Committee grants delegated authority to the Service Director – Planning and Building Control 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).

FOR	7
AGAINST	0
ABSTAINED	0

12. WEST END HOUSE 56 TOTTERIDGE COMMON LONDON N20 8LZ (TOTTERIDGE) 19/2330/HSE

The Chairman informed the Committee that this report and the other report on West End House would be taken in tandem, but with separate votes.

The Committee received the report and the addendum.

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

FOR	6
AGAINST	1

ABSTAINED	0
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13. WEST END HOUSE 56 TOTTERIDGE COMMON LONDON N20 8LZ (TOTTERIDGE) 19/2331/LBC

The Committee received the report and addendum.

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

FOR	5
AGAINST	1
ABSTAINED	1

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

None.

The meeting finished at 9.15pm

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the conditions considered necessary by the Service Director – Planning and Building Control or Head of Strategic Planning:

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

Site Location Plan

Drawing No: 900/18/01 - Existing Plans & Section

Drawing No: 900/18/02 - Existing Elevations

Drawing No: 900/18/03 Rev A - Proposed Plans

Drawing No: 900/18/04 Rev A - Proposed Elevations

Planning and Design and Access Statement

Odour Impact Assessment, Accon UK, 25.04.2019

Environmental Noise Impact Assessment, Sound Advice Acoustics Ltd, SA - 5868 rev 2, 1st February 2019.

Sustainability Statement

Flood Map

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

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

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

- 3 No development 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.

Details shall include:

Details of the new shop fronts including the fascia and pilaster features at 1:20 scale

Details of windows to be submitted for approval at 1:20 scale. (New windows shall be timber, double-hung, vertical sliding sashes. Cills to match those of the existing windows).

Details of doors to be submitted for approval at 1:20 scale.

All new external rainwater goods and soil pipes shall be of cast iron, painted black. No new plumbing, pipes, soilstacks, flues, vents or ductwork shall be fixed on the external faces of the building unless shown on the drawings hereby approved.

All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the

drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM06 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 unit 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.

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.

- 5 Anti-vibration mounts shall be installed on the flue serving Dory's Café, prior to the first occupation of the development and retained as such thereafter. Details shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the amenities of occupiers are not prejudiced by noise from the flue, in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted 2016) and 7.15 of the London Plan 2016.

- 6 The mitigation measures outlined in the report by Sound Advice Acoustics Ltd, ref SA-5868 rev 2, dated 01/01/19 shall be implemented in their entirety prior to the commencement of the use or the first occupation of the development and retained as such thereafter.

Reason: To ensure the amenities of occupiers are not prejudiced by traffic/mixed use noise in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted 2016), and 7.15 of The London Plan 2016.

- 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).

RECOMMENDATION III:

- 1 That if the above agreement has not been completed by 3 November 2019, unless otherwise agreed in writing, the Service Director - Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development fails to provide a legal undertaking to enable an amendment to the Traffic Regulation Order and contribution to the associated costs to mitigate the on-street parking impacts in the vicinity of the site, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), Policy DM17 of the Development Management Policies DPD (adopted September 2012) and the Planning Obligations SPD (adopted 2016).

Informative(s):

- 1 In accordance with paragraphs 38-57 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 £60 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 points should be located within 10 metres 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.
- 4 The developer is required apply to the Highway Authority for a Projection Licence under Highways Act 1980 for any overhanging over the public highway. The overhang must be a minimum height of 2.7 metres above the footway and 4.1 metres above the carriageway.
Advice on projection licence can be obtained from Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 5 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.

- 6 If a concrete pump lorry is operated from the public highway, the surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant

shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.

- 7 The applicant is advised that this permission does not grant consent for any advertisement for which advertisement consent may be required.

Officer's Assessment

1. Site Description

The application site comprises a two-storey Victorian building, with a Café within the ground floor unit fronting St Albans Road and two retail units fronting Bruce Road.

The building is located on the corner of St Albans Road and is highly visible in a variety of public views, including from the adjoining Barnet market site. The building has a shallow-pitched slate roof which is typical of a number of traditional buildings of this type in the area and makes a characterful contribution to the local streetscene.

The surrounding streets are mixed use (commercial & residential). The subject building is not listed, however the site falls within the Monken Hadley Conservation Area.

The site also falls within the defined Chipping Barnet Town Centre and the retained Café unit falls within the Primary Shopping Frontage. The two retained retail units fronting Bruce Road are within the Chipping Barnet Town Centre but not within the Primary or Secondary Shopping Frontages.

2. Site History

Reference: 18/4801/FUL

Address: 2 Bruce Road, Barnet, EN5 4LS

Decision: Withdrawn

Decision Date: 25.09.2018

Description: Change of use to ground and first floor to form 9 HMO rooms and ancillary facilities, retaining retail use at ground floor comprising two retail units with revised window and door openings to all elevations. Changes to shopfront. [Amended Description]

Reference: N09561A

Proposal: Change of use of part of ground floor from Class B1 (Light Industrial) to Class A1 (retail) to provide two shops and alterations to elevations to provide new shopfronts and new windows at ground and first floor levels.

Decision: Approved subject to conditions

Date of Decision: 06.06.1990

Reference: N09561

Proposal: Provision of windows in southern, western and eastern elevations at first-floor level.

Decision: Approved subject to conditions

Date of Decision: 21.11.1989

3. Proposal

This application seeks planning permission for:

"Change of use to ground and first floor to form 8 HMO rooms and ancillary facilities, retaining retail use at ground floor comprising two retail units with revised window and door openings to all elevations. Changes to shopfront."

The Dory's cafe unit would remain as existing.

8 single occupancy HMO rooms are proposed (2 rooms at Ground Floor and 6 rooms at First floor).

It is proposed to retain two ground floor retail units (16 sq m and 23 sq m) between the existing Dory's Café and the proposed HMO use. The larger retail unit includes a WC within the unit, the smaller unit would share the existing WC with Dory's Café as at present.

Changes to the shopfronts of the two retained retail units are also proposed. The proposal would re-instate the fascia and pilaster features of the shopfronts in order to restore the relationship with the matching shopfront of Dory's Café.

New window and door openings are proposed on all elevations. The new windows would be painted timber sash windows to match the existing.

4. Public Consultation

Consultation letters were sent to 98 neighbouring properties.

13 responses were received comprising 13 objections. The comments received can be summarised as follows:

- Application proposes poor quality accommodation
- No mention of parking or outside space
- Area is already overcrowded, proposal will impact the high street and local businesses
- Proposed entrance/fire exit would be within 1 metre or so of Premier Inn's fire escape - a simultaneous evacuation could compound an already hazardous situation in this cul-de-sac.
- Future residents will be subject to noise impact from neighbouring uses
- Any approval should include an agreement that CPZ permits will not be available to HMO residents
- Overdevelopment
- Will result in parking problems

4.1 Consultees

A summary of consultation responses received is set out below. Further details are included elsewhere in this report.

Highways - No objection subject to legal agreement and conditions.

Environmental Health - No objection subject to condition.

HMO Team - No objection subject to clarifications (now provided).

Urban Design and Heritage - No objection subject to details of materials, windows and shopfront.

CAAC 18th (June 2019 meeting) - "Windows and doors to be confirmed as painted timber".

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 revised National Planning Policy Framework (NPPF) was published on 19th February 2019. 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, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

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

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

The Draft London Plan 2017

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08, DM09, DM17.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)
Sustainable Design and Construction SPD (adopted October 2016)
Monken Hadley Conservation Area Character Appraisal Statement (2007)
Chipping Barnet Town Centre Strategy (2013).

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of an HMO is acceptable in this location;
- Retail considerations
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether the proposals would provide suitable living conditions for future occupiers of the proposed flats.
- Highways considerations

5.3 Assessment of proposals

Whether the principle of an HMO is acceptable in this location

The proposed development has been the subject of detailed pre-application discussions and a previous withdrawn application (18/4801/FUL).

Policy DM09 of Barnet's Development Management Policies states that 'Proposals for new HMO will be encouraged provided that they meet an identified need, can demonstrate that they will not have a harmful impact on the character and amenities of the surrounding area, are easily accessible by public transport, cycling and walking and meet the relevant housing standards for HMO'.

The applicant has provided evidence which demonstrates that there is an identified need for the HMO use in this location. This includes a map showing existing licenced HMOs in the vicinity the application site and correspondence from Barnet Homes advising that there is an identified demand for HMO places within the vicinity of the site.

The following considerations have been taken into account:

1. The site is located within the defined Chipping Barnet Town Centre boundary and has reasonably good access to public transport.
2. Evidence has been submitted to demonstrate that the proposed HMO use meets an identified need.
3. The site is within an area of mixed character and it would not have a harmful impact on the character and amenities of the surrounding area.
4. The proposal would meet the required HMO standards.

Based on the above, the principle of an HMO use in this location is considered to be acceptable.

Retail considerations

Dory's Café would remain as existing.

Two ground floor retail units (16 sq m and 23 sq m) would be retained between the existing Dory's Café and the proposed HMO use. The larger retail unit includes a WC within the unit, the smaller unit would share the existing WC with Dory's Café as at present.

Whilst there would be a reduction in retail floorspace compared to the existing situation, the site falls outside of the Primary and Secondary shopping frontages and two ground floor retail units would be retained, ensuring an active frontage remains in place.

It is not considered that the proposed development would have a harmful impact on the vitality or viability of Chipping Barnet Town Centre.

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

External alterations are proposed in the form of additional door and window openings and new shopfronts and detailing.

The Urban Design and Heritage team commented on the application, observing that the host building is a 2 storey, Victorian structure which contributes to the character of the Monken Hadley conservation area.

The team advised that if the proposal for a change of use to an HMO is accepted, the proposed external alterations should be respectful of its existing appearance. For example, new windows should match the design and detail of the existing traditional, timber sash windows, including cills and reveals to match the sash window on the north-east elevation. Further details of the proposed shopfront would also be required.

A planning condition is proposed in order to provide details of the proposed windows, door and shopfronts.

Subject to this condition, it is considered that the proposed development would not have a harmful impact on the character and appearance of the host building, street scene and surrounding area and the character and appearance of the conservation area would be preserved.

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

Whilst additional windows are being added to the south-east (front), south-west and north-east elevations, all of these elevations already contain windows and it is not considered that the additional windows will result in any harmful loss of privacy to any neighbouring residential properties.

Whether the proposals would provide suitable living conditions for future occupiers of the proposed development

The proposal complies with the relevant HMO standards and is therefore acceptable in this respect.

No amenity space is proposed. However, as there is public open space within close vicinity of the site and the site is within a town centre location, the lack of amenity space is considered to be acceptable in this case.

Highways

The Highways Department has commented on the proposed development as follows:

"The proposal is for the conversion of the existing ground and first floor units into 8x 1bed HMOs, while retaining part of ground floor retail units, including changes to shop front. The off-street car parking requirement for a proposal such as this is 5 car parking spaces.

However, taking into consideration the following;

- The site is located within a town centre location;
- The site is located within walking distance of local amenities;
- The site has a Public Transport Accessibility (PTAL) score of 3 which considered as good accessibility;
- The site is located within a Control Parking Zone C which operates from Monday to Saturday 8am to 6:30pm.

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.

Please note that cycle parking and cycle storage facilities should be provided in accordance with the London Borough of Barnet's Local Plan, in the interests of promoting cycling as a mode of transport.

Any proposed signage must be a minimum of 2.7m from the ground above the public footway.

Please note and inform the applicant of the below informative.

Recommendation: The proposal is acceptable on highways grounds subject to either a S106 or Unilateral agreement modify the Traffic Order that regulates the Controlled Parking Zone. A contribution of £2,072.55 is required towards the amendment of the Traffic order."

The proposed development would be acceptable on highway grounds subject to a legal agreement to secure permit exemption for the occupiers of the new development.

The applicant has indicated a willingness to enter into such an agreement.

Environmental Health

The Environmental health department have no objection to the proposal subject to conditions requiring anti-vibration mounts to be installed to the existing flue serving Dory's Café and requiring the Noise mitigation measures outlined in the submitted Noise Report to be implemented before first occupation of the development.

HMO Team

The HMO Team commented on the application, stating that is considered to be acceptable subject to clarifications in relations to floor areas, ceiling heights, kitchen sizes and ventilation and fire doors and partitioning.

The requested clarifications were provided by the applicant's in the form of revised drawings (Drawing No: 900/18/03 Rev A - Proposed Plans and Drawing No: 900/18/04 Rev A - Proposed Elevations).

Refuse and Recycling

A ventilated refuse and recycling storage area is proposed, accessed from the west elevation of the building.

5.4 Response to Public Consultation

Addressed elsewhere in this report.

6. Equality and Diversity Issues

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

7. Conclusion

Recommended for APPROVAL, subject to conditions and completion of legal agreement.



Location Queen Elizabeths School Queens Road Barnet EN5 4DQ

Reference: 19/2722/FUL

Received: 14th May 2019

Accepted: 17th June 2019

Ward: High Barnet

Expiry 12th August 2019

Applicant:

Proposal: Relocation of bin store and removal of TPO tree.

