

MEETING

HENDON AREA PLANNING COMMITTEE

DATE AND TIME

MONDAY 2ND SEPTEMBER, 2019

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

TO: MEMBERS OF HENDON AREA PLANNING COMMITTEE (Quorum 3)

Chairman: Councillor Brian Gordon LLB
Vice Chairman: Councillor Golnar Bokaei

Councillor Elliot Simberg
Councillor Gill Sargeant

Councillor Ammar Naqvi
Councillor Helen Richman

Councillor Nizza Fluss

Substitute Members

Val Duschinsky
Zakia Zubairi
Alex Prager

Charlie O-Macauley
Lachhya Gurung

Mark Shooter
Linda Freedman

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: Faith Mwende Faith.Mwende@barnet.gov.uk 020 8359 4917

Media Relations contact: Gareth Greene 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	MINUTES	To Follow
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)	
	Hendon Ward	
6.	Spectrum House Hillview Gardens London NW4 2JR - 19/0960/FUL	5 - 26
7.	23-25 Florence Street London NW4 1QG - 19/2238/FUL	27 - 34
8.	125 Sunny Gardens Road London NW4 1SH - Hendon	35 - 60
	Burnt Oak	
9.	Menorah Foundation School Abbots Road Edgware HA8 0QS - 19/2879/FUL	61 - 70
10.	Any Item(s) the Chairman decides are urgent	

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Location **Spectrum House Hillview Gardens London NW4 2JR**

Reference: **19/0960/FUL**

Received: 18th February 2019

Accepted: 21st February 2019

Ward: Hendon

Expiry 23rd May 2019

Applicant: Crocus Field Ltd

Proposal: Redevelopment of the site to provide a part two, part three and part four storey building with basement parking area comprising of 41no. self-contained flats. Associated amenity space, refuse and cycle storage

AGENDA ITEM 6

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:

0614_X_GA(XX)01_XX P05 (Proposed - Block Plan)
0614_X_GA(XX)02_XX P05 (Location Plan)
0614_X_GA(BA)01_XX P05 (Proposed Basement Floor Plan)
0614_X_GA(00)01_XX P06 (Proposed Ground Floor Plan)
0614_X_GA(01)01_XX P05 (Proposed First Floor Plan)
0614_X_GA(02)01_XX P05 (Proposed Second Floor Plan)
0614_X_GA(03)01_XX P07 (Proposed Third Floor Plan)
0614_X_GE(EA-WE)01_XX P07 (Proposed East & West Elevations)
0614_X_GE(NO-SO)01_XX P07 (Proposed North & South Elevations)
0614_X_GE(SS)01_XX P07 (Proposed - East Street Scene)

Planning Statement & Design and Access Statement, Henry Planning (received 18.03.2019)

Arboricultural and Planning Integration Report, GHA trees arboricultural consultancy (dated 27.10.18)

Tree Protection Plan Rev A (dated Oct 2018)

Transport Statement, Paul Mew Associates (dated February 2019)

Utilities Statement, Mendick Waring Ltd (dated February 2019)

Geo-Environmental & Geotechnical Assessment (Ground Investigation) Report, Jomas Associates Ltd (dated 04 July 2018)
Method Statement for Removal of Contaminated Material, Flatley Construction Ltd (dated January 2019)
Drainage Strategy Report, The Stilwell Partnership (dated February 2019)
Revised Energy Strategy, Mendick Waring Ltd (dated Feb-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 scheme of hard and soft landscaping shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is occupied. 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. 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.

- 4 The building shall not be occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority. 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 Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority. The screens shall be installed in accordance with the details approved

under this condition before first occupation or the use is commenced and retained as such thereafter.

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

- 6 The development shall thereafter be implemented in accordance with the approved Construction Management and Logistics Plan measures detailed 22.11.2018.

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).

- 7 The development shall be fully implemented in accordance with the submitted risk-based land contamination assessment and its recommended methodology. If, during the course of development, any contamination is found which has not previously been identified, additional measures to address it shall be submitted to and approved in writing by the local planning authority and the additional measures shall be carried out as approved.

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.

- 8 Within 1 month of the date of the decision notice, an updated surface water drainage strategy for the site has been submitted to and approved in writing by the local planning authority. All planning applications relating to major development - developments of 10 dwellings or more; or equivalent nonresidential or mixed development - must use Sustainable Drainage Systems (SUDS) for the management of surface water runoff, unless demonstrated to be inappropriate.

Reason: To ensure that the development manages surface water in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems).

- 9 Before the development hereby permitted is occupied the car parking including disabled spaces and cycle parking facilities shown on the approved plan reference 0614_X_GA(BA)01_XX P05 shall be provided and shall not be used for any purpose other than parking of vehicles/cycles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core

Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 10 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.

- 11 The proposed first floor windows in the west elevation facing the rear gardens of Albert 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 April 2016).

- 12 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.

- 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 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% (4 units) 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.

- 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 36.8% 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 a) Notwithstanding the details submitted with the application and otherwise hereby approved, prior to occupation, 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).

- 17 a) Within 1 month of the date of the decision notice, temporary tree protection measures trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) shall be erected around the 3no. street trees to the front of the site along Hillview Gardens. 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 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. 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 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

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

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

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

- 4 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/>

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

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

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

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

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

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

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

Noise Levels - For information

Please supply the following information for all extraction units (including air conditioning, refrigeration):

1. The proposed hours of use of the equipment.
 2. The sound pressure levels of the ventilation/ extraction system to be installed in decibels dB(A) at a specified distance from the equipment.
 3. Details of where the equipment will be placed i.e. within or outside of the building, marked on to a scale map.
 4. Details of silencers to be fitted, and other sound insulation measures to reduce any noise impacts on neighbours including their noise reduction in dB(A).
 5. Distance away from noise
- 6 The development should discharge surface water runoff as high up the discharge hierarchy as possible. Where it is not possible to achieve the first hierarchy, discharge through the ground, applicants must demonstrate in sequence why the subsequent discharge destination was selected. Proposals to dispose of surface water into a sewer, highway drain, surface water body or another drainage system must be accompanied by evidence of the system having spare capacity downstream and acceptance of the surface water by the appropriate authority(ies).

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

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

- 7 In case if any modification is proposed or required to the existing access off the public highway then it will be subject to a detailed investigation by the Environment, Planning & Regeneration Directorate. This may involve relocation of any existing street furniture and would need to be done by the Highway Authority at the applicant's expense. Estimate for this and any associated work on public highway may be obtained from the Environment Development and Regulatory Services, Barnet House, 1255 High Road, London N20 0EJ.
- 8 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. 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 costs of any associated works on the public highway, including reinstatement works, will be borne by the applicants and will require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.
- 10 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.
- 11 Street tree amenity value: The local highway authority will seek compensation for any significant harm caused to the three street trees located at the front of Spectrum House, Hillcrest. The Council uses the tree evaluation system Capital asset value of amenity trees (CAVAT) details of this system can be found at www.ltoa.org.uk. The trees marked on the applicant's tree protection plan are valued accordingly; T1 (£16,980), T2 (£5,925) and T3 (£9,258) using CAVAT.

Officer's Assessment

1. Site Description

The application site is located on the western side of Hillview Gardens within the ward of Hendon. The site is currently a construction site for the implementation of appeal decision APP/N5090/W/17/3181840 dated 15/01/18 (Barnet planning reference 17/2261/FUL). At present the basement level has been largely completed.

To the rear of the site, the land levels rise up to Albert Road which consists of predominantly residential dwellinghouses.

The site previously consisted of a part two and part three storey commercial building, in a 'T' shape footprint. There is an existing vehicular access to the southern part of the site which runs between the existing buildings and No.92 Hillview Gardens.

The area is characterised by two storey buildings, predominately residential houses, with flats at Vincent Court, Whiteways and college (Schaeffer House) to the north.

The site is not located in a conservation area and there are no listed buildings close to the site.

2. Site History

Reference: 18/7042/CON

Address: Spectrum House, Hillview Gardens, London, NW4 2JR

Decision: Approved

Decision Date: 12.06.2019

Description: Submission of details of conditions 6 (Demolition and Construction Management Plan), 7 (contamination), 8 (Surface Water Drainage Strategy), pursuant to planning appeal APP/N5090/W/17/3181840 dated 21/03/2017 (planning reference 17/2261/FUL)

Reference: 18/5909/S73

Address: Spectrum House, Hillview Gardens, London, NW4 2JR

Decision: Approved subject to conditions

Decision Date: 06.12.2018

Description: Variation of condition 2 (plan numbers) pursuant to appeal decision APP/N5090/W/17/3181840 dated 15/01/18 (planning reference 17/2261/FUL) for, 'Demolition of existing buildings and redevelopment of the site to provide a part three-storey part two-storey residential building with basement parking area to provide 33 flats and associated private and communal amenity space. Provision of 40 car parking spaces.' Variation to include; Reconfiguration of apartment layout with associated alterations windows and balconies; Changes to main entrance; Alterations to the basement layout including increase in parking spaces from 40 to 43 and changes to access ramp, car holding area and pavement crossover; Provision of UKPN building network operators house facing Hillview Gardens; Installation of gates to replace car park shutter; Relocation of refuse/recycling storage; Staircase overrun added; Increase in height of the building

Reference: 17/6496/FUL

Address: Spectrum House, Hillview Gardens, London, NW4 2JR

Decision: Approved subject to conditions

Decision Date: 13.12.2017

Description: Demolition of existing buildings and redevelopment of the site to provide a part three-storey, part two-storey residential building with basement parking area to provide 32 flats and associated private and communal amenity space. Provision of 40 car parking spaces.

