

**LOCATION:** 6 White Lodge Close, London, N2 0BL  
**REFERENCE:** F/05261/13 **Received:** 09 November 2013  
**WARD(S):** Garden Suburb **Accepted:** 11 November 2013  
**Expiry:** 06 January 2014

**Final Revisions:**

**APPLICANT:** Harrison Varma

**PROPOSAL:** Demolition of existing dwelling house and construction of a replacement two-storey dwelling house with rooms in basement and roof scape. (AMENDED PLANS reduction in size of proposed house).

**RECOMMENDATION: Approve Subject to Conditions**

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

1318-PL-275 Proposed Site Plan; 1318-PL-285 Proposed Basement Plan; 1318-PL-286 Proposed Ground Floor Plan; 1318-PL-287 Proposed First Floor Plan; 1318-PL-288 Proposed Second Floor Plan; 1318-PL-289 Proposed Roof Plan; 1318-PL-290 Proposed North East Elevation; 1318-PL-291 Proposed South East Elevation; 1318-PL-292 Proposed South West Elevation; 1318-PL-293 Proposed North West Elevation; 1318-PL-294 Proposed Street; 1318-PL-295 Proposed Section AA; 1318-PL-296 Proposed Section BB; 1318-PL-303 3D Massing Street Views; GEA Desk Study and Basement Impact Assessment; Acoustics Plus Environmental Noise Assessment; Savills Planning Statement; Landmark Trees Arboricultural Impact Assessment; Harrison Varma Construction Management Plan; Design and Access Statement

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (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 demolition works hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been executed and planning permission has been granted for the redevelopment for which the contract provides. Evidence that this contract has been executed shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority prior to any demolition works commencing.

Reason:

To preserve the established character of the Conservation Area pending satisfactory redevelopment of the site in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF of the Adopted Barnet Core Strategy DPD (2012).

4 Before this development is commenced, details of the levels of the building(s),

road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

- 5 Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 6 Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

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 Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 7 Before the development hereby permitted commences, 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 and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

- 8 The flat roof sections of the new dwelling 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 Adopted Barnet Development Management Policies DPD (2012).

- 9 Notwithstanding the details shown on the hereby approved drawings, the rooflight(s) hereby approved shall be of a "conservation" type (with central, vertical glazing bar), set flush in the roof.

Reason:

To safeguard the character and appearance of the Conservation Area in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012).

- 10 Before the building hereby permitted is occupied the proposed window(s) in the side elevations 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 Adopted Barnet Development Management Policies DPD (2012).

- 11 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm 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 Adopted Barnet Development Management Policies DPD (2012).

- 12 A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

- 13 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.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 14 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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 15 Before this development is commenced details of the location, extent and depth of all excavations for drainage and other services in relation to trees on the site shall be submitted and approved in writing by the Local Planning Authority and the development carried out in accordance with such approval.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 16 No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. 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.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 17 No siteworks or works on this development shall be commenced before a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 Trees in relation to design, demolition and construction - Recommendations are submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with such approval.

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 18 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.

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

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

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

- 20 The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme) and achieve full Lifetime Homes credits. No dwelling shall be occupied until evidence that the Lifetime Homes credits have been achieved and a Final Code Certificate has been issued certifying that Code Level 3 has been achieved and this certificate has been submitted to and approved by the local planning authority.

Reason:

To ensure that the development is sustainable and complies with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007) and policies 5.2 and 5.3 of the London Plan (2011).

- 21 No development shall take place until details of a construction management plan have been submitted to and approved in writing by the local planning authority.

Reason:

To safeguard residential amenity in accordance with policy DM17 of the Adopted Barnet Development Management Policies DPD (2012).

- 22 The dwelling hereby approved shall be constructed to meet and achieve the 'Lifetime Homes' standard.

Reason:

To ensure the development meets the needs of its future occupiers and to comply with the requirements of policy DM02 of the Adopted Barnet Development Management Policies DPD (2012) and policies 3.8 and 7.2 of the London Plan 2011.

- 23 Before the development hereby permitted commences, details of following shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

- new windows and doors at a scale of 1:20
- lightwells to serve basement
- stone detailing to external surfaces
- brick quoins
- chimneys

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

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

Reason:

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

**INFORMATIVE(S):**

- 1 i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
- ii) In this case, formal pre-application advice was sought prior to submission of the application.
- 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](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £36.14 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £14,220. payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £54,848.57 payment under Barnet CIL.