AGENDA ITEM 7

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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:

18-178-001-C - Site Location Plan

18-178-002-K - Existing Block Plan with Trees

18-178-003-B - Existing Layout

18-178-200-D - Proposed Block Plan

18-178-202 - Traffic Flow

Design and Access Statement, Hollins, 09/05/19

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) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

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.

6 No refuse or recycling collections shall take place from the site on any Sunday, Bank or Public Holiday or before 8am or after 8pm on any other day.

Reason: To prevent the use causing an undue disturbance to occupiers of adjoining residential properties at unsocial hours of the day.

Informative(s):

- 1 Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

"An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine."

Officer's Assessment

1. Site Description

The application site is Queen Elizabeth Boys School, Queens Road, Barnet, EN5 4DQ.

The developed part of the school site is bound by Queens Road to the West, playing fields to the North and South and residential properties (Byng Road) to the East.

The site consists of a variety of buildings of varying heights and designs constructed at various different times, including a recently built Library block. Planning permission was granted for a new Music Block in December 2017.

None of the school buildings are listed and the site is not within a conservation area.

2. Site History

Reference: 19/1151/FUL

Address: Queen Elizabeth School, Queens Road, EN5 4DQ

Decision: Withdrawn

Decision Date: 30 April 2019

Description: New pedestrian access to school via new access steps leading onto Regina Close. Relocation of the bin store.

Reference: 17/5352/FUL

Address: Queen Elizabeth School, Queens Road

Decision: Approved subject to conditions

Decision Date: 8 December 2017

Description: Demolition of existing classrooms and library and erection of new music classrooms and recital space.

Reference: B/02061/14

Address: Queen Elizabeth School, Queens Road

Decision: Approved subject to conditions

Decision Date: 26 June 2014

Description: Single storey extension to "Heard" building on the north side. Two storey extension towards south side of "Heard Building" to provide a new link and stairs between "Fern" building".

Reference: B/03866/13

Address: Queen Elizabeth School, Queens Road

Decision: Refused

Decision Date: 8 October 2013

Description: Variation of condition 4 (Hours of working), pursuant to planning permission reference B/00048/13 dated 22/02/2013 for: 'Replacement of existing flat roof'. Variation to include: Vary building works working hours to allow working until 16:00 on Saturdays, and 08:30 to 15:00 Sundays.

Reference: B/00048/13

Address: Queen Elizabeth School, Queens Road

Decision: Approved subject to conditions

Decision Date: 22 February 2013

Description: Replacement of existing flat roof with new pitched roof, and new curved roof.

Reference: B/01123/10

Address: Queen Elizabeth School, Queens Road

Decision: Approved subject to conditions

Decision Date: 17 May 2010

Description: Creation of a new building including a new entrance lobby and staircase to food technology room/library to first floor level. Kitchen and dining area on ground floor level.

3. Proposal

Relocation of bin store and removal of TPO tree.

The application proposes:

Relocation of Bin Store to southern boundary of the site close to Regina Close garages.

Removal of Woodpecker damaged TPO Sycamore Tree to be replaced with new Hornbeam Tree alongside. The trunk of the removed Sycamore tree is to be retained to a height of 2.4m as a wildlife habitat.

Amended drawing 18-178-200-D - Proposed Block Plan was received on 19.8.19. The amendment corrects the shape/footprint of the proposed bin enclosure to be consistent with the shape/footprint of the existing fenced enclosure.

4. Public Consultation

Consultation letters were sent to 66 neighbouring properties.

11 responses were received, comprising 10 objections and 1 letter of support.

Objections:

- Proposal will attract rats
- Will attract foxes that will cause damage
- Noise impact of bin lids opening and closing and during collection in early hours of the morning
- Odour impact from bins
- Bins do not get closed properly resulting in litter being scattered around them
- The school could site the bin store elsewhere, away from Regina Close
- Removal of the tree will affect drainage and stability of the garages in Regina Close
- There is no need to remove the tree

Support:

- I do not envisage that we will be adversely affected by this proposal and therefore are happy for it to go ahead

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 revised National Planning Policy Framework (NPPF) was published on 19th February 2019. 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, creates better places in which to live and work and helps make development acceptable to communities... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

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

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

Draft London Plan 2017

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM16, DM17

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

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

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 buildings, the street scene and the wider locality
- Whether harm would be caused to the living conditions of neighbouring residents
- Highways considerations
- Environmental Health considerations
- Trees and Landscaping

5.3 Assessment of proposals

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

The current bin store is located centrally within the school site and as such, currently, collections conflict with staff and students moving around the site.

Collections are currently carried out by and would continue to be collected by a private waste collection company.

The proposed bin store would be located in the south-west corner of the site from an existing fenced enclosure surrounding a sub- station with some amendments in the form of replacement fencing etc.

It is not considered that the proposed bin store would have a harmful impact on the character or appearance of the site or surrounding area due to its position within the school site and behind the Regina Close garages.

The TPO to be removed is in poor condition and would be replaced by a Hornbeam Tree alongside. On this basis, the proposed tree removal and replacement would be acceptable in character and appearance terms.

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

The proposed bin store is to be located to the rear of the garages at the end of Regina Close. The closest residential property is 16 Regina Close which is approximately 15m from the bin store.

The school site is at a lower land level than Regina Close and the store would be located behind the Regina Close garages providing screening from the neighbouring residential properties therefore would not be seen from the neighbours.

Conditions are proposed requiring details of the bin enclosure to be submitted and approved and restricting bin collections times to between 8am to 8pm Monday to Friday only.

Subject to the proposed conditions it is not considered that the proposed bin store would have a harmful impact on the neighbouring residential properties in terms of noise or odour.

Highways

Collections are currently carried out by and would continue to be made by a private waste collection company.

Collection vehicles would enter and exit the school site via the existing coach accesses from the Industrial Estate at the end of Queens Road.

The Highways department has reviewed the application and has no objection to the proposal.

Environmental Health

The Environmental Health department has reviewed the application and has recommended planning conditions to secure details of the refuse storage enclosure and to restrict collection times to between 8am and 8pm Monday to Saturday and at no time on Sunday or Public holidays.

Trees and Landscaping

The Council's Arboricultural Consultant has reviewed the application and provided the following comments:

"The relocated bin store is located very close to the TPO sycamore tree within G3. Which would be adversely affected by the proposal. However, this tree is in very poor condition therefore the best outcome is for this tree to be removed and replaced with a hornbeam.

6.1 Tree works

Fell sycamore trees T36 (applicant's plan).

Replace T36 with a hornbeam tree, planted as an extra heavy standard 14/16 cm girth tree or larger.

7.0 Landscaping

The fencing for the bin store is already in place and new landscape is present. Therefore, no new landscaping is required apart from the replacement tree.

8.0 Ecology

No information provided.

Retention of a large section of a 2.4m high and the main stem to be laid flat on the ground from T36 would provide significant ecological habitats over a long time period.

9.0 Recommendations

No objection, subject to landscaping condition to secure replacement Hornbeam Tree"

The removal of the TPO tree, which is in very poor condition, is therefore considered to be acceptable subject to a condition to secure the replacement Tree.

5.4 Response to Public Consultation

Addressed elsewhere in this report and by way of the suggested planning conditions.

6. Equality and Diversity Issues

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

7. Conclusion

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



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Location 42 Brookhill Road Barnet EN4 8SL

Reference: 18/4011/FUL **Received:** 27th June 2018
Accepted: 12th July 2018

Ward: East Barnet **Expiry:** 6th September 2018

Applicant: Bespoke Building Company Barnet Ltd

Proposal: Demolition of existing bungalow and erection of a 3 storey building with habitable roofspace to facilitate 7no self contained flats. Associated parking, refuse and recycling.

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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:

- 42BR/PP/Site
- 42BR/PP/001A
- 42BR/PP/011
- 42BR/PP/008A
- 42BR/PP/009A
- 42BR/PP/007A
- 42BR/PP/003B
- 42BR/PP/002B
- 42BR/PP/005B
- 42BR/PP/006A
- 42BR/PP/exelevations
- TQRQM18178134402622
- TQRQM18178133159048
- 140717 (A1 Sheet) - Detail Survey

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

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

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

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

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

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

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

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

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of 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, noise 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 5.21, 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 5 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.

- 6 a) No site works (including any temporary enabling works, site clearance and demolition or any investigative works referred in any other conditions, or development) shall be commenced until an ecological survey has been undertaken which details any mitigation strategy that may be necessary and has been submitted to and approved in writing by the Local Planning Authority.
- b) The site clearance and any mitigation measures shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 7 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages shown on Drawing No. 42BR/PP/Site; shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

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

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

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

- 9 a) No development shall take place until a scheme of proposed noise mitigation measures against externally generated traffic/mixed use noise has been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the amenities of occupiers are not prejudiced by traffic/mixed use noise in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016), and 7.15 of The London Plan 2016.

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

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.

- 11 Before the building hereby permitted is first occupied the proposed windows in the flank elevations facing No. 40 Brookhill Road and numbers 1-6 Doggetts Road 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).

12 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).

13 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.

14 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) with exception of the requirement for an accessibility lift. 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.

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 15% 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 The development hereby approved shall not be occupied until the existing access has been closed, the highway reinstated and the new access has been constructed in accordance with the plans submitted to and approved by the Local Planning Authority. The existing redundant crossover(s) is to be reinstated to footway level in accordance with the approved details by the Highway Authority at the applicant's expense. A section 184 licence will need to be obtained from the local highway authority for works on the public highway.

Reason: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety on the public highway and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012

- 17 Prior to occupation of the development the vehicular access shall allow for 2.4 metre by 2.4 metre pedestrian visibility splays to the left and to the right of the access from 2m setback from the back of footway and shall thereafter be maintained free of any visibility obstructions including Fencing of planting of shrubs to provide clear visibility between heights of 0.6 metre and 1 metre above the level of the adjoining highway.

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

- 18 A Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.

Reason: In the interests of safeguarding the existing road corridor in accordance with DM17 of the adopted Local Plan (2012)

Informative(s):

- 1 In accordance with paragraphs 38-57 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 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.

- 3 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

- 4 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.

- 5 The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river
- on or within 8 metres of a flood defence structure or culvert
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

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

- 7 Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW
- 8 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
- 9 The applicant is required to submit a Street Works Licence application to the Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW , 4-6 weeks before the start of works on the public highways.
- 10 For any proposal for new crossovers or modification to the existing crossovers, a separate crossover/access 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.

The applicant is advised that the permitted maximum width for a residential crossover is 4.2 metres.

Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW

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, 2 Bristol Avenue, Colindale, NW9 4EW

- 11 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.

- 12 Surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.

Officer's Assessment

1. Site Description

The proposal relates to a single storey bungalow located on the southern side of Brookhill Road, within the ward of East Barnet. The dwelling sits within a fairly narrow and long plot, with areas of garden to the front and rear of the site. A row of mature trees lies along with the eastern boundary within the adjacent site. There is an existing access of Brookhill Road which provides off-street parking.

The surrounding area is characterised by a variety of residential properties consisting of detached, semi-detached and terrace properties, as well as some flatted developments. The site is bounded by Brookhill Road to the north, three-storey dwellings within Doggetts Close to the East and south and No. 40 Brookhill Road, a two-storey detached dwelling to the west.

The application building is not listed and the site is not located within a designated conservation area.

2. Site History

No previous planning history.

3. Proposal

The proposal seeks the demolition of the existing single-storey dwelling and to construct a three-storey building, with rooms in the roofspace, to provide 7no. self-contained units. The rear would be sub-divided into private and communal gardens. Associated parking is proposed at the front and rear of the site - two parking spaces to the front and four parking spaces to the rear accessed by via Doggetts Close.

Dimensional details of proposed building:

Width: 10.3m (ground floor)	/	6 - 10.5m (above ground floor)
Depth: 17.8 - 18.3m (ground floor)	/	12 - 16.4m (above ground floor)
Eaves Height: 8.3m	/	Ridgeline Height: 11.2m
Stair core Height: 5.75 - 7m		
Footprint Area: 192sqm		

4. Public Consultation

During the applications lifetime, the scheme has been consulted on with the public three times - for the first time on 18 July 2018; the second time on 24 May 2019 (following revision of the proposed plans and additional information); and, the third time on 14 June 2019 (following minor amendment to the proposal description).

Consultation letters were sent to 105 neighbouring properties. 52 responses were received, comprising of 52 letters of objection received from 30 objectors.