Reference: 17/2261/FUL

Address: Spectrum House, Hillview Gardens, London, NW4 2JR

Decision: refused Decision Date: 07.08.2017

Description: Demolition of existing buildings and redevelopment of the site to provide a part three-storey part two-storey residential building with basement parking area to provide 33 flats and associated private and communal amenity space. Provision of 40 car parking spaces

Appeal Reference: APP/N5090/W/17/3181840

Appeal Decision: Allowed

Appeal Decision Date: 21.03.2018

Reference: 15/03198/FUL

Address: Spectrum House, Hillview Gardens, London, NW4 2JR

Decision: Approved following legal agreement

Decision Date: 1 March 2016

Description: Demolition of existing buildings and redevelopment of the site to provide a new three storey residential building with basement parking area to provide 27 flats and associated private amenity space

Reference: H/01429/14

Address: Spectrum House, Hillview Gardens, London, NW4 2JR

Decision: Prior Approval Required and Approved

Decision Date: 1 May 2014

Description: Change of use of buildings A and B from B1 office to C3 residential

Reference: H/05989/13

Address: Spectrum House, Hillview Gardens, London, NW4 2JR

Decision: Prior Approval Required and Refused

Decision Date: 11 February 2014

Description: Change of use from B1 office to C3 residential (23units)

3. Proposal

Planning permission is sought for the redevelopment of the site to provide a part two, part three and part four storey building with basement parking area comprising of 41no. self-contained flats. Associated amenity space, refuse and cycle storage.

The description involves the redevelopment of the whole site as the implementation of the previous permissions have not been substantially completed in planning grounds.

This proposal differs from the previous permissions in that an additional fourth storey is proposed to provide an additional 8no. self-contained units. Overall the proposal seeks to provide 41no. flats within the site, comprising of 15 x 1-bed units, 35 x 2-bed units and 5 x 3-bed units. Off street parking for 43no. spaces would be provided at basement level and accessed via the existing vehicular entrance. The proposal would also provide associated private and communal amenity space, children's play space and bin and refuse stores.

During the application, the proposal was amended with the following changes:

- Rear building line of proposed third floor pulled back with privacy screens added;
- Alterations to the building layout of the third floor;
- Alteration to the unit provision on the third floor;
- Installation of glass balustrades to the front-side elevations for fall restraints;
- Proposed second floor now proposed to be finished with a brick and metal cladding for proposed third floor;
- Height of second floor reduced;
- Railing added to the front boundary;
- 2nd floor glass balustrade added to the rear flat roof for fall restraint.

4. Public Consultation

Consultation letters were sent to 298 neighbouring properties.

55 responses have been received, comprising 55 letters of objection.

The objections received can be summarised as follows:

- Conflict with Barnet Core Strategy policies;
- Overdevelopment;
- Excessive density;
- Scale is disproportionate in scale and massing and out of character with the area;
- Visually overbearing and out of proportion;
- Inappropriate external materials;
- Overcrowding;
- Overshadowing;
- Overlooking;
- Loss of light and sun;
- Impact on neighbouring amenity;
- Increased noise disturbance and pollution;
- Insufficient parking spaces;
- Increased congestion of Hillview Gardens;
- No parking survey submitted.

Following the receipt of amended plans, the application was subject to a period of re-consultation.

15 further responses were received, comprising of 15 objections. The objections can be summarised as follows:

- Overdevelopment;
- Out of character in terms of appearance;
- Revised plans do not address previous concerns;
- Excessive density;
- Unattractive design of the building;
- Overprovision of 1 and 2-bedroom flats;
- Topography of the land is incorrectly drawn on the plans;
- Overshadowing;
- Loss of privacy;
- Overlooking;
- Damage to trees.

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, CS3, CS4, CS5, CS8, CS9, CS13, CS14, CS15.

- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM10, DM14, DM17.

Supplementary Planning Documents

Affordable Housing SPD (Adopted 2007)

Green Infrastructure SPD (Adopted October 2017)

Residential Design Guidance SPD (adopted October 2016)

Sustainable Design and Construction SPD (adopted October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development / Land-use;
- Affordable housing provision;
- 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;
- Transport / parking; and
- Any other material consideration.

5.3 Assessment of proposals

The original redevelopment of the site for 33 flats, Barnet reference 17/2261/FUL, was refused on 19.08.2017 following a decision by the Hendon Planning Committee. The decision was subsequently appealed by the applicant and was overturned by The Planning Inspectorate and granted planning permission.

A subsequent S73, Barnet reference 18/5909/S73 was approved for a number of amendments to the original scheme above.

Land-use / Principle of development

The previous building on the site was utilised for employment. Prior Approval was originally granted in 2014 for the conversion to 23 residential units. The following application in 2015 demonstrated that the property had been marketed since 2008 and due to the site's location within a residential area; it is considered less attractive for commercial occupants. The Planning Authority was satisfied that active marketing had been undertaken and that there were a number of factors which would restrict the potential for future employment on this site. As such, the loss of employment was considered acceptable.

Construction has commenced on site relating to the implementation of 17/2261/FUL and as such the site now has an established C3 (Residential use). The principle of this application is therefore in accordance with the previous approved permissions and is acceptable subject to compliance with all other relevant planning policy.

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. New housing developments are required to provide 40% of affordable housing on site. Only in exceptional circumstances will a reduction in affordable housing be accepted. Where a reduction is sought, the Planning Authority will seek that a viability report is submitted to justify the reduction and that the report is independently assessed.

With the previous approved applications, it had been established through an independent review that the scheme was unviable and was unable to provide any contribution towards affordable housing.

An updated Financial Viability Assessment was submitted with the application and was independently assessed by Savills, the Council's appointed viability consultant. Following a review of the report and amendments to the appraisal, Savills have confirmed that a scheme providing 100% private housing, would not be able to provide any affordable housing or a payment in lieu in addition to the CIL contributions.

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 41 units which would comprise of 15 x 1-bed units, 35 x 2-bed units and 5 x 3-bed units. The specific breakdown of proposed units is as follows:

1 x 1B1P
14 x 1B2P
21 x 2B4P
5 x 3B6P

In comparison to the approved 33 units scheme, that approval provided 4 x 1-bed, 25 x 2-bed and 4-bed units. This proposal would increase the amount of 1-bed and 3-bed units, with a small reduction of 2-bed units. Overall, it is considered that the proposed mix is appropriate.

Residential Space Standards

Table 3.3 in the London Plan provides a minimum gross internal floor area for different sizes of dwelling. Officers have reviewed all the proposed units and confirm they comply or exceed the minimum space standards. Therefore, officers are satisfied that the proposed units provide a good standard of accommodation for future occupiers.

On the ground, first and second floors, the majority of units would only benefit from single-aspect outlooks. The layout of these units is unaltered from the previous permissions. Previously, Officers were satisfied that each of the units would receive adequate levels of outlook, daylight and sunlight. With the proposed additional 8 units, there would be a mix of single and double aspect units. Having reviewed the plans for these units, Officers are also satisfied that the levels of outlook, daylight and sunlight would be satisfactory.

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.

Within the submitted Planning Statement & Design and Access Statement, it advises that 4 flats would be designed to the requirements of Part M4(3) standards of the Building Regulations. This equates to the policy requirement of 10% and is therefore considered to be acceptable. 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 Local Plan expects that sufficient and functional amenity space should be provided for all new houses and flats wherever possible. The Sustainable Design and Construction SPD advises that 5m² should be provide per habitable room for flats. Each flat would benefit from either individual private terraces or balconies, providing a total of approx. 600sqm of private outdoor amenity space. In addition to this, there is a large communal garden, including a dedicated children's play area measuring approx. 470sqm in total. Overall, this cumulative provision provides significant outdoor amenity space for all future occupiers and complies with Barnet's amenity space provision.

Impact on the character and appearance of the site, street scene and surrounding area

Layout

The layout of the proposal is arranged in a broad 'T' shape, with a main front element across the site and a central rear projection. The layout of this scheme is identical to that previously approved with the pedestrian and vehicular accesses located to the south part of the building. The proportion of built form to open space / landscaping is considered to be acceptable and provides a suitable visual buffer.

The proposed front building line would be staggered between that of 92-94 Hillview Gardens and Whiteways and is considered to provide an appropriate transition within the street scene.

Scale, massing and height

The proposal consists of a part two, part three and now proposed four storey building. The approved second storey level would be slightly stepped back on the front elevation, with a larger set-back at the rear. The proposed third storey level would again be slightly stepped in part from the front elevation, stepped from the side elevations at the north-east and south-east corners and stepped back at the rear projection.

Within the previous delegated report, it was acknowledged that whilst the predominant character of the area is two storeys, the site sits at a lower level compared to the surrounding adjacent sites, which permitted a taller building in terms of storeys than the adjacent properties on Hillview Gardens. The properties at the rear on Albert Road also are a significantly higher level than the site. The height of the approved three storey building was comparable to the adjacent properties.

With the amended plans, the height of the three-storey element across the site has been reduced by approx. 500mm. The proposal by virtue of an additional storey, will add visual

massing and bulk to the building which results in a taller building along Hillview Gardens and a building of a comparable height to the properties along Albert Road to the rear on the higher ground.

In terms of its visual impact, Officers consider that wider views of the site from public areas are limited and therefore whilst adding an additional storey, Officers are of the opinion that the additional mass and height would not be readily perceptible away from the immediate areas around Hillview Gardens and Albert Road. As such, Officers consider that the main areas where there is potential visual impact is when travelling along this part of Hillview Gardens and from the rear along Albert Road.

