

**LOCATION:** Convent Of St Mary At The Cross, Priory Field Drive, Edgware, Middx, HA8 9PU

**REFERENCE:** H/00459/13

**Received:** 04 February 2013

**Accepted:** 04 February 2013

**WARD:** Hale

**Expiry:** 01 April 2013

**Final Revisions:**

**APPLICANT:** Cavendish and Gloucester Properties Limited

**PROPOSAL:** Conversion and alterations to existing Abbey Building to create 2no. single family dwelling houses and 2no. self-contained flats. Erection of 5no. 2 storey single family dwelling houses including rooms in roof-space (2no. semi-detached pairs, 1no. detached) following demolition of existing 1930s and 1950s extension. Associated hard/soft landscaping and creation of 20.no parking spaces.

**Approve Subject to S106**

**Subject to a Section 106 Agreement**

**RECOMMENDATION I:**

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

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;

**RECOMMENDATION II:**

That upon completion of the agreement the Assistant Director of Planning and Building Control approve the planning application reference: H/00459/13 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: PP/01, PP/02, PP/03, PP/04, PP/05, PP/06, PP/07, PP/08, PP/09, PP/10 Revision C, PP/11 Revision C, PP/12 Revision A, PP/13, PP/14, PP/15 Revision B, PP/16 Revision B, PP/17 Revision C, PP/18 Revision A, PP/19 Revision A, PP/20 Revision B, PP/21, PP/50 Revision A, PP/51 Revision A, PP/52 Revision A, PP/53 Revision A, PP/54 Revision A, PP/55, PP/56 Revision A, PP/57, PP/58 Revision A, PP/60 Revision A, PP/61 Revision A, PP/62, PP/63, PP/70, PP/71, PP/72, PP/80, PP/90, PP/91, PP/100, PP/101, 3540011 1470, Phase II Arboricultural Impact Assessment by Arbol EuroConsulting amended report dated 19/09/2013, Supporting Planning and Listed Building Statement, Heritage 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 Before the development hereby permitted is occupied the parking spaces/garages shown on Plan PP/11 Revision C shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.  
Reason:  
To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with policies DM17 of the Adopted Barnet Development Management Policies DPD (2012) and 6.1, 6.2 and 6.3 of the London Plan 2011.
- 4 No structure or erection with a height exceeding 1.05m above footway level shall be placed along the frontage(s) of Priory Field Drive from a point 2.4m from the highway boundary for a distance of 2.4m on both sides of the vehicular access(es).  
Reason:  
To prevent danger, obstruction and inconvenience to users of the adjoining highway and the premises.
- 5 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.
- 6 Before the development hereby permitted commences, samples of all facing materials, including brick and tiled roof coverings to be submitted and agreed in writing (All facing brickwork to the new houses should be laid in a bond to match the Abbey, with pointing samples) by the Local Planning Authority. The development shall be carried out in accordance with those details.  
Reason:  
To safeguard the historic and architectural qualities of the Listed Building, and ensure that the new buildings and extensions make a positive contribution to the character or appearance of the Listed Building in accordance with policy DM06 of the Adopted Barnet Development Management Policies 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 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 first and second floor flank elevations of the new houses.

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).

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

- 10 Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

Reason:

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

- 11 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).

- 12 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.

- 13 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.

- 14 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.

- 15 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.

- 16 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.

- 17 No development or other operations shall commence on site in connection with the [demolition and] development hereby approved until a detailed tree felling / pruning specification has been submitted to and approved in writing by the local planning authority and all tree felling and pruning works shall be carried out in

full accordance with the approved specification and the British Standard 3998: 2010 *Recommendation for Tree Works* (or as amended).

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 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).

- 20 All new residential dwellings within the development 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.

- 21 All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

Reason:

In order to safeguard the special architectural or historic interest of the Listed Building in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF of the Adopted Barnet Core Strategy DPD (2012).

- 22 No development shall take place until details of the following are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those details.