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.

If affordable housing or charitable relief applies to your development 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](http://www.planningportal.gov.uk/cil).

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 Community Infrastructure Levy 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: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

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

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

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:  
1) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and measurement of environmental noise; 2) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 3) BS 8223:1999 - 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) Department of transport : Railway Noise and insulation of dwellings.

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

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Framework

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

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

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

### The Mayor's London Plan July 2011

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

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

The Mayor's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

### Relevant Local Plan (2012) Policies

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM04, DM06, DM07, DM17

### Supplementary Planning Documents and Guidance

The Council has adopted the following two supporting planning documents to implement the Core Strategy and Development Management Policies DPDs. These



are now material considerations:

- The Residential Design Guidance SPD (2013) and
- Sustainable Design and Construction SPD (2013).

The Bishops Avenue- Hampstead Garden Suburb Conservation Area Character Appraisal

Relevant Planning History:

F/00018/12 at 4 White Lodge Close: "Demolition of existing house and erection of a two-storey house with rooms in roof space, lower ground and basement levels". APPROVED (July 2012)

Consultations and Views Expressed:

Neighbours Consulted: 17  
Replies: 10  
Neighbours Wishing To Speak 5

The objections raised may be summarised as follows:

- overbearing, oversized replacement property
- loss of character with the neighbourhood
- loss of privacy and overlooking
- loss of light
- tree damage
- movement and accessibility
- ground stability and drainage
- detrimental impact upon residential amenities

It should be noted that two rounds of public consultation have been undertaken. The above objections relate to the originally submitted proposals.

Any representations received as a result of the second round of consultation will be reported to committee via the addendum.

Internal /Other Consultations:

- Haringey Council - No objection
- Urban Design & Heritage - No objection
- Highways - No objection

Date of Site Notice: 13 November 2013

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

The site is located in White Lodge Close, and accessed directly off The Bishops Avenue within the Hampstead Garden Suburb Conservation Area. The Conservation Area was created in 1968 as one of the first five Conservation Areas in the Borough. The site is also within an Area of Special Character designated in the Greater London Development Plan of July 1976 and carried over in the adopted Unitary Development Plan of 2006. The Hampstead Garden Suburb is covered by an Article 4 Direction covering Schedule 2 Parts 1 and 2 of the Town and Country Planning Control of Development Regulations 1988. Trees in and around the site have Tree Preservation Orders (TPOs).

The existing building holds no designation.

The adopted Character Appraisal notes;

*"This zone contains most of the cul-de-sacs which have been created off the Avenue (although not Canons Close, built on the grounds to the rear of East Weald in the 1960s, which shares many of this zone's characteristics) interspersed with large houses along the Avenue. Bishops Grove was probably the earliest cul-de-sac, the roadway being visible on the 1935 Ordnance Survey map (but no houses built at that time). Houses and plots are of a generous size. Byron Drive and White Lodge Close followed and, after Canons Close, Arden Court Gardens. The houses in these cul-de-sacs are smaller and sit within more modest plots. In this zone much of the interest is turned away from the main road. The cul-de-sacs tend to have a secluded air with building sizes on a smaller domestic scale resembling the adjacent Hampstead Garden Suburb."*

#### Proposal:

This application seeks consent for the demolition of the existing dwelling and construction of a replacement two-storey dwelling house with rooms in basement and roof space in the Neo-Georgian style.

A small section of the site is located within the London Borough of Haringey and the applicant has therefore submitted a parallel application to the London Borough of Haringey.

The application has been substantially amended since first being submitted to take into account concerns raised by the Urban Design and Heritage team.

#### Planning Considerations:

##### **Impact on character of the conservation area:**

The Government is committed to maximising the re-use of previously developed land and empty properties to minimise the amount of green field land being taken for development. One of the chief objectives of the NPPF is to provide sufficient housing for future needs, ensuring that as many of the new homes as possible are built on previously developed land. The NPPF advocates the adoption of a sequential approach to selecting sites for housing to ensure that green field sites are

used only when no appropriate sites exist inside urban areas. The sequential approach identifies previously developed sites within urban areas as being the most suitable for development.

The site is previously developed land and therefore is sequentially preferable for residential development.

Policy CS5 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'. Policy DM01 requires 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 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. The development standards set out in Policy DM02: Development Standards are regarded as key for Barnet to deliver the highest standards of urban design.