The objections received can be summarised as follows:

- Increase in noise pollution
- Increase in disturbance from comings and goings of future occupants of the development
- Increase in air pollution
- Disruption and disturbance during the construction phase
- Insufficient number of parking spaces for the development
- Loss of on street parking and increase in parking pressures locally and
- Increase in illegal parking
- Increase in traffic congestion and accidents
- Rear parking arrangements are not adequate for safe functioning
- A parking survey should be conducted
- Emergency vehicles will not be able to access the road.
- Risk to pedestrian safety in the cul-de-sac, particularly children playing and the elderly, from an increase vehicular congestion
- Overpopulation of East Barnet
- Inappropriate house/unit types that are not family oriented / loss of a family dwelling. There are few if any family sized houses being built / replaced in East Barnet.
- Loss of / harm to landscape
- Loss of/ harm to ecology and biodiversity
- Overlooking and loss of privacy
- Overshadowing and loss of light
- Lack of screening between development and flanking adjacent properties on Doggetts Close
- Out of character and appearance with adjacent dwellings and surrounding street scene
- The development is excessive in size and overbearing and would create a sense of enclosure
- Inability of utilities infrastructure (gas, water, electric and sewer system) to cope with addition units
- The development would prevent management of the trees adjacent to the site
- The development does not accord with adopted policy or guidance
- The development would not address the urban heat island effect internally in respect of air circulation and ceiling heights
- Unclear how residents would access the development from the rear parking area
- Increased surface water flooding from increased hardstanding
- The parking survey method does not accurately depict the local parking stresses as it does not account for people who are residents in the locality and who were away on holiday when the survey was conducted
- The parking survey should identify where the stated 65 spaces were available.
- Illegal parking takes place in Doggetts Close and Brookhill Road, and this development will encourage more illegal parking resulting in damaged pavements and unsafe road conditions
- The development adversely affect the community spirit of the locality
- If approved, the development will set a bad development precedent
- The development will have a negative impact on house prices of the adjacent properties
- The development will result in an overcrowded cul-de-sac

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 revised National Planning Policy Framework (NPPF) was published on 19th February 2019. 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, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. 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.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM17.

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

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

Supplementary Planning Documents

Residential Design Guidance SPD (adopted 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 principle of the development is acceptable.
- Whether harm would be caused to the character and appearance of the application site, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the proposed development would provide suitable living conditions for the future occupants.
- Whether the proposed development would have adverse impacts on the local highway network and parking within the locality
- Whether the proposed development would have impact on third party trees.
- Flood / River culvert impacts
- Ecology / Protected Species
- Sustainability measures

5.3 Assessment of proposals

Principle of development

The proposal would involve the loss of a single family dwellinghouse to make provision for purpose-built block of flats. A site visit and review of the surrounding area was undertaken and it is considered that the character of the area is varied in terms of housing type, scale and design. In particular, there is a modern flatted development on the opposite side of Brookhill Road, with flats found further along to the east and west of the site. Taking the context of the site into account, it is considered that the introduction of a new flatted development on this site would be acceptable in principle.

Impact on character and appearance of the application site, the street scene and wider locality

The proposed 3 storey building with habitable roofspace replaces a single storey bungalow dwelling, and is acknowledged to be a substantially taller and bulkier built form relative to the existing residential structure that it will replace. Notwithstanding this, it is noted that there is a mixed character within the area in respect of building heights and types. On the opposite side of the road to the north west (approx. 35m from the site) numbers 59-67 Brookhill Road comprise of a terrace three storey mixed use (ground floor commercial use, first and second floor residential uses) buildings; to the north-east (approx. 20m opposite, numbers 77-79 Brookhill Road) lies Ludlow Court, a two/three storey traditional design (a crowned, hipped pitch roof with large fronting gable features facilitating a large habitable roof area) purpose-built block of flats; immediately adjacent to the east/south-east (approx. 10.5m from the dwellings), the site is flanked by properties numbers 1-6 Doggetts Close, a terrace of traditional design (pitched gable ended) properties - all three storeys in height; and, to the south/south-west numbers 7-13 Doggetts Close comprise of the same design and height. The only exceptions in the local design context is No. 40 Brookhill Road - the two storey, traditional designed, neighbouring residential property that flanks the application site to the west / north-west (approx. 5.2m from the main dwelling); and, the Royal British Legion Building to the south-west (approx. 15m) a single storey, utilitarian designed building.

In light of the above, the proposed building is of modern, traditional design, and of a height that is considered to be mostly in keeping with the surrounding design context. Whilst the development does bear little height relationship with No. 40 Brookhill Road, there is a generous buffer space (5.2m) between the actual (not inclusive of the single storey, ancillary garage building) neighbouring building and the proposed building, which combined with the proposed hipped pitch roof, will ensure there is a good degree of visual separation and a sense of subservience between the proposed development and the neighbouring adjacent buildings (No. 40 Brookhill Road and numbers 1-6 Doggetts Close) when viewed from the streetscene on Brookhill Road. When viewed from the rear, the rear projection of the building above the ground floor has been carefully designed - in the interest of protecting neighbouring amenities (assessed later in this report) - with an inset stagger on both sides, producing a more subordinate appearance when viewed from the rear. On the side neighbouring 1-6 Doggetts Close, only the staircore projects 1.4m to the full width extent of the ground floor for a 3.65m deep section for two storeys. With its mono-pitch roof matching the roof pitch angle, this element is considered to appear as a reasonably subordinate and congruent design feature.

The proposed building adheres to the front building line of No. 40 Brookhill Road, although slightly over shoots the end of No. 1 Doggetts Close by 1.5m. As 1-6 Doggetts Close addresses a corner plot, this is not considered to be significantly harmful to the character and appearance of the surrounding context as it will appear as a part of the natural progression of the built urban grain leading into the cul-de-sac of Doggetts Close. In accordance with design policy DM01 of the Local Plan and Section 12 of the NPPF (2019),

the development is considered to optimise the use of land within the plot through the layout of its built form, making suitable provision for a private garden, communal amenity space, and parking provisions to the rear. With the majority of parking spaces (4no. spaces) being sited at the rear, this will avoid the over-cluttering of the front of the site and will allow for meaningful landscaping to the front to satisfactorily enhance and address the street scene. Landscaping will be reserved by a pre-occupation condition.

The fenestration pattern of the development is considered to be satisfactory and in proportion to the scale of the development. The larger windows to the back will not be seen from the primary street scene on Brookhill Road, but only from Doggetts Close to the rear and glimpsed oblique views from the car park of the Royal British Legion and Aldi car parks. As such, the window fenestration is not considered to be harmful to the character and appearance of the proposed building. The external facing materials shall be reserved by condition.

Overall, it is considered that the development will relate well to the wider context of the area, bridging a suitable height and scale relationship with its immediate vicinity, to ensure that it is not a visually obtrusive and overbearing form of development, in accordance with policy DM01 of the adopted Local Plan (2012)

Impact on the Residential Amenities of the Neighbouring Occupiers

As noted in the character and appearance section of this report, the development is considered to be appropriately scaled in size, massing and spacing relative to the context of the surrounding street scape to ensure that it is not a visually obtrusive and overbearing form of development. The stagger of the rear projection will ensure that the two-storey dwelling at No. 40 is not overly subjected to the immediate presence of the building when viewed from its rear facing windows. Whilst it will be visible from the garden space, the staggering will ensure that the overall 8m projection passed the rear elevation of the neighbouring building will not be overly oppressive to the neighbouring occupier, to an extent that would warrant the application's reason for refusal. All other sides of the development are sufficiently spaced from the proposed building by 10m or more.

In order to minimise the matter of overlooking and privacy for the surrounding neighbours, the scheme's flank windows facing 1-6 Doggetts Close all serve transient (stair core) or non-habitable rooms (bathrooms). In order to protect future amenities these windows will be obscure glazed by condition. There is also a line of mature 3rd party trees within the rear gardens of 1-6 Doggetts Close which sit at a similar height to the eaves of the development. This further mitigates the perceived sense of overlooking and loss of privacy from these windows, even though the impact will be neutralised by their obscured glazed and fixed-closed nature (as required by condition 11). On the side neighbouring No. 40 the flank windows will be obscure glazed and fixed shut, as required by condition. Accordingly, there will be no demonstrable overlooking and loss of privacy from the flank windows on this side. On the front elevation of the proposed development, there are no direct lines of sight into neighbouring windows as it faces the junction with Brookhill Close. Nevertheless, the front windows of Ludlow Court, would be positioned at an oblique angle and approximately >25m from the front facing windows of the development. As such, overlooking and a loss of privacy from the front windows would not be demonstrable. The windows on the rear of the development would have a back-to-front (of 7-13 Doggetts Close) distance of >30m. This accords with the adopted Sustainable Design and Construction SPD's (2016) standards which state that in new residential development there should be a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking. The rear windows will be at oblique angles to the

garden and will therefore not result in a direct line of sight for overlooking. The sight line relationship would be consistent with the distances and viewing angles between habitable rooms and garden spaces at other neighbouring properties.

It is acknowledged that the development would result in some overshadowing of the immediate adjacent neighbours at 1-6 Doggetts Close and No. 40 Brookhill Road. In respect of the properties at No. 1-5 Doggetts Close, these already have mature trees that line their rear boundary and will already contribute to an existing level of overshadowing of their gardens in the latter part of the day (afternoon/evening). Given the height of the trees relative to the height of the proposed development, it is considered that the proposed development would not demonstrably add to existing situation to an extent that would warrant the application's reason for refusal on such grounds. In respect of No. 6 Doggetts Close, the end garden features reduced coverage by trees on its rear boundary, but is located furthest away from the development and thus the impacts would be limited - to an extent that would not demonstrably harm the occupiers amenities. There would be overshadowing of the neighbours garden at No. 40 Brookhill Road during the earlier part of the day, but as the garden is south/south-west facing the impact of this is limited and the garden would continue to enjoy a satisfactory level of light, with no demonstrable overshadowing of the property or garden to an extent that would warrant the application's reason for refusal on such grounds. The neighbouring properties opposite to the front and rear of the development are of sufficient distance from the site to not be affected by overshadowing and loss of light.

The development could provide occupancy for between 17 and 19 people, both small families and professionals, which combined with 6no. parking spaces, relative to the size and spacing of the site, would not generate a demonstrably harmful level of comings and goings (resulting from noise and activity) from its future occupants to an extent that would warrant the applications refusal on such grounds.

Quality of living amenity for future occupier

The proposed scheme presents the following residential unit typologies and configurations:

Ground Floor - Flat 1:	71m ² (2 bed, 4 person)	<i>(70sqm Required)</i>
Ground Floor - Flat 2:	76.5m ² (2 bed, 4 person)	<i>(70sqm Required)</i>
First Floor - Flat 3:	53m ² (1 bed, 2 person)	<i>(50sqm Required)</i>
First Floor - Flat 4:	64m ² (2 bed, 3 person)	<i>(61sqm Required)</i>
Second Floor - Flat 5:	61m ² (2 bed, 3 person)	<i>(61sqm Required)</i>
Second Floor - Flat 6:	50m ² (1 bed, 2 person)	<i>(50sqm Required)</i>
Third Floor - Flat 7:	44m ² (1 bed, 1 person)	<i>(37-39sqm Required)</i>

All of the above units provide the requisite amount of Gross Internal Floor Area (GIA) in accordance with the adopted Sustainable Design & Construction SPD (October 2016) and Mayor's London Plan (2016) Housing Standards. All of the bedroom widths are also of the appropriate dimensions (i.e. >2.7m). The maximum ceiling heights across all floors would be 2.4m, falling 0.1m short of the optimum standard, nevertheless this is above the minimum 2.3m standard contained within the adopted Sustainable Design & Construction SPD (October 2016) and Mayor's London Plan (2016) Housing Standards. The Loft unit in particular has a varying ceiling height but provides an area of 33sqm with a ceiling height in excess of 2.4m - equating to 75% of the Gross Internal Floor Area (GIA) being greater than 2.3m, as per adopted Sustainable Design & Construction SPD (October 2016) standards. Overall, given that each of the units provide the requisite Gross Internal Floor Area (GIA) for their stated level of occupation, on balance, it is considered acceptable that

the scheme does not meet the 2.5m optimum ceiling height strived for in the adopted guidance.

Visually, all of the units are single aspect providing a reasonable level of outlook to the front or rear of the development, however, additional windows (although obscure glaze) within the flank elevations of the building provide an additional source of natural light. As such, it is considered that the development would facilitate a satisfactory standard of natural light internally and an acceptable degree of outlook for the future occupiers of the development.

Flat 2 will benefit from 40sqm of private amenity space, with the rest of the units being afforded a communal outdoor amenity area of 95sqm. Across the 18 habitable rooms of all flats (except Flat 2) the communal amenity space provides sufficient outdoor space in accordance with the adopted Sustainable Design & Construction SPD (October 2016) standards (i.e. 5sqm per habitable room - therefore, the requisite amount equates to 90sqm). It is therefore considered that the development will provide a satisfactory level of outdoor amenity space.

Highways / Parking Impacts

The Council's Highways Authority were consulted on the application scheme and advised that whilst the parking layout design to the rear would not typically be accepted, the size and design of off street parking arrangement with particular regard to the crossover is similarly present within the immediate proximity of Brookhill Road. The parking arrangement to the rear of the development will result in the loss of 2.5 spaces, however it is acknowledged that this has been facilitated through illegitimate kerbside parking, rather than clear parking spaces. Notwithstanding this, the development will make provision for 6no. parking spaces which falls with the 6-10 space range required by policy DM17 of the adopted Local Plan Policies (2012) and the development is therefore considered by the Highway Authority to result in minimal overspill parking on the basis of this provision.