The massing and bulk of the revised proposed fourth floor along Hillview Gardens has a number of stepped elements which are designed either to break up the massing of the building and push the building line back within the site. Through discussions with Officers, the applicant has produced a series of visualisations / CGIs of the proposal from north and south of the site along Hillview Gardens. Taking into account the stepped elements and the additional information provided, Officers consider that the perception of the proposed additional bulk, scale and height would be not significantly harmful to the street scene along Hillview Gardens.

From Albert Road, the revisions have resulted in the rearmost building line being pulled back. As with the considered acceptable impact from the third floor, Officers are satisfied that with the separation distances between the sites, the stepped nature of the scheme and the limited public views from Albert Road, the additional scale, massing and bulk would not be significantly harmful in terms of its visual impact.

External appearance

The revised plans have resulted in changes to the proposed external appearance of the proposal. It was originally proposed that the ground and first floors would be finished with brick, the second floor with a metal cladding and the new third floor finished with a glazed curtain walling system with integrated windows. However, Officers did not consider that the glazed effect finish would be appropriate and following discussions with the applicant, it was agreed that the ground, first and second floors would be finished with brick and the top floor would have the metal cladding. It was considered that the additional level of brick finishing did not adversely add to a perception of additional bulk.

The Inspector within the appeal decision stated that a contemporary appearance would be appropriate within this site context and the use of brick would reflect the surrounding built form.

Impact on neighbouring residential amenity

Barnet's Residential Design Guidance SPD states that there should be a minimum distance of about 21m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5m to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justification justifications.

Previously, the approved three-storey building was assessed as having an acceptable impact on the residential amenity of neighbouring properties. In terms of Albert Road, the proposed third floor would be set back further than the approved second floor with rear balconies enclosed by 1.8m high privacy screens. Therefore, there is no overlooking from

the central rearmost element. The rear looking windows on the front building element are at its shortest distance measuring approx. 20m to the rear boundary.

In relation to the adjacent properties on Hillview Gardens, the layout of the scheme does not alter from that previously approved and therefore the separation distances of the recommended 10.5m is still being met.

In terms of any potential loss of sunlight / daylight to neighbouring properties, Officers do not consider that the proposed development would lead to any detrimental levels of loss of light to neighbouring properties. The site is located to the north of No.92 and to the east of the properties along Albert Road. Therefore, in terms of the sun's travel throughout the day, the proposal is not located in a sensitive position that it would block or restrict light to neighbouring properties.

Transport and parking

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

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

For 1-bedroom units 0.0 to 1.0 space per unit

For 2 and 3-bedroom units 1.0 to 1.5 spaces per unit

According to the standards above, a policy compliant scheme would necessitate a range of between 26 - 54 spaces. The proposal seeks to provide 43 spaces to serve the 41no. residential units.

The Council's Traffic and Development service has reviewed the application and is satisfied with the proposed parking provision, cycle parking provisions, access gradient ramp, refuse collection point and vehicular access point. Overall, they are satisfied with the proposed development on highways grounds subject to a number of conditions should planning permission be granted.

Other material considerations

Trees

There are no trees within the site, however, there are three street trees located on the public footpath along Hillview Gardens. The applicant has submitted a tree report and tree protection plan which illustrate that the proposed building and basement is situated outside of the RPA's of all the street trees.

Within the previous application, the Council's Arboricultural Officer commented that the proposal would not have a detrimental impact on the existing street trees. Conditions will be imposed to ensure their protection throughout the duration of the development.

Sustainability

The Sustainability report submitted concludes that the dwellings will achieve a 36.8% reduction in emissions over what is required by building regulations.

5.4 Response to Public Consultation

The issues raised in relation to the scale, height, massing and bulk have been addressed within the report. The proposal for the reasons set out in the assessment, is not considered to represent overdevelopment of the site. The proposed external appearance of the building has been amended during the application and is now considered to be more appropriate.

In terms of the potential impact on neighbouring amenity, the report sets out the assessment in terms of the impact from overlooking and loss of daylight/sunlight. Officers consider that due to the separation distances between neighbouring sites and the proposal to comply with Barnet guidelines and the orientation of the site and its siting in relation to neighbouring properties is not considered to adversely affect light levels to neighbouring properties.

In terms of parking provision, the proposal provides an acceptable level of parking space provision, to be located off-street, within the basement level. For this reason, a parking survey is not required.

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 or future occupiers. The development is acceptable on the highways grounds, as the proposal provides an acceptable provision of off-street parking. This application is therefore recommended for approval.



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(adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4 The extensions hereby approved shall be completed in full accordance with the approved plans within 6 months of the date of commencement.

Reason:

To ensure that harm is not caused by the partial implementation of the planning permission.

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

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

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.

Consultation letters were sent to 25 neighbouring properties.

6 responses have been received, comprising 6 letters of objection which can be summarised as follows;

- Concerns regarding the two-storey element and impact on already small amenity area.
- Concerns regarding proportionality of extensions.
- Concerns regarding potential overbearing impact on neighbouring occupiers from first floor extension.

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 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 Revised 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 Revised 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 Mayor's 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.
- Relevant Development Management Policies: DM01, DM02.

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

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

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

5.3 Assessment of proposals

Impact on Character

Any proposed scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both Barnet Local Plan), 7.4 and 7.6 (both London Plan). DM01 helps to protect Barnet's Character and amenity stating that development should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

Planning permission is sought for the erection of single storey rear extensions to both 23 and 25 Florence Street. The extensions would have a maximum depth of 4m but recessed to 3m along the boundaries with 21 and 27 Florence Street. The proposed extensions due to the depth of 4m are partially non compliant with the Adopted Residential Design Guidance and would reduce the area of garden remaining. Nevertheless, in this case it is considered that the partial recess to a compliant depth of 3m, the frequent occurrence of single storey rear extensions in the area and the fact that the applicants could utilise permitted development rights for a larger householder extension through prior approval that the proposed development would on balance be acceptable.

While the extensions are slightly larger than that which would normally be permissible through the development plan and supplementary guidance, it is considered that the proposed development would not be out of character or incongruous and as such detrimental to the character and appearance of the area.

The Council's Residential Design Guidance (2016) sets clear and detailed guidance for single storey rear extensions.

Barnet's Design Guidance outlines that a depth of 3 metres is normally considered acceptable for a single storey rear extension on a terraced dwellinghouse. The proposed rears would have maximum depth of 4 metres incorporating a staggered rear, reducing to 3 metres at either boundary.

The guidance outlined within the Residential Design Guidance is to ensure the amenity of neighbouring occupiers is retained and that the extension would be subordinate to the dwellinghouse. Although the extensions are over what is usually considered acceptable, given the staggered rear projection and minimal height, the proposed is considered to resultant in subordinate additions to each property in accordance with Policy DM01 of the Development Management Policies SPD.

In assessment it is not considered that the single storey rear extensions, by virtue of its mass, bulk, siting and design would result in harm to the residential character of the host dwellinghouse, streetscene or locality of Florence Street and therefore, the proposal is compliant with Policy DM01 of Barnet's Local Plan 2012.

Impact on neighbouring Amenity

It will be important that any scheme addresses the relevant development plan policies including DM01 (of the Barnet Local Plan), 3.5 (of the London Plan) and the guidance contained in the Barnet Supplementary Planning Documents 'Sustainable Design and Construction' and 'Residential Design Guidance.' In respect of the protection of the amenities of neighbouring occupiers, this will include taking a full account of all neighbouring sites.

No.23 is adjacent to No.21 Florence Street, whilst no.25 is adjoining no.27 Florence Street. The Residential Design Guidance stipulates the depth of 3m is usually considered acceptable to ensure the privacy and amenity of neighbouring occupiers is maintained. Although at their deepest the extensions will be 4 metres at the point along the boundary this will be 3 metres is considered that given along the boundaries the protrusion will be 3 metres with a maximum height of 2.95m, the proposed extensions would not result in any unacceptable levels of harm to the residential amenity of either neighbouring occupiers. To the rear of the site is an existing two storeys block residential block. The proposed extensions are not considered to result in any unacceptable harm to occupiers of this property given the maintained separation distances and single storey nature of the proposal.

To ensure that there is no amenity impact on the property within the application, a condition will be attached to ensure that neither extensions are occupied until both have been fully completed.

In assessment, it is considered the proposed developments do not demonstrate significant amenity concerns regarding loss of light, privacy or outlook and is therefore compliant with policy DM01 of Barnet's Local Plan 2012.