Furthermore, the Residential Design Guidance SPD advises that the design and layout of new development should be informed by the local pattern of development. The continuity of building lines, forecourt depths, road layout, space about the building and rear garden areas are all likely to be significant factors when redeveloping sites within existing residential areas,

The National Planning Policy Framework 2012 makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development. This document states that permission should be refused for development which is of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. It identifies that good design involves integrating development into the natural, built and historic environment and also points out that although visual appearance and the architecture of buildings are important factors, securing high quality design goes beyond aesthetic considerations.

Local Plan policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The London Plan also contains a number of relevant policies on character, design and landscaping. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding

historic environment.

Hampstead Garden Suburb is one of the best examples of town planning and domestic architecture on a large neighbourhood or community scale which Britain has produced in the last century. The Borough of Barnet designated the Suburb as a Conservation Area in 1968 and continues to bring forward measures which seek to preserve or enhance the character or appearance of the Conservation Area.

The Planning Listed Buildings and Conservation Area Act controls the demolition of buildings within the Conservation Area. There is a general presumption in favour of retaining buildings which make a positive contribution. The existing dwelling holds no significant architectural merit and is not considered to either preserve or enhance the significance of the Conservation Area; at best it is a neutral building. The demolition of the house is considered acceptable subject to a suitable replacement and conditions to protect trees.

The proposed building lines of the new property are considered acceptable in that it would respect the building lines created by other houses on this part of White Lodge Close. It is considered that the footprint of the proposed new dwelling respects the constraints of the site. It should be noted that the increase in size of the house is not dissimilar to the (extant) planning permission recently granted at 4 White Lodge Close.

The scale and mass of the proposals have been the subject of discussions between officers and the applicant since the application was submitted. Initial concerns were raised that the building as originally proposed would have been of an excessive size which would not have been in character with the close. Substantial amendments have been made by the applicant to take into account those concerns. The amended scale and mass of the replacement dwelling would now compliment the character of other properties within the immediate vicinity and would pose no significant detriment to the setting of the nearby buildings.

The proposed design is considered acceptable and has been the subject of a number of discussions and amendments since the application was submitted. The proposed basement would not be visible from the road. Overall the proposed house would achieve an acceptable height/width relationships with the neighbouring houses and it is considered that it would enhance the character and appearance of this part of the conservation area. The most significant difference between the proposals as originally proposed and the amended scheme relates to a reduction in the height of the building. The garage has also been repositioned since the application was first submitted and now is considered to be acceptable.

Conditions have been recommended that seek to protect the amenities of the neighbours, with obscure glazing to all new side windows and a condition preventing other side windows being inserted into the flank walls. A condition has also been recommended that seeks to protect the character and appearance of the existing building by ensuring that the materials used on the external surfaces are submitted to the Local Planning Authority and approved before any works commence. There are therefore no objections on these grounds.

## **Amenities of existing and future occupiers**

Local Plan policies require high quality design in all new development that creates attractive places which are welcoming, accessible and inviting. Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that development will be expected to meet in relation to a number of matters, including the internal floorspace of new dwellings, outdoor amenity space and play space. Policy DM04 states that buildings should be designed to minimise exposure to air pollutants. The same policy states that proposals to locate noise sensitive development in areas with high levels of noise will not normally be permitted and also that the mitigation of any noise impacts will be expected where appropriate.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new dwellings. These include requirements to provide high quality indoor and outdoor spaces, set minimum internal space standards for different types of unit and seek accommodation which has an appropriate layout and meets the needs of its occupiers over their lifetime.

The council's adopted supplementary planning documents (SPDs), Sustainable Design and Construction and Residential Design Guidance, and the Mayors adopted supplementary planning guidance, Housing, provide more detailed guidance on a range of matters related to creating new dwellings that have adequate amenities for their future occupiers.

The Residential Design Guidance SPD identifies that there should be a minimum distances of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden, in order to avoid overlooking in new developments.

Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling. The proposed unit complies with these minimum standards.

Development plan policy requires that new dwellings are provided with adequate outlook. The design approach proposed is considered to maximize the outlook of future occupiers of the new dwelling, while also taking account of the need to prevent unacceptable levels of overlooking at neighbouring properties.