The Highway Authority have stated that the proposals will not generate a significant negative impact on the performance and safety of the surrounding highway network or its users, and as such a recommendation for approval is supported, subject to conditions requiring further information on bin stores and cycle parking.

The applicant submitted a Parking Stress Survey Report (produced by Alpha Parking, Version No. V01 - dated 17/07/2019) detailing the results of a survey conducted in accordance with the 'Lambeth Methodology'. The survey demonstrated that during the survey period there were *65 unoccupied parking spaces available overnight... this provides capacity for further parking within the area as the average stress percentage is under the indicative level when parking becomes a cause for concern.* The Highways Authority were consulted on this additional information and were satisfied with its findings - thereby raising no significant concerns for parking stresses within the area.

In light of the above, it is considered that the proposed development will not lead to demonstrable unsafe road conditions or undue parking pressures locally, and therefore, will accord with policy DM17 of the adopted Local Plan Policies (2012).

Tree impacts, landscaping and ecology

The Council's Tree Officer was consulted on the application and its arboricultural submissions and has not identified any direct adverse impacts on trees on site or the third-

party trees in the rear gardens of 1-6 Doggetts Close, resulting from the development itself. Notwithstanding this, the Tree Officer has objected on the grounds of the management constraints the development will have on the ability of the owners of 1-6 Doggetts Close to manage the trees identified within their ownership. Given that the trees are not afforded any protection by way of a Tree Preservation Order or Conservation Area, only limited weight can be afforded to this argument as these trees are a third-party issue which are not in ownership of the applicant and are therefore outside the reasonable scope of this planning assessment.

No detailed landscaping plan has been submitted to support the application, however a prior to occupation condition will be recommended to ensure that suitable details of landscaping are submitted to achieve a satisfactory appearance upon the developments completion.

The applicant has not supplied a Preliminary Ecological Appraisal (PEA) / Preliminary Roost Assessment (PRA) to determine the presence of bats on site. Demolition of the bungalow could have an effect on roosting bats if they are present. Consequently, the Council's Ecologist has requested that the necessary PEA / PRA report is carried out by the applicant and submitted for consideration. The Local Planning Authority consider that the existing bungalow is likely to make little provision for the roosting of bats on site given its busy urban location but cannot discount the possibility entirely. Therefore, prior to any demolition or construction works, a detailed assessment report with findings and recommendations from a suitably competent and qualified ecologist, should be submitted to the Local Planning Authority - as a matter reserved by condition.

Flood Risk / River Culvert Impacts

The development is within 8m of a main river line - that being a culvert. Culvert locations are not exactly represented by the main river line, and therefore, due to the uncertainty over the exact location of the culvert at this location it is necessary for the applicant to undertake a survey of the site to ensure that the culvert does not exist beneath it. The applicant has provided a Culvert report accordingly and this was consulted on by the Environment Agency who have advised they:

are satisfied that the culverted Pinns Brook main river falls outside of the property's red line boundary... However please be aware that the proposal is still within the relevant permitting distance and it's possible a culvert survey may be required post development to ensure any new foundations have not affected culvert integrity.

The EA have recommended an informative be attached to the final recommendation which advises that a permit will be required under The Environmental Permitting (England and Wales) Regulations 2016 in order for the applicant to undertake site works close to the river culvert.

In light of the above, the Local Planning Authority are satisfied that the proposed development will not have any adverse impact on the Pymmes Brook culvert, subject to compliance with the recommended informative and therefore raise no concerns on these grounds.

Fire Safety

London Fire and Rescue service have been consulted on the application and have objected on the grounds of insufficient information provided in relation to access and facilities for fire fighters, as set out in Section B5 Approved Document B. This is a Building Regulation matter that is governed by a separate statutory function / remit. Notwithstanding this, the Local Planning Authority is of the view that the concerns raised can be addressed through the application of a suitably worded condition requiring the applicant to submit such details prior to the occupation of the development.

Accessibility and sustainability measures

Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) require new residential schemes to meet Building Regulation requirement M4(2) in respect of accessibility - i.e. the step free access must be provided by means of a lift for dwellings above / below the entrance storey. Notwithstanding this, paragraph 3.48A of the supporting text for the aforementioned policies acknowledges that this requirement has particular implications for developments that are four storeys or less. Accordingly, for these types of developments the London Plan (2016) suggests the requirement of a development-specific viability assessment, whereby consideration should be given to the implication of ongoing maintenance costs on the affordability of service charges for residents. Where such assessments demonstrate that the inclusion of a lift would make the scheme unviable or mean that service charges are not affordable for intended residents, the units above or below the ground floor that cannot provide step free access would only need to satisfy the requirements of M4(1) of the Building Regulations.

The proposed application scheme will not fully comply with the requirements of M4(2), due to the omission of a lift for access to the residential units above the ground floor. The applicant has provided a justification for this omission within their submitted Planning Statement (produced by Orb Property Planning - Updated: 09.06.2019) - reasoning that:

- i) Design Implications - the development is reasonably at its maximum scale and massing, without appearing too cramped for the plot and whilst achieving adequate buffer space between neighbouring buildings. The provision of a lift would increase the height (through the overrun) and width of the proposed building increasing the perceived scale of the development, adversely affecting the development's fit within the street scene and increasing the potential amenity impacts to the neighbouring properties.
- ii) Gross Internal Floor Area (GIA) implications - the size of the development could not facilitate a lift within the envelope of the building as currently proposed, without consequently reducing the Gross Internal Floor Area (GIA) of the residential units. A reduction in GIA would result in substandard sized units that are not reasonably viable, calling for a reduction in the number of units to facilitate it within the existing envelope.
- iii) Affordability implications - it is argued that to provide a lift would have a cost implication for the future occupants of the development in respect of its annual maintenance charges - estimated between £1,500 - £3,000 per annum, provided there are no component failures. Repairs for component failures could cost up to £5000 and refurbishment after 15-20 years of use could cost up to £60,000. Service charge for the use of the lift could only be reasonably applied to the units above ground floor, splitting the cost between 5 units, however, if the scheme had to be reduced to facilitate the lift

because of the design impact on character and appearance of the development (i.e. less residential units) individual cost for each unit would inevitably increase.

In light of the above Officers consider, on balance, that it would be unreasonable to insist on the provision of a lift for this particular development, acknowledging that its delivery and the long-term sustainability (in terms of affordability) of the residential development could be unviable.

In respect of carbon dioxide emission reduction, any scheme has it be designed to achieve a CO2 reduction over Part L of the 2013 building regulations. Any level of reduction needs 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 would be attached in the event planning permission is granted to ensure compliance with the Policy.

In terms of water consumption, a condition would be attached to any scheme granted consent 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).

Other matters

Environmental Health were approached for comment on the application and have raised no objections, subject to pre-commencement conditions requiring a 'Demolition and Construction Management and Logistics Plan' to control construction associated pollution / nuisance (i.e. dust, noise, vibration and odour); and, the submission of a scheme of proposed noise mitigation measures against externally generated traffic/mixed use to be approved in writing by the Local Planning Authority. The Local Planning Authority are of the view that these matters, reserved by pre-commencement condition, are reasonable to ensure the amenities of the future occupiers are not prejudiced by traffic/mixed use noise in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (2012).

5.4 Response to Public Consultation

A number of objections were received in response to the public consultation. The matters raised have been considered and address where possible in the above Officer assessment of the scheme.

Matters concerning highway safety for both vehicle users and pedestrians; and, the existing and proposed parking provisions have been thoroughly assessed by the Highways Authority and are considered to be acceptable. Several other internal and external technical consultees have been consulted on matters around trees, ecology/biodiversity, flood risk, pollution (noise, dust and air quality), contaminated land, and fire safety and none of the parties consulted have presented suitable grounds to inform sound reasons for the applications refusal.

Each application is assessed on its own individual merits, and thus, the risk of setting a precedence is not a material reason for refusal. Similarly, the loss of house value; negative impact on community spirit and neighbourly relationships, as result of the development's construction are not material planning reasons that can be afforded weight in this assessment.

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 **4 Mount Road Barnet EN4 9RL**

Reference: **19/0682/FUL**

Received: 6th February 2019

Accepted: 7th February 2019

Ward: East Barnet

Expiry 4th April 2019

Applicant: Mrs FERDA NESLI

Proposal: Demolition of existing bungalow and erection of a new single storey dwelling with rooms in the roofspace. Associated parking, refuse and recycling store and amenity space

AGENDA ITEM 9

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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:
 - Drawing no. P/500 'Location Plan'
 - Drawing no. P501 'Site plan'
 - Drawing no. A001 'Existing ground floor plan' received 16th August 2019
 - Drawing no. B101A 'Proposed ground floor plan'
 - Drawing no. B102 'Proposed loft plan'
 - Drawing no. B301 'Proposed elevations'
 - Drawing no. B401 'Comparative streetscape'
 - Drawing no. B201 'Proposed Sections'
 - Flood risk assessment 'Proposed Replacement Dwelling', project no. 0040, dated March 2019
 - Preliminary Bat Roost Assessment, prepared by Arbtech, dated 22 July 2019

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 and samples of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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

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

The landscaping plan should include plants beneficial to insects or the inclusion of at least two nest boxes

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 and to achieve sustainable development or by achieving a net gain in biodiversity, in accordance with the NPPF (2019) Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policies DM01 and DM16 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.

- 5 a) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until details of temporary tree protection have been submitted to and approved in writing by the Local Planning Authority.
- b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the scheme of temporary tree protection as approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are

completed and no material or soil shall be stored within these fenced areas at any time.

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

- 6 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.

- 7 a). Prior to undertaking any works on site, the applicant shall undertake the following assessments:

- An assessment of the flood risk from the breach of the existing Beech Hill Lake, based on the Environmental Agency's relevant flood map.
- An assessment of the flood risk from surface water flooding, based on the Environmental Agency's relevant flood map.

The assessments shall be submitted to and approved by the LPA prior to the commencement of anyworks on site.

b). Any recommendations made in the above assessments shall be implemented through the development, and maintained as such thereafter.

Reason: To ensure that the site can be developed safely and there is no risk from reservoir and surface water flooding to the residents, in accordance with Core Policy CS13 and LDP Policy DM04.

- 8 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, noise 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 5.21, 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 9
- a). Prior to commencement of the development a Condition Survey of the existing public highway shall be undertaken and the result submitted to the Local Planning Authority.
 - b). Within one month of the construction work ceasing a second road condition work shall be undertaken and the results submitted to the Local Planning Authority.
 - c). Thereafter, any damage to the public highway identified by the two condition surveys shall be rectified by the applicant in agreement with the Highway Authority within one year of the development being constructed.

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

- 10
- 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).

- 11 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the details as approved under this condition and the spaces shall be permanently retained thereafter.

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

- 12 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 Part 1 of Schedule 2 of that Order shall be carried out within the area of the development at 4 Mount Road, 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).

Informative(s):

- 1 In accordance with paragraphs 38-57 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 contains a detached, single storey, two-bedroom bungalow dwellinghouse, located on the southern side of Mount Road.

The site is not within a conservation area (designated as Article 2(3) land in The Town and Country Planning (General Permitted Development)(England) Order 2015 as amended) and is not within an area covered by an Article 4 direction. Furthermore, there are no conditions attached to the site which remove permitted development rights.

The site is located partially within Flood Zone 2.

2. Site History

Reference: N04424B

Address: 4 Mount Road East Barnet

Decision: Approved subject to conditions

Decision Date: 06 March 1979

Description: Single storey side extension.

3. Proposal

The proposal seeks to demolish the existing bungalow and construct a new bungalow with habitable loft space with an associated rear dormer window. The new bungalow will occupy the same footprint as the existing building; with a width of 13.2 metres across the site and a maximum depth of 8.7 metres into the site. The proposed bungalow will have an eaves height of 3 metres and a maximum ridge height of 6 metres. The rear dormer will have a width of 4.68 metres, a maximum height of 1.6 metres and will protrude a maximum depth of 2.6 metres out from the roof slope.

The proposed building will have 3 bedrooms, being 2x double bedrooms and 1x single bedroom, accommodating a maximum of 5 people. The site will contain 2 on-site parking spaces.

4. Public Consultation

Consultation letters were sent to 35 neighbouring properties.

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

The objections received can be summarised as follows:

- The proposal to demolish and rebuild a single storey dwelling in an area currently between two bungalows is change of use to the current property footprint and scale.
- The proposal represents an overdevelopment of the site which is out of scale with vertical and horizontal changes within the space available.
- The new build will result in a loss of light and space experienced by the neighbouring properties, particularly when taking into account the garden shed that has previously been erected.
- Will result in reduced rear garden amenity space for future occupants.
- The new building will overshadow the two neighbouring properties, noting that the space was never designed for anything as high density when it was split from the original property;

the space dictated that only bungalows were appropriate given they were parallel to homes/gardens of no. 131.