5.4 Response to Public Consultation

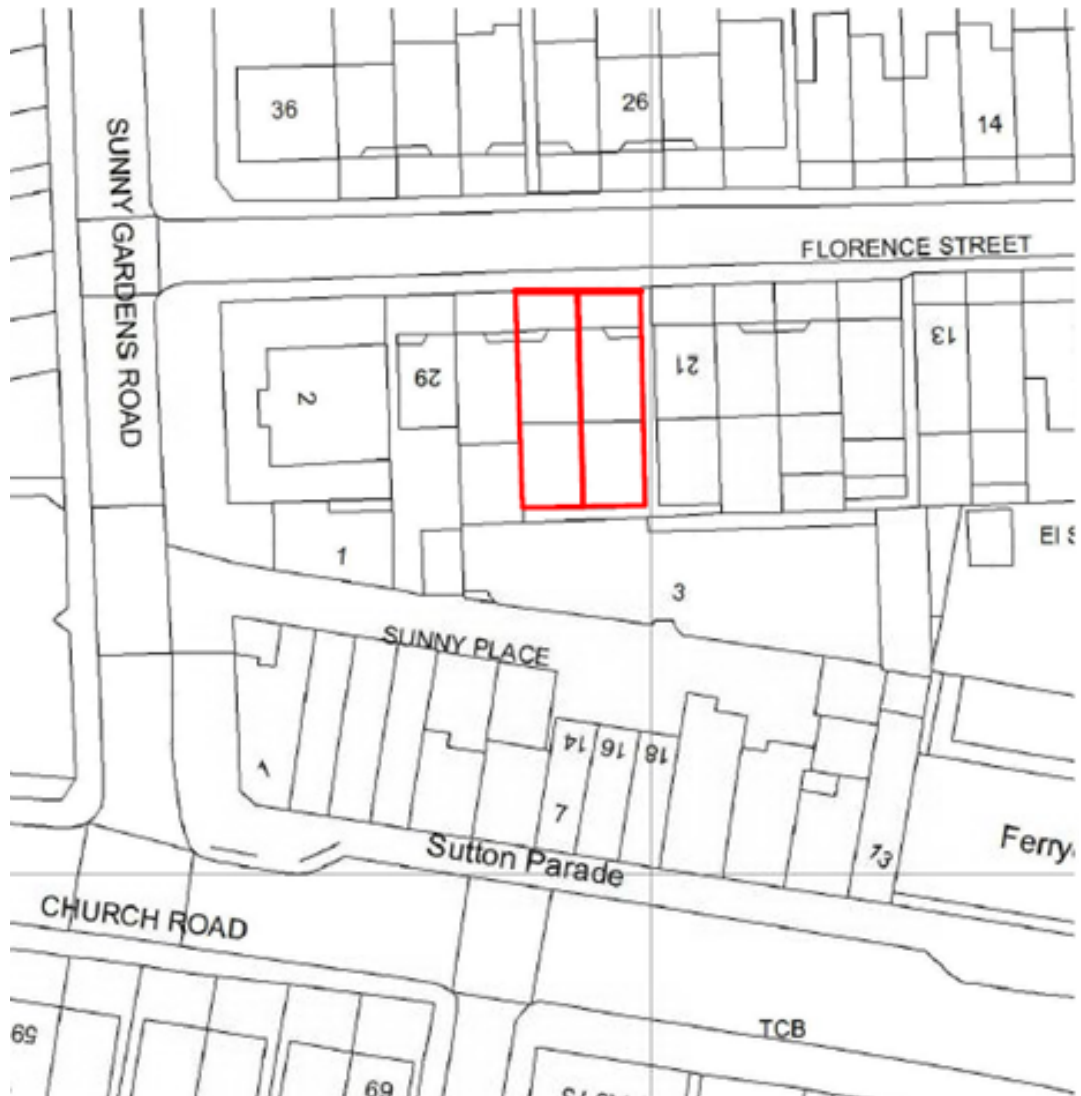
- Concerns regarding the two-storey element and impact on already small amenity area; the first storey element has been removed from the application, the single storey element is considered acceptable on amenity grounds.
- Concerns regarding proportionality of extensions; after removing the first-floor element, officers are satisfied that the ground floor elements would be proportionate and subservient to the existing dwellings.
- Concerns regarding potential overbearing impact on neighbouring occupiers from first floor extension; the first-floor element has been removed from the application, the single storey element is considered acceptable on amenity grounds.
-

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 **125 Sunny Gardens Road London NW4 1SH**

Reference: **19/2672/FUL**

Received: 10th May 2019

Accepted: 22nd May 2019

Ward: Hendon

Expiry 17th July 2019

Applicant: Mr Graham Valentine

Proposal: Addition of 1no self-contained flat following basement, ground and first floor rear extensions. Associated parking, refuse and recycling store, cycle storage

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:

Basement Plan As Existing/Proposed, Drawing No.2015/1292/50;
 Block Plans as Existing and As Proposed, Drawing No.2015/1292/6C;
 Ground Floor Plan as Proposed, Drawing No.2015/1292/7E;
 Basement Plan as Proposed, Drawing No.2015/1292/8D;
 First Floor Plan as Proposed, Drawing No.2015/1292/9B;
 Elevations as Proposed, Drawing No.2015/1292/10D;
 Section B-B as Proposed, Drawing No.2015/1292/11C;
 Section A-A as Proposed, Drawing No.2015/1292/12E;
 Roof Plan as Proposed, Drawing No.2015/1292/14C;
 Second Floor as Existing/Proposed, Drawing No.2015/1292/53;
 Roof Plan as Existing, Drawing No.2015/1292/54;
 Elevations as Existing, Drawing No.2015/1292/55;
 Section A-A as Existing, Drawing No.2015/1292/56;
 Ground Floor Plan as Existing, Drawing No.2015/1292/57

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

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

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

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

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

- 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 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 Before the development hereby permitted is occupied the car parking spaces and the access to the parking area as shown on Drawing No.2015/1292/6C, shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

- 6 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.

- 7 Notwithstanding the information submitted a Demolition and Construction Management and Logistics Plan shall be submitted and no site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

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

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

- 8 a) A scheme of hard and soft landscaping, including details of the size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced, except for demolition works.

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 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.

9 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 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.

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

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

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

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

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

- 12 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 6.00 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).

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

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

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

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the 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 35% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

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. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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

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

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

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

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

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

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

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of

development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

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

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

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

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

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

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

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

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

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

- 4 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and

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

- 4 The proposal should demonstrate compliance with Part B5 of Building Regulations.

Officer's Assessment

1. Site Description

The application site is formed of a two-storey semi-detached dwelling house located to the west of Sunny Gardens Road within the ward of Hendon. The property is located in a predominantly residential area. A rear service road separates the property from the rear gardens of Sunningfields Road.

A number of properties within this section of Sunny Gardens Road have experienced deep single storey and two storey rear extensions into the back garden and this property has already been extended to the rear. A previous planning permission to convert the building into two flats has been implemented. The property has also been previously extended by way of a loft conversion with rear dormer and a single storey rear extension approx. 3m depth x 3.5m width x 3.2m max. height, 2.5m high to the eaves. The property also benefits from a basement at the front for the purposes of domestic storage.

The application site is not a locally/statutorily listed building nor is it located within a conservation area.

2. Site History

Reference: 18/7531/FUL

Address: 125 Sunny Gardens Road, London, NW4 1SH

Decision: Refused

Decision Date: 28 February 2019

Description: Addition of 1no self-contained flat following basement, ground and first floor rear extensions. Associated parking, refuse and recycling store, cycle storage

Refusal Reasons:

1. The proposed single storey rear extension, by reason of its size, bulk and depth would result in a sense of enclosure as perceived from the ground floor flat at no.123 and equally a loss of outlook from this neighbouring occupier contrary to policy DM01 of the Barnet's Local Plan (2012), CS5 of the Barnet's Core Strategy Plan (2012) and Supplementary Residential Design Guide 2013.

2. A north facing single aspect window opening at basement level for the purpose of bedroom (1) and (2) would provide inadequate natural light, ventilation and outlook to the detriment of future occupiers of this unit would therefore provide a sub-standard form of accommodation, to the detriment of the living conditions of the future occupiers contrary to CS NPPF, CS1 and CS5 of the Barnet's Core Strategy Plan (2012), Policies DM01 and DM02 of the Barnet's Local Plan (2012), the Adopted Residential Design Guidance SPD (October 2016) and the Sustainable Design and Construction SPD (October 2016).

Reference: 17/6722/FUL

Address: 125 Sunny Gardens Road, London, NW4 1SH

Decision: Refused

Decision Date: 19 December 2017

Description: Conversion of existing dwelling into 3no self-contained flats involving basement, ground and first floor rear extensions. Associated parking, refuse and recycling store, cycle storage

Reference: 17/7920/FUL

Address: 125 Sunny Gardens Road, London, NW4 1SH

Decision: Approved subject to conditions

Decision Date: 12 February 2018

Description: Conversion of property into 2no self-contained flats following demolition of existing rear extensions

Reference: H/00583/12

Address: 125 Sunny Gardens Road, London, NW4 1SH

Decision: Lawful

Decision Date: 10 May 2012

Description: Extension to roof including 1no rear dormer with juliette balconies and associated removal of chimney at rear to facilitate further rooms in the roof space.

Reference: H/00603/12

Address: 125 Sunny Gardens Road, London, NW4 1SH

Decision: Application Invalid On Receipt

Decision Date: No Decision Made.

Description: Single storey rear extension.

Reference: H/00658/12

Address: 125 Sunny Gardens Road, London, NW4 1SH

Decision: Refused

Decision Date: 17 May 2012

Description: Conversion of house into 4 self-contained flats with associated extensions including part ground, part first floor rear extension with juliette balcony, formation of basement including lightwell and terrace above, and alterations to roof including rear dormer with juliette balcony to facilitate a loft conversion.

Reference: H/00585/12

Address: 125 Sunny Gardens Road, London, NW4 1SH

Decision: Application Invalid On Receipt

Decision Date: No Decision Made.

Description: Part two storey part single storey rear extension including juliette balcony at first floor rear.

Reference: H/00604/12

Address: 125 Sunny Gardens Road, London, NW4 1SH

Decision: Application Invalid On Receipt

Decision Date: No Decision Made.

Description: Formation of basement including rear terrace and associated rear access.

Reference: W11508G/06

Address: 125 Sunny Gardens Road, London, NW4 1SH

Decision: Approved subject to conditions

Decision Date: 23 March 2006

Description: First floor rear extension. Alteration to roof including rear dormer window to facilitate a loft conversion.

Reference: W11508A/02

Address: 125 Sunny Gardens Road, London, NW4 1SH

Decision: Lawful

Decision Date: 9 December 2002

Description: Certificate of lawfulness for a single storey detached garage with mansard roof (involving excavation).