Guidance in Barnet's Residential Design Guidance SPD sets out minimum standards for outdoor amenity space provision in new residential developments. The proposal is considered to be compliant with the objectives of planning policy on the provision of outdoor amenity space.

The distance between directly facing windows to habitable rooms in the new dwelling would not be less than 21m. The distance from a habitable room window to a directly facing private garden area would not be less than 10.5m. Subject to the conditions recommended it is considered that the house would all be provided with an acceptable level of privacy and not suffer unacceptable overlooking. The proposal is therefore found to be acceptable in this regard.

### **Tree matters:**

Trees contribute significantly to the character and appearance of the Hampstead Garden Suburb Conservation Area.

As is self-evident from the name, trees and the landscape are of particular importance to the design and philosophy of the Hampstead Garden Suburb. In many of their writings, Parker and Unwin (the founding architects / planners of the Hampstead Garden Suburb) referred to the importance of trees, green spaces, and landscape, together with the critical relationship between site and design (e.g. *The Art of Building a Home* (1901) Longmans).

Wherever possible, in laying out the design for “the Garden Suburb” particular care was taken to align roads, paths, and dwellings to retain existing trees and views. Extensive tree planting and landscaping was considered important when designing road layouts in Hampstead Garden Suburb, such that Maxwell Fry, one of the pioneer modernists in British architecture, held that “Unwin more than any other single man, turned the soulless English bylaw street towards light, air, trees and flowers.”

Guidance for building in juxtaposition to trees is given in the British Standard: Trees in relation to construction - Recommendations. The British Standard recommends that in order to avoid damage to the roots or rooting environment of retained trees, a root protection area (RPA) of area equivalent to a circle with a radius 12 times the stem diameter (measured at 1.5m above ground level), should be left undisturbed around each retained tree.

The applicant has provided a detailed Tree survey which has been reviewed by officers.

An arboricultural report by Adam Hollis Landmark Trees (November 2013) has been provided to support the application and a tree officer has inspected the site.

In order to facilitate the proposed larger property and basement a single retention category U tree (T129) will be removed. There is a small amount of tree pruning that is required to ensure trees are not damaged by construction vehicles at the front of the property, this will not have a detrimental effect upon the overall appearance of White Lodge Close.

It is considered that the construction of the house (subject to conditions recommended above) would not cause harm to protected trees. Conditions have also been attached to ensure this is the case.

### **Transport, parking and highways matters:**

Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) identifies that the Council will seek to ensure more efficient use of the local road network, seek more environmentally friendly transport networks, ensure that development is matched to capacity and promote the delivery of appropriate

transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan Document sets out the parking standards that the Council will apply when assessing new developments. Other sections of policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

Highways officers have reviewed the proposals and have recommended approval subject to compliance with planning conditions.

### **Community Infrastructure Levy**

The proposed development is liable for charge under the Mayoral Community Infrastructure Levy (CIL) and the Barnet CIL. This equates to a charge of £14,220 and £54,848.57 respectively.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

Objectors have raised concern in regard to the loss of amenity to neighbouring occupiers as a result of the proposed replacement dwelling. However, this application follows a formal pre-application process which established the principles of allowing the replacement of the existing dwelling with a new replacement dwelling. In addition, conditions have been imposed including obscure glazing to all new side windows and a condition preventing other side windows being inserted into the flank walls. A condition has also been recommended that seeks to protect the character and appearance of the existing building by ensuring that the materials used on the external surfaces are submitted to the Local Planning Authority and approved before any works commence. It is therefore considered that there will be no loss to the amenities of neighbouring occupiers.

The concerns raised by objectors in regards to ground stability and drainage are not considered to be material planning considerations and will be dealt with through the building control process once development is undertaken.

The concerns raised by objectors in regards to trees are considered to have been addressed through the submission of the tree survey, which has been reviewed and shows that the proposed building would not harm surrounding trees including trees outside the site. It is considered that the construction of the house (subject to conditions recommended above) would not cause harm to protected trees. Conditions have also been attached to ensure this is the case.

### **4. EQUALITIES AND DIVERSITY ISSUES**

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its

statutory equality responsibilities.

## **5. CONCLUSION**

The proposals would not detrimentally impact on the qualities of the building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. As conditioned, they would preserve the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, trees, conservation area and area of special character. **APPROVAL** is recommended.



**SITE LOCATION PLAN:** 6 White Lodge Close, London, N2 0BL

**REFERENCE:** F/05261/13



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