- The new building would overlook existing neighbouring properties.
- Sightlines between the proposed building and neighbouring properties is of great concern
- Serious privacy issues arise through the increased number of windows extending closer to the rear boundary, and those located in the roofspace; these will look directly into neighbouring amenity spaces and habitable rooms.
- There appears to be a balcony which will further impact the privacy of neighbouring properties
- The proposed build is uncharacteristic for the area.
- The proposal will result in increased traffic in Mount Road, exacerbating the existing traffic problems.
- There will be a loss of garden from 4 Mount Road.

The letter of support is summarised as follows:

- The design is sympathetic to its immediate neighbours and is a good solution for what has become a very tired dwelling.

5. Planning Considerations

5.1 Policy Context

Revised 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 Revised National Planning Policy Framework (NPPF) was published on 19 February 2019. 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.

Existing policies in Barnet's Local Plan (2012) and the London Plan (2016) should not be considered out-of-date simply because they were adopted prior to the publication of the revised NPPF. Due weight should be given to them, according to their degree of consistency with the revised NPPF.

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.

The Draft London Plan

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM03, DM08, DM16 and DM17.

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

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Policy DM03 relates to universal access, lifetime homes and equality in design and seeks to ensure that development proposals meet the highest standards of accessible and inclusive design.

Policy DM08 seeks to ensure that a range of housing types are provided in the borough, noting that maintaining and increasing the supply of family housing is a high priority in Barnet; housing with 3 bedrooms is noted as a medium priority and housing with 4+ bedrooms is a high priority. The policy further states that since 2004 the delivery of new housing has been dominated by smaller flatted homes.

Policy DM16 states that when considering development proposals the council will seek the retention and enhancement or the creation of biodiversity.

Policy DM17 states that the council will ensure that the safety of all road users is taken into account when considering proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users. The policy further states the expectation for assessing travel impact and parking standards in the Borough, and specifically, the provision of off-street parking as guided by the London Plan.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Quality of residential accommodation;
- Potential Flooding Impacts;
- Impact on Ecology and Trees; and,
- Whether harm would be caused to the Highway environment

5.3 Assessment of proposals

Character and Street Scene

The proposal seeks permission for the demolition of a single storey bungalow, to facilitate the construction of a bungalow with rooms within the roof space. The applicant has provided a comparative street scene elevation study demonstrating the existing street elevation versus the proposed street elevation.

Whilst it is acknowledged that the subject building will have a ridge height 0.5 metres higher than the existing building, this will continue to fit within the existing street scene environment where the site is surrounded by bungalow buildings of varying heights, with the wider street scene benefitting from a greater eclectic mix of dwelling designs and heights. It is of note that the existing building's eaves heights do not align with the neighbouring bungalows, and therefore the relationship between the neighbouring properties and the subject site would not be disrupted in this respect.

The additional bulk afforded to the proposed dwelling is largely introduced through the roofscape; through the replacement of flat roofing over the extensions to the original building, the bulk and massing of the proposed building naturally increases from the original and current building appearance. However, the actual footprint of the building itself will remain largely the same to what currently exists on site. The applicant has included the additional building mass within the roof to facilitate the location of a master bedroom, bathroom and dressing room within the loft space, thereby creating the third bedroom within the dwellinghouse.

The proposed rear dormer has been reduced in scale since the original submission, and has been designed to be in accordance with residential design guidance in terms of its scale and positioning within the rear roof slope. Moreover, neighbouring bungalows benefit from similar rear dormers and therefore such a design feature would not be uncharacteristic for this setting.

Details of materials have not been provided with this application; however, a condition is attached so sample materials can be provided and assessed when the condition is discharged.

For these reasons, the proposal is considered to have an acceptable impact on the character of the subject site, the street scene and the wider residential area.

Residential Amenity

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

As previously mentioned, the proposed replacement building will occupy largely the same footprint as the existing building, with the exception of projecting a further 1.8 metres beyond the rear wall of the existing extension on the eastern boundary, and the central rear elevation protruding an additional 1 metre into the rear garden. Despite these increased depths, the proposed building will not project beyond the rear elevation of the neighbouring building at no. 6 Mount Road. Moreover the depth of the proposed building will be reduced along the western boundary, in comparison to the existing dwellinghouse, resulting in the building mass being contained behind the rear elevation of no. 2 Mount Road.

Several comments have been received from properties to the south-west raising concerns of a loss of privacy as a result of the additional glazing afforded the dwelling at ground floor and through the loft development. Whilst it is acknowledged that through the introduction of a rear dormer, there will be additional overlooking between properties from the subject site, it is noted that there is already a high level of overlooking between neighbouring properties into the rear gardens and this proposal would not exacerbate this situation. Moreover, due to the perpendicular relationship between the dwellings located along Mount Road and those to the south-west along The Crescent, sightlines from the windows of the rear dormer will be of an obscure angle to the dwellinghouses to the south-west and will not provide views into the private internal spaces of the neighbouring buildings. Rather than this, the rear dormer windows will look out over the top of the rear gardens in the same manner that these two storey buildings and neighbouring properties with rear dormers, currently do.

As the proposed building is located to the north of the rear garden of no. 131 The Crescent, the proposal would not impact on this properties access to daylight and sunlight throughout the year.

The proposal will not result in the over-intensification of the site, with a two-bedroom property being replaced with a three bedroom property; there will not be a notable increase of comings and goings from the site, nor a marked increase of waste generation resulting in additional bin storage and collection.

For the abovementioned reasons, the proposed development is considered to have an acceptable impact on the residential amenity of neighbouring properties.

. Quality of Residential Accommodation

The proposed dwelling will provide amenity space and internal spaces that meet the minimum space standards, that are prescribed under both policy 3.5 of the London Plan and the Sustainable Design and Construction SPD (2016).

. Flooding Impacts

The applicant has submitted a Flood Risk Assessment, reference no. 0040, dated March 2019. This has been reviewed by the Local Lead Flood Risk Authority who have raised no objections to the proposal in principle; however, have requested that prior to any works being undertaken on site the following additional studies are undertaken to ensure that the site

can be developed safely and there is no risk from reservoir and surface water flooding to future residents:

- Assessment of the flood risk from the breach of the existing Beech Hill Lake, based on the EA's relevant flood map;
- Assessment of the flood risk from surface water flooding, based on the EA's relevant flood map

The applicant has agreed to these conditions, and as such, any potential flooding impacts are considered acceptable.

. Ecology and Trees

The applicant has provided a Preliminary Roost Assessment in support of the application. The Council's Ecologist has reviewed this report and has stated that the report adequately addresses all ecological considerations regarding the proposed demolition of the existing residence in relation to bats and has raised no objections to the proposal, subject to a landscaping condition being imposed on the permission, of which includes plants beneficial to insects or the inclusion of at least two nest boxes to meet the requirements of the National Planning Policy Framework (NPPF 2019) in aiming to achieve sustainable development or by achieving a net gain in biodiversity.

The front boundary of the subject site benefits from existing vehicle crossovers, adjoining each boundary. There is a notable street tree located along this boundary, that if amendments were made to the access, it is likely the health of this tree would be impacted. The applicant originally sought to increase the width of the western cross over, and remove the eastern crossover; however, following comments from the Council's arboriculture advisor and the Street Trees officer, the applicant has revised this to be a reduced width, 2 car vehicle crossover with an adequate buffer to protect the street tree. The Council's arboriculture advisor has reviewed this revision and is satisfied that the proposal will not impact on the health of this tree, subject to tree protection measures being put in place.

The site benefits from some trees located on the rear boundary; the Council's Arboriculture advisor has stated that the proposed development will not impact on any trees if a suitable level of tree protection is provided to prevent harm being caused to these trees. Subsequently, the advisor has suggested conditions be imposed to this effect.

On the basis of the above, the impact of the proposal on the ecology and trees within and surrounding the site is considered acceptable.

. Impact on the public highway environment

The proposal will see the removal of an existing two-bedroom property and the subsequent replacement with a three-bedroom property; the current site provides for three vehicles to be parked on site, and the proposed development will retain the capacity for two vehicles; this is in accordance with the requirements of policy DM17. As such, there is not considered to be an impact from this proposal on the public highway.

Impacts of demolition and construction associated with this development can be appropriately managed through the preparation and implementation of a demolition and construction management plan; a condition has been imposed accordingly.

5.4 Response to Public Consultation

In addition to the above assessment, the following comments are made in response to the objections received:

- Will result in reduced rear garden amenity space for future occupants.

Adequate garden space is maintained for the occupiers of the dwelling unit.

- There appears to be a balcony which will further impact the privacy of neighbouring properties

There is no balcony proposed.

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 nearby occupiers, flood risks, the surrounding ecology and trees nor the public highway environment, and will provide an adequate quality of residential accommodation. This application is therefore recommended for approval.



Location Kingmaker House Station Road Barnet EN5 1NZ

Reference: 19/1285/FUL

Received: 5th March 2019

Accepted: 8th March 2019

Ward: Oakleigh

Expiry 7th June 2019

Applicant: Kingmaker Properties LLP

Proposal: The extension of Kingmaker House at roof level of part two, part three storeys and to the front and to the rear of between 5 and 9 storeys to create 51 new residential units including extensions to the permitted development units. Re-cladding of the existing building and provision of private and communal amenity space, new public realm space and landscaping, vehicle and cycle parking and other associated works

Recommendation: Approve subject to s106

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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. Affordable Housing
Contribution of £574,642 towards affordable housing.

Subject to an early and late stage review mechanism.

4. Street Tree Mitigation
Provision of twenty street trees at a charge of £600 per tree plus VAT. A total of £12,000.

5. Carbon Offset Payment

Payment of £54,990 towards Carbon Offset to meet mayoral zero carbon target.

6. Travel Plan and Monitoring

Within 3 months of occupation, a Residential Travel Plan 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 Itrace or TRICS compliant surveys 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 travel 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.

Contribution of £5,000 towards monitoring of Travel Plan.

7. Section 106 monitoring contributions

Section 106 monitoring contribution of £12,932.64

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control or Head of Strategic Planning approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director – Planning and Building Control or Head of Strategic Planning:

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

1859(00)001 (Site Location Plan)
1859(00)002 (Existing Block Plan)

1859(00)010 (Existing Ground Floor Plan)
1859(00)011 (Existing First Floor Plan)
1859(00)012 (Existing Second Floor Plan)
1859(00)013 (Existing Third Floor Plan)
1859(00)014 (Existing Fourth Floor Plan)
1859(00)015 (Existing Fifth Floor Plan)
1859(00)016 (Existing Sixth Floor Plan)
1859(00)017 (Existing Seventh Floor Plan)
1859(00)018 (Existing Roof Plan)

1859(00)030 (Existing North Elevation)
1859(00)031 (Existing East Elevation)
1859(00)032 (Existing South Elevation)

1859(00)033 (Existing Section AA & West Elevation)
1859(00)034 (Existing Section BB)
1859(00)035 (Existing Section CC)

1859(00)302 (Proposed Block Plan)
1859(00)309 (Proposed Lower Ground Floor Plan)
1859(00)310 (Proposed Ground Floor Plan)
1859(00)311 (Proposed First Floor Plan)
1859(00)312 (Proposed Second Floor Plan)
1859(00)313 (Proposed Third Floor Plan)
1859(00)314 (Proposed Fourth Floor Plan)
1859(00)315 (Proposed Fifth Floor Plan)
1859(00)316 (Proposed Sixth Floor Plan)
1859(00)317 (Proposed Seventh Floor Plan)
1859(00)318 (Proposed Eighth Floor Plan)
1859(00)319 (Proposed Ninth Floor Plan)
1859(00)320 (Proposed Tenth Floor Plan)
1859(00)321 (Proposed Roof Plan)

1859(00)330 (Proposed North Elevation)
1859(00)331 (Proposed East Elevation)
1859(00)332 (Proposed South Elevation)
1859(00)333 (Proposed Section AA & West Elevation)
1859(00)334 (Proposed Section BB)
1859(00)335 (Proposed Section CC)

Acoustic Planning Report, Sandy Brown (dated 19.02.2019)
Air Quality Assessment, WYG (dated February 2019)
Contamination Statement, Eckersley O'Callaghan (dated 28.02.2019)
Daylight and Sunlight Report, waldrams (dated 28.02.2019)
Design and Access Statement, TDO (dated February 2019)
Energy Statement, DSA Engineering (dated February 2019)
Foul Sewage and Utilities Statement, DSA Engineering (dated February 2019)
Framework Travel Plan, Vectos (dated February 2019)
Planning Drainage Strategy, Eckersley O'Callaghan (dated 15.02.2019)
Planning Statement, Montagu Evans (dated February 2019)
Transport Statement, Vectos (dated February 2019)

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

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

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

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

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

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

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

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

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

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

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

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.13 and 5.14 of the London Plan 2016.

6 Part 1

Before development commences other than for investigative work:

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

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

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

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

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

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

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 5.21 of the London Plan 2016.

7 a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and measures to be implemented to address its findings has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations

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

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed-use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2016.