Reference: W11508F/05

Address: 125 Sunny Gardens Road, London, NW4 1SH

Decision: Lawful

Decision Date: 5 July 2005

Description: Single storey rear extension and alterations to rear roof extension.

Reference: W11508E/05

Address: 125 Sunny Gardens Road, London, NW4 1SH

Decision: Withdrawn

Decision Date: 29 June 2005

Description: Part single, part two-storey rear extension.

Reference: W11508B/03

Address: 125 Sunny Gardens Road, London, NW4 1SH

Decision: Refused

Decision Date: 27 May 2003

Description: Part single, part two-storey rear extension and alterations to roof including rear balcony and front dormer window to facilitate a loft conversion.

Reference: W11508C/03

Address: 125 Sunny Gardens Road, London, NW4 1SH

Decision: Refused

Decision Date: 10 December 2003

Description: Part single, part two-storey rear extension and alterations to roof including rear dormer window and rooflights at front to facilitate a loft conversion.

Reference: W11508D/04

Address: 125 Sunny Gardens Road, London, NW4 1SH

Decision: Withdrawn

Decision Date: 21 April 2005

Description: Part single, part two-storey rear extension and alterations to roof including rear dormer window and rooflights at front to facilitate a loft conversion.

3. Proposal

Planning permission is sought for the erection of a single storey rear extension which would be situated at a lower ground floor level but would also project vertically above natural ground level. This proposed extension has a depth of 12 m and would project by 0.5m above ground level. The ground floor rear extension would project by 6.0 which is consistent with neighbouring properties within the street. The raised level of the extension would permit the roof of the extension to be used as a raised terrace within the garden. The terrace would be enclosed by means of enclosure to prevent loss of privacy to neighbouring properties. There would also be a 2m first floor rear extension.

The proposed new flat would be a 1 bed 2 person flat with windows to the flank and rear patio doors which would serve the bedroom and other circulation space. Steps would rise up to a kitchen and lounge dining area at the ground floor level.

4. Public Consultation

Consultation letters were sent to 166 neighbouring properties.

6 responses have been received, comprising 6 letters of objection, 0 letters of support and 0 letters of comment.

The objections received can be summarised as follows:

- Disruption by construction traffic to the rear of the proposal site;
- Damage caused to access road to the rear;
- Damage caused by building works;
- Overdevelopment of the proposal site;
- More congestion by vehicles;
- Setting precedent of flatted development on the road;
- Impact on neighbouring occupiers - loss of light, loss of outlook to neighbouring flats;
- Loss of ventilation to neighbouring properties;
- Inaccuracies of the plans with regard to the access doors at the front of the property;
- Undertaking works without planning permission;
- The dormer and balconies are less than the mandatory minimum of 20cm from where the vertical wall below meets the roofline;
- The dormer cuts off the view we have from the Velux-style roof windows of our second-floor room;
- Excavation undertaken to the rear of the property;
- Generous sized for a 1no.bedroom flat;
- Previous refusals at the site for similar proposals;
- Neighbours currently have little or no parking in this road.

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.

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:

- i The principle of flats in this location
- ii. The Impact on the appearance and character of the area
- iii. The impact on the amenities of neighbouring occupiers
- iv. Whether the proposal provides satisfactory living accommodation for future occupiers
- v. Parking and highways
- vi. Refuse and recycling storage

5.3 Assessment of proposals

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

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

Policy DM01 of Barnet's Local Plan Development Management Policies DPD 2012 (LP) states that proposals should be based on an understanding of local characteristics. Criterion h of the same policy states that the conversion of dwellings into flats in roads "characterised by houses" will not normally be appropriate.

Planning ref 17/7920/FUL was previously approved for the conversion of the 4no. bed 8no. person single family dwelling into 2no. self-contained flats following demolition of existing rear extensions. This permission has been implemented at the proposal site. An additional unit is sought by way of basement and ground floor extensions and a first-floor extension to supplement the first-floor unit.

Given the recent development history of the site and examples of flat conversions on Sunny Gardens Road (nos 117, 123, 127 and 129 Sunny Gardens Road), the addition of a self-contained unit and associated alterations to scheme ref: 17/7920/FUL constitutes sufficient material consideration to support the principle of development in accordance with DM01 of the Barnet Council Local Plan (2012) and it leads to the Council to determine how the scheme is acceptable in respect of all other relevant standards as considered below.

The Impact on the appearance and character of the area

DM01 (c) specifically states that development proposal should ensure attractive, safe and vibrant streets. Section 12 of the Residential Design Guide SPD 2016 recommends basements to generally be limited to the proposed footprint and volume of the house or building. Lightwells should be located away from the property boundary to enable a planted boundary to be maintained and should be proportionate to the building they relate to. Open lightwells and sunken terraces will be reinstated.

The intended basement of 12m depth rear of the original rear wall with would facilitate the creation of a third flat and provide a terrace over at ground level. It would result in a garden depth of approx. 25m depth, majority of which would be subdivided to serve off street parking provision for 2no. cars accessible at the rear via the service road and communal rear garden area provision of approx. 73m² (including the bicycle and bin storage units). The depth of the host dwelling measures approx. 10m. The proposed basement would not be within the footprint of the host dwelling and would extend far beyond the depth of the host property resulting in a large excavated area at the rear below ground level within the rear garden.

Section 14 of the Residential Design Guide SPD 2016 recommends single storey rear extensions to project a maximum of 3.5 metres on the common boundary with adjoining properties in the case of semi-detached properties. The intended single storey rear extension would serve flat no.3 and extend the original rear wall of the host property approx. 2.2m max. height above natural ground level, 3.7m depth on the common boundary with adjoining no 127 Sunny Garden and approx. 3.65m depth on the common boundary with adjoining no. 123 Sunny Garden Road. A site visit revealed that nos 121, 127, 129 and 131 Sunny Gardens are similarly extended at ground level.

Following planning refusal ref 17/6722/FUL, the individual and combined impact upon the character of the original property as a result of such large extensions within the rear garden was considered disproportionate and unsympathetic in scale and mass relative to the host property, however at appeal stage the officer opinion was not upheld as argued in para. 22 of appeal dismissal ref: APP/N50590/W/18/3198547:

"The proposed ground floor extension would not be untypical of the area, in terms of size and massing. The rear basement extension would extend a considerable distance from the rear elevation of the house and across much of the width of the rear garden. It would be visible from upper windows of neighbouring properties, in the way that the rear garden is visible at present. The appearance from these vantage points would be of a ground floor terrace, with part of the 'sunken' patio area beyond leading to the communal garden - features that would not be out of place in a rear garden. As a result of this and because it would be largely hidden from view as a result of boundary fences, planting and its subterranean nature, its impact on the character and appearance of the property and the wider area would be limited and not harmful"

Section 14 of the Residential Design Guide 2016 also states that two storey rear extensions which are closer than 2 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable. This is because they can be too bulky and dominant, and have a detrimental impact on the amenities of neighbours. A first-floor rear extension would feature a shallow pitched roof form, set in approx. 0.25m from the nearest rear corner and measure approx. 2.4m depth x 3.4m width to facilitate bedroom 2 of the first-floor unit. The first-floor extension is not in dispute as it would accord with the aforementioned guidance and therefore would be considered acceptable in this instance.

The cumulative increase in the no. of units combined with the largely reduced rear amenity space to facilitate large extensions at ground and basement level and off-street parking was previously considered a reflection of over intensification of the site as per planning refusal ref: 17/6722/FUL, at which stage the officer considered that the limitations of the site have been exhausted. However, at appeal stage the officer opinion was not upheld as argued in para. 23 of appeal dismissal ref: APP/N50590/W/18/3198547:

"The proposed development, by increasing the number of dwellings and the number of occupiers would increase activity levels at the appeal property, which the Council consider would be 'over-development'. They also state that there would be a consequent increase in 'comings and goings' at the appeal property, together with associated noise and disturbance, compared to a single house or two flats. However, given that there are other flats in the area, including next door at No. 123, and that planning permission for two flats at the appeal property has already been granted, the proposed development would not be out of character here. Of the six off-street car parking spaces that are proposed, four would be to the rear in what was previously a garden area, and next to the rear gardens of neighbouring properties. I note what the appellant says about some neighbouring properties using their rear gardens to park vehicles, and whilst I did not see this when I visited the site, given the private access road, this is unlikely to be exceptional and would not be out of character with the area. Furthermore, both the garden and the car parking area would be ancillary to the residential use, and so in that sense would be in keeping with the character of the property and the wider area."

The above justification therefore forms part of the officer assessment and has been upheld.

Given the above, the development is considered acceptable on the grounds of character and appearance grounds.

The impact on the amenities of neighbouring occupiers

The intended basement would be located below ground level and although would extend approx. 12.0m further into the rear garden, would not be visible from the public realm. Given site circumstances, this element would not compromise the residential amenities of neighbouring nos 123 and 127 Sunny Gardens Road in terms of loss of light, outlook and privacy.

The intended single storey rear extension would extend 3.5m in depth on the common boundary with adjoining no.123. No.123 is unextended at the rear and features habitable patio doors opening in the rear wall approx. 1.0m from the common boundary with the application site. The extension complies with the recommended depth of 3.5m as per the SPD 2016 in the case of semi-detached properties. No 127 is similarly extended in depth at ground level and therefore would offset any undue impact likely to be caused by the intended single storey rear extension in terms of loss of light and outlook.

The intended first floor rear addition would extend less than 3.0m in depth at first floor level and set in approx. 6m from adjoining no 123 and approx. 3.2m from no 127. The intended depth in conjunction with the distances from adjacent neighbouring properties would ensure that access to light and outlook is maintained from neighbouring first floor habitable window openings.

No loss of privacy would occur given that no new windows in the flank walls are intended.

No adjoining properties at the rear would be compromised given that the application site adjoins a private service road.

The proposal is considered acceptable on neighbouring amenity grounds.

Whether the proposal provides a satisfactory living environment for future occupiers

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

Floor Area:

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

LG/ GF (Flat 1) 1 bed x 2 person/ 2 storey 94.4m²

The unit would marginally exceed above the minimum unit size requirements set out in the Technical Housing Standards 2015, London Plan (2016) and Barnet's policies and Sustainable Design SPD (Oct 2016) and therefore would provide a satisfactory level of accommodation for the intended occupancy level.

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

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

All rooms would meet the above standards.

The London Plan (2016) recommend a minimum floor to ceiling height of 2.3m for at least 75% of the floor area per unit. A section reveals a min. internal headroom of approx. 2.60m thereby above mentioned minimum standard.

The London Plan (2016) recommend a minimum built-in storage of 2.0m² for the purposes of a 1no. bed 2no. person self-contained unit over two storeys. Plans reveal a approx. 3.50m² worth of storage space at basement level thereby above mentioned minimum standard.

Room stacking:

The Residential Design Guidance SPD (October 2016) requires that the stacking of rooms between vertically adjoining units flats should as far as practical ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors to reduce nuisance from sound transmission. No overlap would occur in this case.

Light/outlook:

Barnet's Sustainable Design SPD (Oct 2016) section 2.4 states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room and that bedrooms and living rooms / kitchens should have a reasonable outlook with clear glazed windows. Section 7.9 of the Residential Design Guidance SPD (2016) states that new development should be sited and designed to maximise daylight and sunlight as far as possible.

It should be noted that a west facing single aspect bedroom window opening is intended at basement level. The level of light, ventilation and outlook would be appropriate in this instance. The windows also are positioned to face onto a private patio area for flat 3. No boundary treatment detailing has been included as part of this application but will be secured by planning condition.

Amenity Space:

Section 2.3 of the Sustainable Design and Construction SPD (2016) requires for flats a minimum of 5m² of outdoor amenity space per habitable room. In this case approx. 20m² of outdoor amenity space is required.

The existing rear garden is substantial in depth of approx. 37m and area of 232m², however would be substantially reduced given extent of excavation and extensions in the rear garden. The resulting rear garden would be further subdivided to accommodate off-street rear

parking provision of 2no. cars accessible via the rear service road. A communal garden area (at ground level beyond the basement excavation of approx. 55m² and an outdoor amenity space for future occupiers of the basement unit would be provided by way of a terrace (at ground level) and rear patio area at basement level of approx. 30m². The overall requirement for the site would be 60m² worth of outdoor amenity space.

This opinion was upheld by the planning inspectorate as in para. 18 of appeal dismissal ref: APP/N50590/W/18/3198547 as argued:

"The provision of four car parking spaces to the rear would limit the amount of communal garden space to the rear to around 55m², which the Council state would be below the minimum standards set out in the SDCSPD 2016. The submitted drawings show twelve habitable rooms, including three kitchen / lounges which I have considered as single rooms. For a flat development, this would therefore require 60m² of outdoor amenity space. However, taking the terrace and patio areas for the rear basement flat into account, the amount of outdoor amenity space proposed for the development would meet the standards specified by the Council in terms of flats."

As there has been a reduction in the amount of parking provided towards the rear, the communal rear garden area would accommodate refuse and cycle storage for all occupiers. Details of the proposed cycle storage and bin storage will be secured

Parking and Highways

The Council's Highways Team have been consulted and reviewed the scheme. The PTAL is 0 (poor) with no public transport mode available within the PTAL calculation area. The development is not located in a controlled parking zone nor is there one likely to be in place by the time the development is occupied.

The London Plan 2016 requires the minimum of 6no. secure cycle parking spaces for the intended occupancy levels. Proposed plans indicate cycle storage within the communal rear garden, however no specification or quantum has been attached to this application in this regard.

The existing hardstanding at the front within the front forecourt area is capable of accommodating the provision of 2no. off-street parking spaces. 2no. new off-street parking spaces bays would be facilitated at the rear by the subdivision of the resulting rear garden space and accessible via the service road at the rear and communal rear garden area. Cumulatively, two additional car parking spaces (in comparison to the current provision on site of 2no. spaces) have been proposed in association with the above application.

There have been a number of residential objections which mention the impact of parking, given the site has a PTAL of 0 and there is no CPZ in operation, it is expected that on street parking stress is high, as would the likelihood of car ownership. Developments in this area which represent an intensification of use will need to properly mitigate against the impact of overspill parking.

Conditions have been attached to this application requiring the implementation of parking spaces and a pre-commencement condition for cycle parking.

Refuse and recycling storage

Proposed plans indicate the storage of 6no. refuse bins at the rear within the communal rear garden. Occupiers of the intended units would be able to externally access the communal rear garden by way of a side gate on the common boundary with adjoining no 127 Sunny Gardens Road and wheel the bins out to the front forecourt on collection days. The level of

refuse would therefore comply with the standards outlined in Barnet's Waste and Recycling Strategy (2017).

5.4 Response to Public Consultation

Addressed within the main body of this report.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that 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.





Appeal Decision

Site visit made on 26 June 2018

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2018

Appeal Ref: APP/N5090/W/18/3198547

125 Sunny Gardens Road, Hendon, London NW4 1SH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Graham Valentine against the decision of the Council of the London Borough of Barnet.
 - The application Ref 17/6722/FUL, dated 23 October 2017, was refused by notice dated 19 December 2017.
 - The development proposed is basement, ground and first floor extensions and conversion from 1no. house to 3no. self contained flats, with associated parking, bin and cycle storage.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. There is disagreement between the two parties regarding the current use of the appeal property. The Council state that it is a single family house, which is supported by the information contained on the application form. However, the appellant states that planning permission for the conversion of the property into two self-contained flats following the demolition of the existing rear extensions was granted by the Council on 12 February 2018¹. This application was registered by the Council prior to the decision to refuse planning permission for the appeal development, and was approved subsequently. The appellant submits that work to implement this consent is underway, evidence of which I saw on site.
3. The appellant indicates, and it is not disputed by the Council, that the proposed development would largely replicate the 2-flat conversion, discounting the rear extensions. In this regard there is a greater than theoretical possibility of the approved scheme taking place. Furthermore, this scheme would not be dissimilar to the scheme before me. Therefore I have attached substantial weight to this scheme in my assessment of the appeal before me. I refer to this again within the main reasoning.
4. There are some minor errors in the Council's references to policies and guidance on their decision notice and associated documents. The Council has confirmed that reference to the Residential Design Guidance Supplementary Planning Document (RDGSPD) April 2013 in their second reason for refusal should have been a reference to the RDGSPD 2016. Furthermore, the Council

¹ Ref 17/7920/FUL

has also confirmed that in the first reason for refusal, reference to *Policy CS NPPF* of Barnet's Local Plan (Core Strategy) Development Plan Document 2012 (BLPCSDPD) was intended, instead of to *the NPPF*. I have considered the appeal on this basis.

5. The Government published the revised National Planning Policy Framework (the Framework) on 24 July 2018. The parties were given an opportunity to comment on the implications for the decision. Representations received in relation to the Framework 2018 have been taken into account in determining this appeal.

Main Issues

6. The main issues are the effect of the proposed development on the character and appearance of the appeal property and the wider area, on the living conditions of neighbouring occupiers in terms of outlook, and on the living conditions of the future occupiers of the appeal property in terms of outdoor amenity space, light, outlook and ventilation.

Reasons

7. Sunny Gardens Road is a residential street containing predominantly 2-storey semi-detached houses, on narrow but fairly large plots. The properties typically have small front gardens but much larger gardens to the rear, and there is a vehicular access to the rear via a private road.

Living conditions of neighbouring occupiers

8. When I visited the site, access was limited due to the presence of stored construction materials. Nevertheless, with reference to window heights and the submitted plans I was able to assess what the impact of the proposed extensions would be.
9. The ground floor rear extension would be located by the boundary with 123 Sunny Gardens Road, which has been converted into flats, but unlike No. 127 or No. 121, has not had a significant ground floor rear extension added. The proposed extension would extend some seven metres from the principal rear elevation of the property, five metres adjacent to the boundary, and then with a one metre set-back, for a further two metres.
10. In paragraphs 3.18 and 3.19 of their statement the appellant says that the extension is only five metres '*at its longest point*'. However, the submitted plan 2015/1292/7B referred to by the appellant clearly shows that the extension would be seven metres maximum distance from the principal rear elevation of the property, albeit with a one metre setback some two metres from the end. It would be visible above the top of the boundary fence and because of its size, bulk and position on the boundary it would create a sense of enclosure and would significantly reduce the outlook from the ground floor habitable room in the rear elevation of No. 123. The outlook from the associated patio area by this room would be similarly affected.
11. I note what the appellant says in relation to what would be allowed as permitted development and that it would not apply in this case, given that the appeal property is no longer a single house. However, in this case, it does not lead me to a different conclusion with regards to the harm that would be

caused to the living conditions of neighbouring occupiers by the proposed ground floor extension in terms of reduced outlook.