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

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2016.

- 9 The approved measures proposed within the Air Quality Assessment, WYG (February 2019) shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

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

- 10 a) Before development commences, a scheme of proposed air pollution mitigation measures shall be submitted to and approved in writing by the Local Planning Authority.

- b) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

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

- 11 Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NOx emissions not exceeding 40 mg/kWh (0%).

Reason: To comply with the Mayor's London Plan SPG on Sustainable Design and Construction and Policy 7.14 of the Mayor's London Plan in relation to air quality.

- 12 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interest of good air quality in accordance with London Plan policies 5.3 and 7.14.

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2016.

- 14 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 contractor's 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.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of 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, noise 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 5.21, 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 15 Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on Drawing No. 1859(00)310 and 1859(00)111 shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

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

- 16 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

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

- 17 a) Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20% of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a further additional 20% of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

b) The development shall be implemented in full accordance with the details approved by this condition prior to the first occupation of the development or the commencement of the use and thereafter be maintained as such in perpetuity.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan 2016.

- 18 a) Notwithstanding the details submitted with the application and otherwise hereby approved, prior to occupation of the development, details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 19 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

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

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.

21 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).

22 a) Prior to the occupation of the hereby approved development, details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

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

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

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

23 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (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) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the

abovementioned regulations. 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.

- 24 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 46.22% 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.

- 25 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).

- 26 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.

- 27 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 installation of any structures or apparatus for purposes relating to telecommunications shall be installed on any part the roof of the building(s) hereby approved, including any structures or development otherwise permitted under Part 16 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any equivalent Order revoking and re-enacting that Order.

Reason: To ensure that the development does not impact adversely on the townscape and character of the area and to ensure the Local Planning Authority can

control the development in the area so that it accords with Policies DM01 and DM18 of the Development Management Policies DPD (adopted September 2012).

- 28 Prior to the occupation of the development, an External Lighting Assessment shall be submitted to and approved in writing by the Local Planning Authority detailing the type, design, lux levels of proposed external lighting as well as measures to control glare. The External Lighting Assessment submitted shall detail the existing and proposed average night time luminance and light spread levels across the application site at night, identify the levels of light pollution received at the windows to both neighbouring residential properties as well as residential properties within the proposed development and, where appropriate, identify the measures to be used to mitigate the impacts of light pollution on the future occupiers proposed dwellings. Any light pollution mitigation identified in the External Lighting Assessment shall be implemented in full prior to first occupation.

Reason: To ensure the development provides adequate amenities of neighbouring residential properties as well as the future occupiers of the proposed dwellings and to accord with policy DM01 of the Barnet Local Plan.

- 29 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.

- 30 a) Prior to carrying out above grade works of each building or part of any new building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate how such building or such parts of a building seek to apply the principles of Secured by Design'.

b) The development shall only be carried out in accordance with the approved details.

Reason: To protect the amenity of the area in accordance with Policies DM01 and DM04 of the Barnet Development Management Policies (adopted) September 2012.

RECOMMENDATION III:

- 1 That if the above agreement has not been completed or Section 106 agreement has not been submitted by 31.10.2019, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet the costs of provision of affordable housing. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy

(adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

The proposed development does not provide a legal agreement to mitigate the 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.

The proposed development does not include a formal undertaking to meet the costs of the required carbon off-set provision. The proposal would therefore not address the impacts of the development, contrary to Policy 5.2 of the London Plan (2016), Policy CS9 of the Local Plan Core Strategy (adopted September 2012) and Policy DM04 of the Adopted Development Management Policies DPD.

Informative(s):

- 1 In accordance with paragraphs 38-57 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 £60 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 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 4 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.

- 5 The submitted Construction Method Statement shall include as a minimum details of:
- o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
 - o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.

 - o For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

- 6 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
 - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
 - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;

- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

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

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

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

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

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

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

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

- 8 The Air Quality reports required under the Environment Act 1995 have highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non-residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an air quality report; the report should have regard to the air quality predictions and monitoring results from the most recent Review and Assessment report available from the LPA web site and Air Quality England. The report should be written in accordance with the following guidance : 1) Environmental Protection UK and IAQM Guidance: Land-Use Planning and Development Control: Planning for Air Quality, Jan 2017); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(16); 4) London Councils Air Quality and Planning Guidance (2007); 5) Mayor of London's Supplementary Planning Guidance for Sustainable Design and Construction (2014); 6) Section 6.2 of the Technical Guidance Note D1 (Dispersion) 'Guidelines on Discharge Stack Heights for Polluting Emissions' 7) The control of dust and emissions from construction and demolition, Best Practice Guidance London Councils, 2006; 8) The Control of Dust and Emissions during construction and demolition supplementary planning guidance July 2014; 9) Air Quality Neutral Planning Support Update April 2014 and 10) Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 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.

Officer's Assessment

1. Site Description

The application site is located on the southern side of Station Road, at the corner junction with Lyonsdown Road, within the ward of Oakleigh. The site comprises of a part seven, part eight storey building, known as Kingmaker House, built in the 1970s. The building was previously used as offices but currently lies vacant. The site is currently accessed from both Station Road and Lyonsdown Road, leading to separate parking areas. At the rear, this is set over two levels and with further spaces within the front forecourt.

The site is located within New Barnet Town Centre which comprises of a variety of building heights. To the east and west along Station Road, there are a number of buildings ranging from 8 to 11 storeys which have been converted from office to residential uses. On the opposite side of Station Road to the north, there are a number of 3 to 4 storey residential developments. The immediate properties to the south are residential 2 to 3 storey dwellings along Lyonsdown Road, where rises steeply away from the site.

The existing building is not statutory or locally listed and the site does not lie within a conservation area. However, to the north of the site, lies the New Barnet War Memorial, a Grade II Listed Building.

The site is located approximately 150 to the west of New Barnet railway station. The site has a Public Transport Accessibility Level (PTAL) of 3.

The building has been subject to a number of prior approval applications to convert the office use into residential units. Most recently, permission has been granted to convert the building to either 119 or 94 units. Works have commenced internally to implement the recent permissions.

2. Site History

Reference: 19/1952/PNO

Address: Kingmaker House Station Road Barnet EN5 1NZ

Decision: Prior Approval Required and Approved

Decision Date: 20.05.2019

Description: Change of use from offices (Class B1) to 94 self-contained residential units (Use Class C3).

Reference: 18/5067/PNO

Address: Kingmaker House Station Road Barnet EN5 1NZ

Decision: Prior Approval Required and Approved

Decision Date: 16.10.2018

Description: Change of use from Use Class B1 (office) to Use Class C3 (residential) to provide (94 Unit)

Reference: 18/0721/CON

Address: Kingmaker House Station Road Barnet EN5 1NZ

Decision: Approved

Decision Date: 14.03.2018

Description: Submission of details of conditions 3 (Parking) 4 (Vehicle Charging Points) 6 (Noise Assessment) pursuant to planning permission 17/7210/PNO dated 22/12/17

Reference: 17/7210/PNO

Address: Kingmaker House Station Road Barnet EN5 1NZ

Decision: Prior Approval Required and Approved

Decision Date: 22.12.2017

Description: Change of use from Use Class B1 (office) to Use Class C3 (residential) to provide 119 Units.

Reference: 16/0517/PNO

Address: Kingmaker House Station Road Barnet EN5 1NZ

Decision: Prior Approval Required and Approved

Decision Date: 04.03.2016

Description: Change of use from B1 (a) (office space) to Use Class C3 (Residential) to provide to provide (70 units)

Reference: B/04663/13

Address: Kingmaker House Station Road Barnet EN5 1NZ

Decision: Prior Approval Required and Approved

Decision Date: 21.01.2014

Description: Change of use of ground floor to sixth floor (inclusive) from Use Class B1(a) (Office Space) to Use Class C3 (Residential) to provide 55 units.

3. Proposal

Planning permission is sought for alterations and extensions of Kingmaker House, comprising of a series of extensions to the front and rear elevations and recladding of the existing building. The proposal comprises of the erection of part two, part three extension to the roof and a rear extension of part five and part nine storeys to create an additional 51 new residential units and improvement to 29no. of the existing permitted development units from reference 19/1952/PNO. The proposal also includes the provision of private amenity space, new public realm space and landscaping, vehicle and cycle parking and refuse and recycling stores.

The proposed additional 51no. units will comprise of 12 x 1-bed units and 39 x 2-bed units.

The proposal will retain the existing vehicular access points and the parking areas. Car parking for the additional 51 units will be provided at a ratio of 1:1. Parking will remain for the PD units as approved under 19/1952/PNO.

4. Public Consultation

Consultation letters were sent to 820 neighbouring properties.
11 responses have been received, comprising 11 letters of objection.

The objections received can be summarised as follows:

- Overdevelopment;
- Increased bulk and overbearing building;
- Overall design has no overall symmetry or balance;
- Conflicts with 'New Barnet Town Centre Framework';
- Out of proportion with neighbouring properties;
- conflict with Council's Tall Building policy;
- Out of scale building;
- Overshadow the New Barnet War Memorial;
- lack of affordable housing;
- too many small properties;
- lack of amenity space;
- overlooking;
- restrict sunlight;
- loss of privacy;
- insufficient parking provision;
- increase in traffic pressure;
- increase in pollution.

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 revised National Planning Policy Framework (NPPF) was published on 19th February 2019. 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, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. 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.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS8, CS9, CS13, CS14, CS15
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM05, DM06, DM08, DM10, DM14, DM17,

Supplementary Planning Documents

Affordable Housing (2007)

Planning Obligations (2013)

Residential Design Guidance (2016)

Sustainable Design and Construction (2016)

New Barnet Town Centre Framework

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principal of Development / Land-use;
- Affordable Housing;
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Provision of adequate accommodation for future occupiers:
- Whether harm would be caused to the living conditions of neighbouring residents;
- Highways and parking; and

- Any other considerations.

5.3 Assessment of proposals

Land Use / Principle of development

Originally the building comprised of 4,992 sqm (GIA) of office space. The building was subject to a number of permitted development prior approval applications for the conversion of the office space to residential accommodation. Most recently, prior approval reference 17/7210/PNO and 18/5067/PNO were granted approval for the change of use from Use Class B1 (Office) to Use Class C3 (Residential) to provide 119 and 94 units respectively. A further prior approval was granted under 19/1952/PNO, again for 94 units.

The proposal under this application seeks to utilise and improve upon the prior approval scheme for 94 units under reference 19/1952/PNO. Within the submission, the applicant had confirmed that the implementation of the PD works had commenced on site and as such stated that this was a lawful fall-back position. Officers undertook a site visit and can confirm that the building has been fully stripped internally with the next stage of progress would be to start configuring the internal layout. Whilst the PD scheme has not been fully implemented, Officers through dialogue with the applicant are fully satisfied that the applicant has a genuine interest in completing the development should this application not be granted. The applicant's interest in this proposal is to utilise and enhance this unattractive site, whilst also improving the PD scheme. In order for the Planning Authority to give weight to the fall-back position, its needs to be demonstrated that there is a 'theoretical prospect' of the prior approval being implement. Officers have also checked that the approved PD scheme largely exists in the approved form under this application and therefore it still remains valid.

Officers have also acknowledged that the surrounding area is predominately residential despite its town centre location, with a number of other office buildings having been converted to residential over the years. Therefore, the proposed residential land-use would not be at odds with the character of the New Barnet Town Centre or surrounding area.

After reviewing all the information with the submission and previous pre-application discussions with the applicant, Officers are satisfied that there is a genuine intention to develop the site and therefore the fall-back position, whilst implemented in a basic form, holds significant weight in the determination of this application. Normally proposals which involve the loss of employment space are required to carry out a marketing survey to demonstrate that the site is no longer suitable and viable for its existing or alternative business use. However, taking into account the considered weight towards the fall-back option, which would involve the loss of employment regardless, Officers are satisfied that the loss of employment can be justified and a marketing report would not be required.

Affordable Housing

Policy DM10 of the Development Management Policies Document states that the maximum reasonable amount of affordable housing will be required on site, subject to viability, from all new sites providing 10 or more units gross.

As discussed above, Officers are satisfied that implementation of the 94 unit PD scheme has commenced and that there is a genuine intention to develop the site and therefore the PD scheme holds significant weight as a fall back option. As such, Officers do not consider it appropriate to seek affordable housing contributions on this element and will only be liable for the additional 51 units.

The applicant has provided a Viability Assessment (GVA January 2019) which has been independently reviewed on the Council's behalf (BNP Paribas April 2019). The independent assessment has recommended that a scheme with 100% private housing generates a surplus of £574,642 in comparison to the viability report submitted with the application. The applicant has agreed to this contribution and will be sought as a planning obligation within the Section 106 agreement.

Layout, Height and Design

Policy CS5 of Barnet Council's policy framework seeks to ensure that all development in Barnet respects local context and distinctive local character, creating places and buildings of high quality design. In this regard Policy CS5 is clear in mandating that new development should improve the quality of buildings, landscaping and the street environment and in turn enhance the experience of Barnet for residents, workers and visitors alike. Policy DM01 also requires that all developments should seek to ensure a high standard of urban and architectural design for all new development and high-quality design, demonstrating high levels of environmental awareness of their location by way of character, scale, mass, height and pattern of surrounding buildings, spaces and streets. Proposals should preserve or enhance local character and respect the appearance.