12. I also note the photograph of similar sized ground floor extensions to the north of the appeal property in a similar position to what is proposed. I do not have all the details of these cases before me. I am not fully familiar with what is shown, or other details that may not be shown. Nevertheless the photographs suggest that there are differences between these extensions and the appeal situation. The pair of semi-detached properties to the north have similar sized ground floor extensions with consequently similar outlooks. In contrast the proposed extension at the appeal building would be very different to the rear of its joined neighbour No. 123, as set out above. I have in any event considered this appeal on its individual merits.
13. For the reasons set out above I therefore conclude that the proposed extension would be an overbearing and over-dominant feature that would be harmful to the living conditions of the occupiers of the ground floor flat at No. 123. It would therefore be contrary to Policy DM01 (character and amenity) of Barnet's Local Plan (Development Management Policies) Development Plan Document (BLPDMPPDP) 2012, Policy CS5 (character) of BLPCSDPD 2012 and the RDGSPD 2016, and with the Framework 2018, in this regard.

Living conditions of future occupiers

14. Bedroom 2 of the ground floor flat is within the main building, and under the approved two bedroom flat conversion that is currently being implemented² would have a window looking out towards the rear garden area. The appeal development would include a ground floor extension across most of the width of the rear elevation, and would thereby block light and outlook from this window.
15. To address this point, the appellant proposes to install a new window in the side elevation, facing north towards the timber rail-topped fence on the boundary with No. 127 and the blank side elevation of that property. The outlook from this window would therefore be very limited, and at ground floor level with a northerly outlook would generally be in shadow, providing little natural light. The footpath it faces onto is narrow and between the side elevations of the two buildings, which would mean limited natural ventilation to the room should the proposed window be opened.
16. I note what the appellant says in paragraph 3.50 of their statement that the proposed window would be triple aspect receiving light from the front bay, the side and the rear. Nevertheless, the submitted drawings show that it would be a single aspect window facing northwards, and I therefore disagree with this statement.
17. I also note what the appellant says in paragraph 3.51 of their statement about the pre-existing window for the kitchen, and that the kitchen would be used more often than a bedroom. I note that a 'habitable room' as defined in the Sustainable Design and Construction Supplementary Planning Document (SDCSPD) 2016 would include both bedrooms and kitchens. In any event, I can only consider what is before me in relation to this appeal, namely in this case, the provision of a single aspect window to ground floor bedroom 2.

² Ref 17/7920/FUL

18. The provision of four car parking spaces to the rear would limit the amount of communal garden space to the rear to around 55m², which the Council state would be below the minimum standards set out in the SDCSPD 2016. The submitted drawings show twelve habitable rooms, including three kitchen / lounges which I have considered as single rooms. For a flat development this would therefore require 60m² of outdoor amenity space. However, taking the terrace and patio areas for the rear basement flat into account, the amount of outdoor amenity space proposed for the development would meet the standards specified by the Council in terms of flats.
19. The appellant has provided revised plans showing an increase in the size of the outdoor amenity space. This would be achieved by a reduction in the number of car parking spaces to the rear, from four to two, although this would be partially offset by an increase in the parking spaces to the front, from two to three. The Council state that the appeal property has a Public Transport Accessibility Level (PTAL) of 0, which is poor. Cars, and consequently car parking spaces, would therefore be important to the future occupiers of the proposed development. I also note that objections from nearby residents have been made in relation to parking issues.
20. With reference to relevant government guidance³ it would not be appropriate to consider these revised proposals as part of this appeal. I have therefore determined the appeal on the basis of the development that was refused planning permission by the Council.
21. Notwithstanding that the proposed development would not be harmful to the living conditions of the future occupiers in terms of outdoor amenity space, for the reasons set out above I conclude that the proposed development would be harmful to the living conditions of the occupiers of ground floor bedroom 2 in terms of light, outlook and ventilation. It would therefore be contrary to Policies CS NPPF (presumption in favour of sustainable development), CS1 (place shaping) and CS5 (character) of BLPCSDPD September 2012, Policies DM01 (character and amenity) and DM02 (development standards) of BLPDMPDPD 2012, and the RDGSPD 2016 and SDCSPD 2016, and with the Framework 2018, in this regard.

Character and appearance

22. The proposed first floor extension is not in dispute, and the ground floor extension would not be untypical of the area, in terms of size and massing. The rear basement extension would extend a considerable distance from the rear elevation of the house and across much of the width of the rear garden. It would be visible from upper windows of neighbouring properties, in the way that the rear garden is visible at present. The appearance from these vantage points would be of a ground floor terrace, with part of the 'sunken' patio area beyond leading to the communal garden - features that would not be out of place in a rear garden. As a result of this and because it would be largely hidden from view as a result of boundary fences, planting and its subterranean nature, its impact on the character and appearance of the property and the wider area would be limited and not harmful.
23. The proposed development, by increasing the number of dwellings and the number of occupiers would increase activity levels at the appeal property,

³ Annexe M.1.1 and M.2.1 of *Planning appeals – England: Procedural Guide*

which the Council consider would be '*over-development*'. They also state that there would be a consequent increase in '*comings and goings*' at the appeal property, together with associated noise and disturbance, compared to a single house or two flats. However, given that there are other flats in the area, including next door at No. 123, and that planning permission for two flats at the appeal property has already been granted, the proposed development would not be out of character here.

24. Of the six off-street car parking spaces that are proposed, four would be to the rear in what was previously a garden area, and next to the rear gardens of neighbouring properties. I note what the appellant says about some neighbouring properties using their rear gardens to park vehicles, and whilst I did not see this when I visited the site, given the private access road, this is unlikely to be exceptional and would not be out of character with the area. Furthermore, both the garden and the car parking area would be ancillary to the residential use, and so in that sense would be in keeping with the character of the property and the wider area.
25. The appellant refers to an earlier scheme at the property for the conversion into four self-contained flats with associated extensions⁴. This proposal was refused planning permission and was subsequently dismissed at appeal⁵ on 30 April 2013. The appellant has drawn my attention to two aspects of the decision: that the Inspector's view was that the single dominant character of the area by the appeal site was formed by single family housing; and that the proposed rear extensions would overwhelm the rear elevation in a visually dominant manner.
26. The appellant considers that the scheme addressed by this appeal is very much apart from the current appeal, although from the plans it seems that in physical form it is not dissimilar. However, I am not fully familiar with this appeal and I have had very limited and non-determinative regard to this decision, which was made more than five years ago, before permission to convert the property into two flats was granted, and before some of the policy guidance used by the Council was written. I have considered this appeal on its individual merits.
27. For the reasons set out above, I conclude that the proposed development would not harm the character and appearance of the appeal property and the wider area and would therefore accord with Policies CS NPPF (presumption in favour of sustainable development), CS1 (place shaping) and CS5 (character) of BLPCSDPD 2012, Policies DM01 (character and amenity) and DM02 (development standards) of BLPDMPDPD 2012, the RDGSPD 2016, and with the Framework 2018, in this regard.

Other Matters

28. The appellant refers to the contribution that the proposed additional flat would make to meeting the Council's housing requirements, and the support that this has from various policies. Whilst the proposed unit would indeed contribute to meeting the Council's housing requirements, in relative terms the contribution would be very small and would not outweigh the significant harm to the living

⁴ Ref H/00658/12

⁵ Ref APP/N5090/A/12/2187794

conditions of neighbouring and future occupiers in terms of outlook, light and ventilation that I have identified above.

Conclusion

29. Notwithstanding that the proposed development would not be harmful to character and appearance, or the living conditions of the future occupiers in terms of outdoor amenity space, this would not outweigh the significant harm to the living conditions of neighbouring and future occupiers set out above, and the appeal is therefore dismissed.

Andrew Parkin

INSPECTOR

Location **Menorah Foundation School Abbots Road Edgware HA8 0QS**

Reference: **19/2879/FUL**

Received: 21st May 2019

Accepted: 24th May 2019

Ward: Burnt Oak

Expiry 19th July 2019

Applicant: The Governors

Proposal: Construction of new raised flat roof to existing courtyard area. Insertion of a new mezzanine floor above the existing school hall to create new teaching rooms at first floor level

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:

2 060 D, 2 061 D, 2 040 D, 2 041 D, 2 046 D, 2 045 D, 2 300 B, 2 800 C, 2 102 B, 2 100 D, 2 200 D, 2 201 D, 2 001 D, 2 002 D, Design and Access Statement

Reason: For the avoidabce 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 The number of pupils on roll at Menorah Foundation School will not exceed 480 pupils at any time.

In the interests of highway safety, accessibility and to protect the amenities of the area in accordance with Policy DM04 and DM17 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (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. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

Officer's Assessment

1. Site Description

The application site is Menorah Foundation School located on the southern side of Abbots Road and is enclosed by Orange Hill Road, Briar walk and Colchester Road. The application site encompasses a large three storey school house, playing fields and other ancillary school buildings in use with the school to the rear of the main property. The existing building consists of one large building with a frontage to Abbots Road with a parallel section to the rear. Together these elements enclose two existing quadrants, one of which has already been enclosed.

The application site is not statutorily/ locally listed but is it located within the Watling Estate Conservation Area.

2. Site History

Reference: 16/3571/S73

Address: Menorah Foundation School, Abbots Road, Edgware, HA8 0QS

Decision: Refused

Decision Date: 30 June 2017

Description: Variation of Conditions 18 (Means of Access), 19 (Drop off and Pick up facility) and 24 (Management Plan) pursuant to planning permission H/02986/12 for "Demolition of single storey Nursery, construction of two storey school classrooms and resource area, and new external landscaping and boundary wall. In association with increase from a single form entry school to a two form entry school. Single storey extension to existing classrooms" dated 06/02/2013. Variations to include amended travel plan

Reference: H/05726/13

Address: Menorah Foundation School, Abbots Road, Edgware, HA8 0QS

Decision: Approved

Decision Date: 26 March 2015

Description: Submission of details of Conditions No.3 (Materials), No. 6 (Landscaping details), No. 9 (Services in relation to trees), No. 10 (Trees Protective Fencing), No. 11 (Method Statement -Trees), No.12 (Tree Works- detailed specification), No. 20 (Demolition, Construction and Traffic Plan) pursuant to planning permission H/02986/12 dated: 17/09/2012.