Layout

The site analysis undertaken within the submitted Design and Access Statement identifies that the buildings along Station Road establish a street frontage which forms a consistent curve. Due to its corner position within the curve, the orientation of Kingmaker House does not follow the alignment of the surrounding buildings. The proposal seeks to extend the front elevation across the whole width of the building which would step out from the adjoining Comer House. The proposed front extension and its projection is considered to be acceptable and still respects the existing street scene curve which was identified in the site analysis.

In terms of the proposed rear extension, the building line along Lyonsdown Road will be maintained and preserves the street scene appearance. The proposed 'L' shaped layout is considered to be acceptable taking into account the site's corner plot and its rear projection

is similar in depth to Endeavour House. As such, the proposed layout is considered to be acceptable in relation to the surrounding context and built form.

Height

As previously mentioned, this row of buildings along the southern edge of Station Road, comprises of a series of tall buildings, varying in height and storeys. The site analysis identifies that although Kingmaker House at the prominent corner location, it is lower in stature compared to its immediate neighbours. The current building does not reflect the natural progression of the building height along Station Road. The Design and Access Statement identifies this as a potential opportunity to create a high-quality corner building. Officers are in agreement with this approach.

Taking into account the site analysis and potential opportunity, the proposal seeks to extend the height of the building which would be tallest at the corner junction and would step down in height to the adjacent Comer House building. At the corner, the building would measure 11 storeys in height.

Barnet Core Strategy Policy CS5 identifies tall buildings as being 8 storeys or 26m in height and that they may be appropriate in a number of strategic locations. Barnet Policy DM05 (Tall buildings) states that proposals for tall buildings outside these strategic locations will not be considered acceptable. To supplement Barnet's Characterisation Study, a Tall Building Survey was undertaken and published to provide supplementary information about the nature of tall buildings in the borough. Whilst this area is not identified as being a strategic location, it is identified as having an existing pocket of tall buildings. Kingmaker House currently is principally 7 storeys in height with a small set back 8th floor. However, the adjacent buildings are larger in height and storeys. As such, the application would represent a departure from Barnet policy DM05 if considered there are material considerations which represent significant weight to depart from policy.

Officers consider that there are strong justifying reasons that have come out of the applicant's site analysis and the presence of other tall buildings adjacent to consider that the proposed extensions and height are acceptable in this location.

At the rear, the proposal steps down at several points to four storeys which is comparable in height to the adjacent residential dwelling.

Overall, the proposed additional height is considered to be extended in an appropriate manner, which respects the surrounding site context. Whilst the proposal would not comply with the Council's Tall Building Strategy, Officers consider that there are strong justifying reasons to support the additional height and depart from Barnet Policy DM05.

Design

The development of the design has been largely influenced from 'The Mansion Block' which are typically split into a three part arrangement; a bottom level which addresses the street and grounds the building, a mid section and top.

This design influence has been transferred to the proposed development with the three vertical sections and also the width where three bays: a corner, middle and end bay are articulated on the elevations facing Station Road and Lyonsdown Road. These distinctive bays help break up the overall massing and bulk and add visual interest to the building. Each bay has its own different architectural detail, defined by window fenestration, contrasting brickwork, light-weight cladding and metal balustrading.

Within the surrounding area, brickwork is the predominate material and therefore its use as the primarily material is considered to be appropriate and in-keeping with the local context.

Overall, the changing of the external appearance with the Mansion Block style and new materials is considered to considerably improve the visual appearance of Kingmaker House and the significant improvement is considered to improve its visual contribution to the town centre.

Heritage Impact

The application site does not fall within a designated conservation area and Kingmaker House is not a statutory or locally listed building. However, there is the Grade II Listed New Barnet War Memorial which is located on the traffic island to the north of the site. The memorial, erected in 1921, comprises of a four-sided 5.18m tall obelisk of Portland Stone set on a stepped Portland Stone Podium. The memorial is positioned with a triangular walled enclosure. It is listed for its historical interest.

The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duties for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should 'should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

The NPPF states that "when 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 (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. 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, where appropriate, securing its optimum viable use.

Barnet policy DM06 reinforces that all heritage assets will be protected in line with their significance.

The applicant has provided an assessment of the proposed development on the setting of the listed war memorial. The setting of the war memorial is defined by the adjacent road junctions and the buildings which address it. These buildings vary in height, scale and architectural character, of are the series of taller buildings along Station Road to the north, which the application site forms part of this row. The proposed works will have no direct physical impact on the identified heritage asset. The existing building on site is 7 storeys in height with a recessed 8th storey on top. The proposed development would result in a front extension, reconfiguration of the external appearance and the extension of 3 additional storeys to the roof. The applicant's assessment is that the existing building makes a negative contribution to the memorial's significance and will be improved by the introduction of a higher quality architecture and soft landscaping proposals to the forecourt.

Officers have reviewed the submitted assessment and consider that the existing building has a fairly neutral contribution to the wider setting in terms of its scale and height but has a negative contribution in terms of its external appearance. The scale of the proposal has taken into account the taller adjoining buildings and utilises the site prominent corner position to create a focal building. The principle view of the war memorial is its west facing element which is experienced when you travel eastwards along Station Road with Kingmaker House on your right-hand side. With the proposed development, the additional height is not considerably experienced in this view and the front extension is not considered to harmfully impact its setting. Closer to the memorial to the north, the memorial is already seen in context with the higher buildings in the background. Experienced at this point, the proposal would be noticeable more visible as a result in its improved external appearance, in contrast to the poor architectural to the adjacent buildings. The additional height would only be experienced when moving further away from the memorial. At the closest point, beside the memorial, the additional height is not considered to impact the setting of the war memorial.

Therefore, Officers have had regard to the significance of the nearby heritage assets and consider that the proposed development would preserve the setting of the nearby heritage assets. The proposal is considered to comply with NPPF policies, the London Plan and Barnet policy DM06.

Housing Quality

A high quality built environment, including high quality housing in support of the needs of occupiers and the community is part of the 'sustainable development' imperative of the NPPF. It is also implicit in London Plan Ch1 'Context and Strategy', Ch2 'London's Places', Ch3 'London's People', and Ch7 'London's Living Places and Spaces', and is explicit in policies 2.6, 3.5, 7.1, and 7.2. It is also a relevant consideration in Barnet Core Strategy

Policies CSNPPF, CS1, CS4, and CS5 Development Management DPD policies DM01, DM02 and DM03 as well as the Barnet Sustainable Design and Construction SPD, Residential Design Guidance SPD and CAAP policy 5.2.

Dwelling Mix

Development plan policies require proposals to provide an appropriate range of dwelling sizes and types, taking account of the housing requirements of different groups to address housing need (London Plan Policy 3.8, and Barnet Development Management Policies DPD policy DM08).

The proposal seeks to provide an additional 51 units which would comprise of 12 x 1-bed units and 39 x 2-bed units. The specific breakdown of proposed units is as follows:

	Dwelling Type (bedrooms/persons)	Minimum Internal Floorspace (square metres)
Flats	1 bed (2 persons)	12
	2 bed (3 persons)	31
	2 bed (4 person)	8

It is considered that this is an appropriate mix given the site's town centre location and the site's characteristics. It is not thought that larger family units (3-bed and 4-bed would be appropriate in this location.

The permitted development scheme would provide 87 x 1-bed and 7 x 2-bed units.

Residential Space Standards

Table 3.3 in the London Plan provides a minimum gross internal floor area for different sizes of dwelling. This is set out in the table below, which shows the areas relevant to the units proposed within the development:

	Dwelling Type (bedrooms/persons)	Minimum Internal Floorspace (square metres)
Flats	1 bed (2 persons)	50
	2 bed (3 persons)	61
	2 bed (4 person)	70

Officers have reviewed all of the proposed additional 51 units and are satisfied that the development provides a good standard of accommodation for future occupiers.

In addition, the proposal will also allow for the improvement of 29no. of the permitted development units which comprises of either increased floorspace or provision of an external balcony or both. A majority of these units under the PD scheme did not meet the minimum

internal space requirements and therefore their enlargement is considered to be a positive element of the scheme.

Wheelchair Housing

Barnet Local Plan policy DM03 requires development proposals to meet the highest standards of accessible and inclusive design, whilst Policy DM02 sets out further specific considerations. All schemes should have 10% wheelchair home compliance, as per London Plan policy 3.8.

Page 32 of the Design and Access Statement submitted in support of the applications out that wheelchair accessible dwellings have been provided across apartment buildings, retirement living and the houses, and account for more than 10% of the overall apartments on site. This is considered to be acceptable and a condition is attached which would secure these wheelchair units and constructed in accordance with the requirements of Part M4(3) of the Building Regulations.

Amenity space

Barnet's Sustainable Design and Construction SPD Table 2.3 sets the minimum standards for outdoor amenity space provision in new residential developments. For both houses and flats, kitchens over 13sqm are counted as a habitable room and habitable rooms over 20sqm are counted as two habitable rooms for the purposes of calculating amenity space requirements. For flats, the SPD requires 5sqm of space per habitable room for all minor, major and large-scale developments.

The Mayor's Housing SPG sets out a requirement of 5sqm of private amenity space for 1 and 2 person dwellings with a further 1sqm per additional person.

All of the new 51 units would benefit from an external balcony or terrace. In addition, 23 of the PD units would have provision of an outdoor balcony. Due to the site characteristics, there would be no provision of outdoor communal amenity space other than the public realm improvements to the front entrance. The overall provision of new outdoor amenity space adds to approx. 722sqm (average of approx. 14sqm per unit).

Although the provision of amenity space is restricted to balconies and terraces, it is noted that Victoria Park is located within a 10 minute walk (0.5 mile) from the application site.

Officers consider that the proposed amenity space is of a good quality with further external open space located within close proximity of the site.

Privacy

Policy DM01 of the Local Plan requires that development have regard to the amenity of residential occupiers. In this regard it is necessary to consider the design of the scheme and the privacy that would be afforded to future occupiers of the development.

The Council's Sustainable Design and Construction SPD (2016) sets that in new residential development, there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms to avoid overlooking. Shorter distances may be acceptable between new build properties where there are material considerations.

Officers have reviewed the proposed layouts and note that there are no direct instances of windows overlooking of other units due to the orientation of the building and the proposed extensions. The proposed new balconies to the rear will be enclosed on the side elevations by privacy screens which limit the overlooking impact. As such, Officers are content that future occupiers of the development would be likely to enjoy good levels of privacy.

Outlook

Policy DM01 also requires consideration of the residential amenity of future occupiers of the development in terms of outlook.

The proposed new units vary in terms of provision of single and dual aspect outlooks. A Daylight and Sunlight report has been submitted with the application and undertakes an analysis of the levels of light expected to be received by the proposed new units. In terms of daylight, the results of proposed units found that 95% of the rooms analysed met the required BRE target values. Those rooms which did not meet the required target value were affected by the associated overhang of external balconies. In terms of sunlight, it is noted that a number of rooms will only have a single outlook either, north, east, south or west and therefore only experiencing sunlight during certain periods of the day. Officers are aware of some of the limitations of the availability of sunlight but in consideration that every unit will benefit from large windows and the provision of outdoor private amenity space, Officers are satisfied that all of the proposed units would allow for suitable outlook and daylight/sunlight for future occupiers.

Noise

In relation to the noise impacts on the proposed development, the application is accompanied by a Noise Impact Assessment and has been reviewed by the Council's Environmental Health Officers.

The undertaking of the noise survey found that the dominant noise sources observed during the survey was road traffic noise, with a less significant noise source being pedestrians. Noise from adjacent commercial sources was imperceptible during the survey. The report has assessed the noise impacts on future occupiers and finds that acceptable noise levels would be achieved using double glazing, with glazing thicknesses dependent on the unit location and room use. Whilst noise levels are expected to exceed the recommended limits on some external amenity areas, this is typical of urban areas.

The Council's Environmental Health Officer was satisfied in general with the submitted noise impact assessment and has requested a number of conditions.

Air Quality

An Air Quality Assessment has been submitted in support of the application and has been reviewed by Environmental Health. The report advises that the development is considered to be neutral in terms of air quality for both building and transport emissions. The Environmental Health Officers have requested that conditions are attached to ensure that the mitigation measures proposed are fully implemented.

Contaminated Land

A Contamination Statement has been submitted in support of the application. This states that the risk of contamination is low to medium based on desk study and recommends that further site investigations are to be carried out. A suitably worded condition will be attached should planning permission be granted.

Amenity Impact on Neighbouring Properties

Privacy

Policy DM01 of the Local Plan requires that development have regard to the amenity of residential occupiers. In this regard it is necessary to consider the design of the scheme and the privacy that would be afforded to future occupiers of the development.

The Council's Sustainable Design and Construction SPD (2016) sets that in new residential development, there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms to avoid overlooking. Shorter distances may be acceptable between new build properties where there are material considerations.

There are residential properties surrounding the proposed development.

It is considered that those properties located on the opposite side of Station Road would not suffer adverse overlooking or overbearing impacts due to the large separation distances between habitable windows.

To the east, lies Endeavour House which is located on the opposite side of Lyonsdown Road. The separation distance between the side elevations of Endeavour House and Kingmaker House is approximately 19.5m which is only 1.5m short of the recommended guidance. Whilst there are an increased number of windows created on the proposed eastern elevation of Kingmaker House, Officers are satisfied that the separation distance provide suitable mitigation to prevent any harmful levels of overlooking.

To the south, lies a row of two-storey residential dwellings which run up along Lyonsdown Road. In order to limit overlooking opportunities, the proposed rearmost southern elevation does not consist of any windows. As the southern elevation increases in height and steps back, a small number of windows and balconies are introduced. The siting of the neighbouring property is such that it is set back from Lyonsdown Road and the windows of

Kingmaker House will look towards the front driveway of No.2. In addition the northern elevation of No. is a blank elevation with large mature landscaping to the rear. Taking these factors into account, Officers are satisfied that No.2 will not suffer detrimental levels of overlooking from the proposed development. The proposed balconies on the western elevation will have a privacy screen installed to prevent southward views.

To The west, lies Comer House which has a number of windows in its eastern elevation facing towards the application site. The separation distance between the side elevations of both properties is approximately 19.6m which is considered to be acceptable.

Daylight / Sunlight

The applicant has submitted a Daylight and Sunlight Report (February 2019) which has assessed the impact of the proposed development on existing habitable rooms in the adjacent surrounding properties.

In terms of scope the daylight and sunlight assessment undertook analysis on the following neighbouring properties:

- Groupama House, 17 Station Road
- 18 Station Road
- Comer House, 19 Station Road
- 22-24 Station Road
- Spa House, 30 Station Road
- Chambers Court, 32 Station Road
- Harrington Court, 34 Station Road
- Endeavour House, 1 Lyonsdown Road
- 2 Lyonsdown Road
- 4 Lyonsdown Road

From all the results undertaken, the report finds that 85% of surrounding properties meet the VSC targets as set out in the BRE Guidelines, while 81% of rooms meet the daylight distribution. In sunlight terms, 94% of windows meet for both annual and winter APSH.

Overall, it is considered that the proposal will not have a significant impact on the daylight / sunlight of neighbouring properties.

Transport and Highways

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

As part of the permitted development scheme for 94 units, there were 33 car park spaces provided to serve the residential units. Within this application that provision remains unaffected and this application seeks to address provision for the additional 51 residential units.

Policy DM17 sets out parking standards as follows for the residential use:

One bedroom units	0.0 to 1.0 space per unit
Two and three bedroom units	1.0 to 1.5 spaces per unit

Based on the PTAL of the site, a policy complaint scheme would necessitate a range of between 39 – 70.05 spaces. The proposal seeks to provide 51 spaces to serve the additional residential units which equates to a ratio of 1:1.

The Council's Traffic and Development service have reviewed the proposal and the submitted Transport Statement and have provided the following comments:

The development is located in a PTAL of 3 with bus and train services available within the PTAL calculation area. In the 2021 calculation the PTAL raises to PTAL 4, which is due to improvements proposed to the immediately surrounding rail network, as listed in The Rail Plan.

The development provides 51 parking spaces which is within the range specified with in policy DM17 and the applicant is proposing disabled parking spaces, which is in accordance with draft London Plan policy. It is thought the proposed level of parking will also mitigate against over spill parking as the ratio of 1:1 is above census car ownership levels for this ward.

The applicant is proposing 92 cycle parking spaces (90 long-stay & 2 short-stay) stores are convenient, weather proof and secure.

Trip generation has been calculated using the data associated with the previous applications. During the AM peak there are 21 two way trips and 22 proposed in the PM peak. This equates to a vehicle either in or out of the future development every three mins. This level of trip generation will generate no perceived impact on the surrounding highway network.

Refuse stores have been provided within a suitable proximity of the entrances to the development for the use by future residents, the bin stores are also a reasonable proximity from the public highway and can be easily accessed by refuse operatives. Refuse servicing will take place from an off-street location.

The proposals will not generate a significant negative impact on the performance and safety of the surrounding highway network or its users, as such a recommendation for approval is supported.

Landscaping and trees

The site currently does not comprise of any meaningful trees or green space within or around the building. Within the submitted Design and Access Statement, the proposed draft landscape strategy seeks to create new areas of soft and hard landscaping to the site forecourt and also along the side boundary with Lyonsdown Road. The draft strategy seeks to considerably improve the visual appearance of the entrance to the building, whilst improving the public realm to the front of the site by introducing integrated planting and seating.

The Council's Arboricultural Officer has reviewed the submissions and acknowledges that the site could be described as unattractive due to its lack of trees or green spaces. It is noted that the proposals drafted in the submitted Design and Access Statement start to provide a better frontage to the building. It is recommended that a detailed landscape plan is submitted that requires replacement and enhanced planting. Details of the hard and soft landscaping will be sought via condition should planning permission be granted. In addition, the Arboricultural Officers considers that it would be beneficial to seek a contribution towards the provision of street trees along Station Road and Lyonsdown Road which would help provide visual softening at greater distance. This contribution would be sought via an obligation within the Section 106 Agreement.

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 new 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.

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 Mayors targets for reductions in carbon dioxide emissions, within the framework of the Mayor's energy hierarchy.

The application is accompanied by an Energy Strategy from dsa Engineering (February 2019) which sets out how the development accords to the London Plan energy hierarchy.

Be Lean

The proposed development will be constructed from building fabric which significantly improves on the thermal performance of building regulations compliance. The following measures are proposed:

- Energy efficient building fabric and insulation;
- High efficiency windows;
- Efficient building services including high efficiency heating systems;
- Lighting controls to save energy.

These measures are assessed as providing a 2.1% reduction in regulated CO2 emissions.

Be Clean

At the present date, there is no decentralised heating network in close proximity of the site. However, the scheme shall be future proofed with space allocated in the plantroom for heat exchangers and pump sets to enable future connection. The proposal seeks to install a Combined Heat and Power (CHP) due to the energy demands of the site. The CHP is assessed as providing a 36.6% reduction in regulated CO2 emissions.

Be Green

The applicant has investigated the feasibility of range of low and zero carbon technologies for the development and is proposing to install roof mounted solar photovoltaic panels.

The installation of PV panels will result in a reduction of 7.5% reduction in regulated CO2 emissions.

Summary

All of the measures outlined above combine to give the following site wider regulated carbon dioxide emissions:

	Total Emissions (Tonnes per year)	CO2 Savings (Tonnes per year)	Percentage saving
Part L Baseline	56.81		
Be Lean	55.61	1.19	2.1%
Be Clean	34.80	20.81	36.6%
Be Green	30.55	4.25	7.5%
		CO2 Savings off set	
Off-set		916	
Cash in lieu		£54,990	

The proposed carbon dioxide savings measure result in an overall saving of 46.22%, exceeding the on-site target set within policy 5.2 of the London Plan.

New residential developments are required to meet the zero-carbon target. The applicant is therefore required to mitigate the regulated CO2 emissions, equating to a financial contribution of £54,990 to the Borough's offset fund.

Flood Risk and SUDS

Policy CS13 of the Barnet Core Strategy states that "we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does no cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels".

The application is accompanied by a Drainage Strategy from Eckersley O'Callaghan (February 2019). This has been assessed by the Council's appointed drainage specialists who require further information to be fully satisfied with the proposal. However, this outstanding information relating to the surface water drainage scheme can be agreed prior to commencement of development. If permission were granted, a condition securing the submission of a surface water drainage scheme would be attached.

6. Equality and Diversity Issues

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

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

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

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

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation

The site is accessible by various modes of transport, including by foot, bicycle, public transport and private car, thus providing a range of transport choices for all users of the site.

The site will provide 10% wheelchair adaptable units.

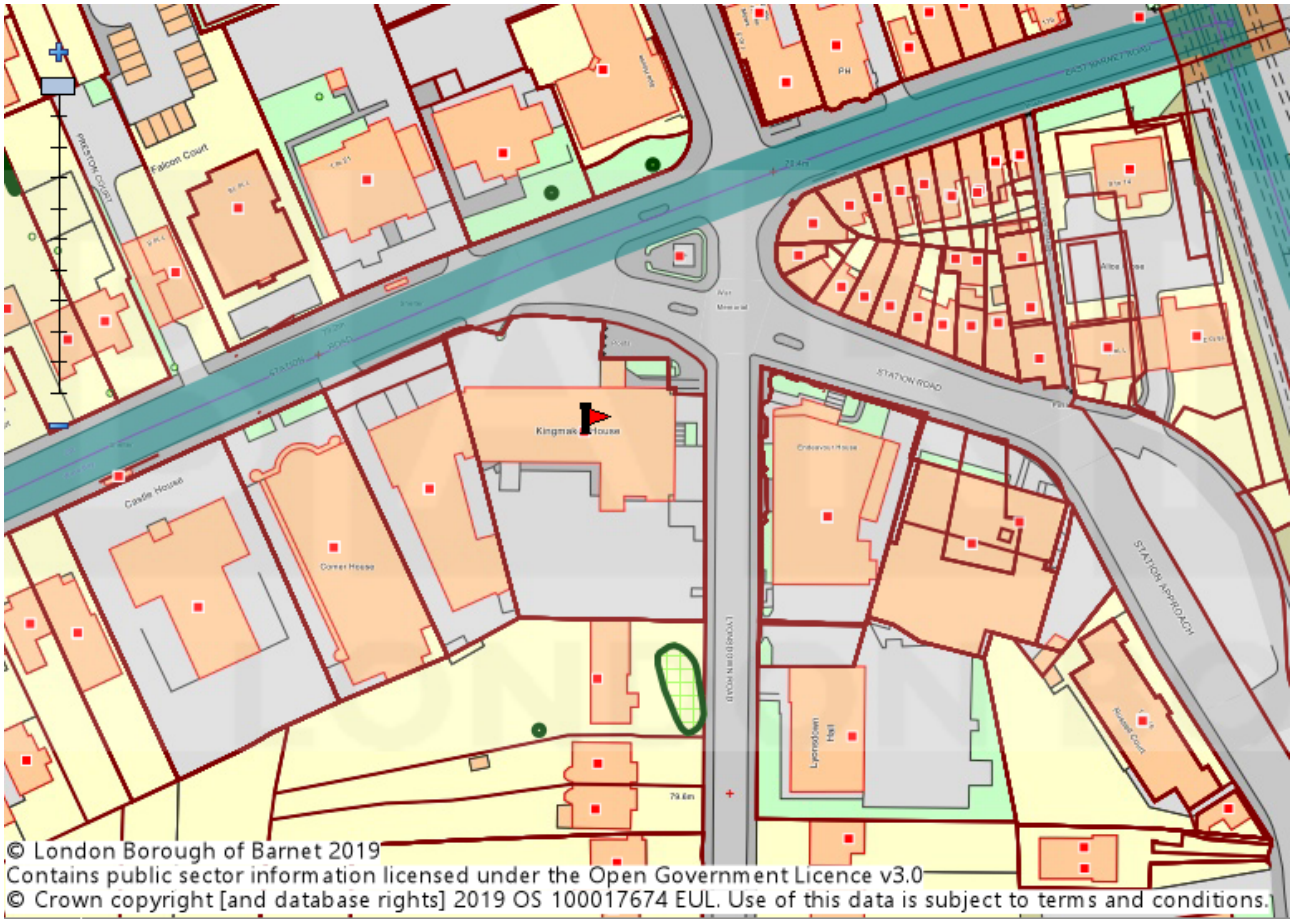
The development includes level, step-free pedestrian approaches into the building with lifts provided to provide step-free access between the lower ground area to the upper levels. Dedicated parking spaces for people with a disability will be provided in locations in close proximity to the lift areas.

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

7. Conclusion

In order to make a recommendation on the application, it is necessary to take a balanced judgement based on all of the issues identified as discussed within this report. Officers are satisfied that the principle of development is acceptable, in that the previously approved Permitted Development has been implemented in a basic form and that the applicant has a genuine intention to develop the PD scheme. As such, great weight has been given to this fall-back option and that the loss of employment space does not have to be demonstrated. The proposed scale, massing, bulk, height and design are considered to be acceptable and will considerably improve the external appearance of the existing building, whilst responding and respecting the surrounding site context. All other considerations relating to neighbouring residential amenity and parking are considered to be acceptable.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within the development plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority. It is concluded that the proposed development generally and taken overall accords with the relevant development plan policies. It is therefore considered that there are material planning considerations which justify the grant of planning permission and depart from Barnet Policy DM05 (Tall Buildings). Accordingly, subject to the satisfactory completion of the Section 106 Agreement, **APPROVAL** is recommended subject to conditions as set out above.



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