Reference: H/02987/12

Address: Menorah Foundation School, Abbots Road, Edgware, HA8 0QS

Decision: Approved following legal agreement

Decision Date: 17 September 2013

Description: Demolition of single storey Nursery.

Reference: H/02986/12

Address: Menorah Foundation School, Abbots Road, Edgware, HA8 0QS

Decision: Approved following legal agreement

Decision Date: 18 September 2013

Description: Demolition of single storey Nursery, construction of two storey school classrooms and resource area, and new external landscaping and boundary wall. In

association with increase from a single form entry school to a two form entry school. Single storey extension to existing classrooms (AMENDED PLANS).

Reference: H/01978/11

Address: Menorah Foundation School, Abbots Road, Edgware, HA8 0QS

Decision: Approved subject to conditions

Decision Date: 27 July 2011

Description: Installation of solar panels on roof of school. (Panels would be sited to the south-west of the roof of the building.)

Reference: H/02829/08

Address: Menorah Foundation School, Abbots Road, Edgware, HA8 0QS

Decision: Unlawful

Decision Date: 6 November 2008

Description: Replacement windows to front elevation of school.

Reference: H/04341/08

Address: Menorah Foundation School, Abbots Road, Edgware, HA8 0QS

Decision: Approved subject to conditions

Decision Date: 12 January 2009

Description: Replacement of existing Crittall single glazed windows with new Crittall double glazed windows.

Reference: W03566X/06

Address: Menorah Foundation School, Abbots Road, Edgware, HA8 0QS

Decision: Approved subject to conditions

Decision Date: 8 November 2006

Description: First floor extension to create seminar/classroom space.

Reference: W03566S/03

Address: Menorah Foundation School, Abbots Road, Edgware, HA8 0QS

Decision: Approved subject to conditions

Decision Date: 17 February 2004

Description: Single storey side extension, replacement windows, new access ramp and alterations to courtyard.

Reference: W03566R/03

Address: Menorah Foundation School, Abbots Road, Edgware, HA8 0QS

Decision: Finally Disposed Of

Decision Date: 21 November 2003

Description: Retention of extended fencing fronting Abbots Road and Orange Hill Road.

Reference: W03566P/02

Address: Menorah Foundation School, Abbots Road, Edgware, HA8 0QS

Decision: Refused

Decision Date: 14 October 2002

Description: Retention of extended fencing fronting Abbots Road and Orange Hill Road.

Reference: W03566AB/07/TRE_B

Address: Menorah Foundation School, Abbots Road, Edgware, HA8 0QS

Decision: Trees: Not to Make TPO

Decision Date: 4 December 2007

Description: Pear - Reduce Crown by 40% Remove Deadwood

Reference: W03566Z/07

Address: Menorah Foundation School, Abbots Road, Edgware, HA8 0QS

Decision: Approved subject to conditions

Decision Date: 24 August 2007

Description: Replacement of boundary fence and brick piers. Installation of electronic gates in place of existing manual gates.

Reference: W03566Y/07

Address: Menorah Foundation School, Abbots Road, Edgware, HA8 0QS

Decision: Approved subject to conditions

Decision Date: 24 August 2007

Description: Demolition of existing front boundary fence and brick piers along Abbots Road

Reference: W03566U/04

Address: Menorah Foundation School, Abbots Road, Edgware, HA8 0QS

Decision: Refused

Decision Date: 29 September 2004

Description: Retention of single storey pre-fabricated classroom unit.

3. Proposal

The applicant seeks permission for the construction of new raised flat roof to existing courtyard area. Insertion of a new mezzanine floor above the existing school hall to create new teaching rooms at first floor level

The mezzanine floor would result in internal alterations to the existing school hall and an existing external wall to create a large opening overlooking the proposed hall.

The roof would have a width of 15.8 metres and depth of 15 metres with a central higher lantern element from ground level the structure would rise to a maximum height of 5.2 metre and will be constructed of aluminium. The structure will enclose the existing open courtyard resulting in an additional indoor space to be used for recreational activities and school assemblies for the existing students at the school. The proposal will not result in an increase in the number of students at the school.

4. Public Consultation

Consultation letters were sent to 93 neighbouring properties.

The Local Authorities Internal Highways Team have been consulted.

5 letters have been received, comprised of 5 letters of objection which can be summarised as follows;

- Concerns regarding increase in teaching capacity and number of children in school resulting in additional parking pressures in area with severe parking pressure already.
- Concerns regarding increased noise and disturbance and potential impact on surrounding neighbouring occupiers.
- Concerns regarding highways safety for local residents from unsafe driving/parking reducing accessibility particularly for vulnerable.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The National Planning Policy Framework (NPPF) was published on 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.

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, CS9, CS15.
- Relevant Development Management Policies: DM01, DM04, DM06.

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

Supplementary Planning Documents

Watling Estate Conservation Area Character Appraisal (2007)

Residential Design Guidance SPD (adopted October 2016)

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 application site, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;

5.3 Assessment of proposals

Impact on character of existing property, street scene and wider Watling Estate Conservation Area

Any scheme for the site would also need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. The council also has a statutory duty to preserve and enhance conservation areas. The scheme should suitably address the requirements of development plan policies such as DM01, DM06 and CS05 (both of the Barnet Local Plan) 7.4 and 7.6 (both of the London Plan).

With regard to the proposal the following policies would be relevant. Policy 7.6 of the London Plan (2016) states that buildings should be of the highest architectural quality and not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings.

Policy CS5 of the Core Strategy which states, that the Council 'will ensure that development in Barnet respects local context and distinctive local character creating places and buildings

of high quality design'. It goes on to state that the council will proactively protect and enhance Barnet's heritage including conservation areas.

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

Policy DM06 of the adopted Development Management Policies (2012) states that all heritage assets will be protected in line with their significance. All development will have regard to the local historic context. Development proposal must preserve or enhance the character and appearance of 16 conservation areas in Barnet.

The Watling Estate Conservation Area is largely in residential use, interspersed with schools, churches, a clinic and a sports centre. The houses within the conservation area are similar in scale and form and the main materials and architectural details adopted are based on the specific vernacular architectural style of the Arts and Crafts movement. The area which surrounds the application site largely comprises small terraces which are often symmetrical and balanced which is typical in this conservation area. Any alteration to existing buildings within the conservation area would need to respect the quality of the original layout of the Estate and the distinctive form and detailing and be sympathetic to the building's historic fabric and its surroundings. As such any alterations would need to ensure they comply with Policy DM06 of the DMP (2012) and must preserve or enhance the character and appearance of the conservation area.

Although the footprint of the building would remain the same, the proposal involves increasing the floor space and introducing an aluminium roof, which incorporates a raised glass lantern over the existing courtyard. The development would result in the demolition of the arched windows of the existing hall to allow for the existing hall to be opened up to connect with the proposed new hall. This would also allow for the incorporation of a mezzanine floor. The new roof including the lantern lightwell would not be visible from outside of the site as it would be enclosed on all four sides by existing buildings which have a higher ridgeline than the proposed roof. Therefore, it is considered that the new roof structure would not harm the character of the conservation area.

In terms of the proposed materials, an aluminium roof is proposed. The existing site encompasses various different materials on the building and surrounding including metal, brick and wooden structures. Although aluminium is not usually associated with the conservation area, considering the lack of visibility of the proposed development from the street scene and the varied use of materials existing on site, the proposed materials would be acceptable and would not harm the conservation area. A materials condition will be attached requiring specific details of the aluminium to be used prior to commencement of the development.

Impact on neighbouring occupiers

It is important that any scheme addresses the relevant development plan policies in respect of the protection of the amenities of neighbouring occupiers. This will include taking full account of all neighbouring sites. Policy DM01 states that 'Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.'

Given that the proposal would not be visible from the residential properties that bound the site, it is considered that it would not be detrimental to the visual or residential amenities of adjoining neighbours, and overlooking would also not result. Furthermore, as the proposal would not appear to result in an increase in the numbers of pupils or staff using the site as stated within the attached Design and access Statement, an increase in the intensity of the use of the site would not result. Thus, in the opinion of officers the proposal would not result in an unacceptable increase in noise and disturbance to the surrounding neighbours and would comply with local plan policies. A condition will be attached limiting the number of pupils on the roll for Menorah Foundation School to 480 to ensure the current school does not increase in pupil numbers without prior consent where a full assessment of impacts on highways and amenity can be carried out.

5.4 Response to Public Consultation

- Concerns regarding increase in teaching capacity and number of children in school resulting in additional parking pressures in area with severe parking pressure already; the increase in teaching capacity will be more the existing pupils and thus there will not be any increase to existing highway pressures. The scheme will not result in an increase in capacity of school children and will be conditioned to ensure this is the case. Any increase would require full assessment in a different application.
- Concerns regarding increased noise and disturbance and potential impact on surrounding neighbouring occupiers; this has been addressed within the main assessment of proposals
- Concerns regarding highways safety for local residents from unsafe driving/parking reducing accessibility particularly for vulnerable; as discusses the application will not increase the school numbers and thus there will be no additional pressure on highways or pedestrian safety.

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 wider locality. The development is not considered to have an adverse impact on the amenities of neighbouring or future occupiers. The application is deemed acceptable on highways and parking grounds. This application is therefore recommended for approval.