- Details of all new windows
- Details of new doors (internal and external)
- Details of new architraves, skirtings or dado's in the Abbey
- Sample area of south gable façade restoration to be provided for inspection

- Detail of glass screen to the cloister
- Analysis of internal painted walls to be provided prior to any new painting scheme
- Details of new permanent flooring (not carpets) within the Abbey
- Existing window and door ironmongery are to be retained unless agreed in writing
- Details of underfloor heating, insulation and acoustic separation
- Details of external flues and other extract/intake terminals
- Details of any heating, ventilation or air conditioning equipment

Reason:

To safeguard the historic and architectural qualities of the Listed Building, and ensure that the new buildings and extensions make a positive contribution to the character or appearance of the Listed Building in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012).

- 23 No plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces of the buildings unless shown on the approved drawings.

Reason:

To safeguard the historic and architectural character of the Listed Building in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012).

- 24 All rainwater goods shall be in cast iron or aluminum.

Reason:

To safeguard the historic and architectural qualities of the Listed Building, and ensure that the new buildings and extensions make a positive contribution to the character or appearance of the Listed Building in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012).

- 25 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. The construction work shall be carried out in accordance with those details.

Reason:

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

- 26 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D and E of Part 1 to Schedule 2 of that Order shall be carried out within the area of ..... hereby approved.

Reason:

To safeguard the amenities of neighbouring occupiers and the general locality in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 27 No above ground work shall take place until details of the following are submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those details.

- Details of new gates and piers, walls, railings, fencing and boundary treatment
- Details of external lighting (either fixed to the building or freestanding)
- Details of all hard surfaced areas including garden terraces/footpaths

- Details of any external signage
- Detail of summer house in garden
- Details of any CCTV equipment

Reason:

To safeguard the historic and architectural qualities of the Listed Building, and ensure that the new buildings and extensions make a positive contribution to the character or appearance of the Listed Building in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012).

- 28 Suitable precautions should be taken to secure and protect the interior elements against accidental damage during the building work and no such elements may be disturbed or removed temporarily or permanently except as indicated on the approved drawings or with the prior approval of the Local Planning Authority.

Reason:

To safeguard the historic and architectural qualities of the Listed Building, and ensure that the new buildings and extensions make a positive contribution to the character or appearance of the Listed Building in accordance with policy DM06 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 Any highway approval as part of the planning process for the alteration to the existing crossovers or new crossovers will be subject to detailed survey by the Crossover Team in Highways Group as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Highways Group, NLBP, Building 4, 2<sup>nd</sup> Floor, Oakleigh Road South, London N11 1NP.
- 3 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 £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £65,415 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 £252,315 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).

- 4 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 Council of 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 email: [street.naming@barnet.gov.uk](mailto:street.naming@barnet.gov.uk) or by telephoning: 0208 359 7294.

### **RECOMMENDATION III**

That if an agreement has not been completed by 01/05/2014, that unless otherwise agreed in writing, the Assistant Director of Planning and Development Management should REFUSE the application H/00459/13 under delegated powers for the following reason/s:

The development does not include a formal undertaking to meet the extra affordable housing costs together with associated monitoring costs arising as a result of the development, contrary to Supplementary Planning Document - Planning Obligations, Supplementary Planning Document - Affordable Housing and Policy CS15 of the Local Plan Core Strategy (Adopted September 2012)

## **1. MATERIAL CONSIDERATIONS**

The Community Infrastructure Levy Regulations 2010

National Planning Policy Framework (NPPF)

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 London Plan is recognised in the NPPF as part of the development plan.

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."

NPPF retains 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.

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.

7.1, 7.2, 7.4, 7.6

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 11th September 2012

Relevant Core Strategy DPD (2012): CS1, CS4, CS5, CS8, CS10, CS15

Relevant Development Management Policies:

DM01, DM02, DM06, DM14, DM17

Supplementary Planning Document - Residential Design Guidance  
Supplementary Planning Document - Sustainable Design and Construction  
Supplementary Planning Document - Planning Obligations  
Supplementary Planning Document - Affordable Housing

Relevant Planning History:

H/04097/10 - Conversion of existing single storey section of Edgware Abbey into residential use for occupation by the order of St Benedict Sisters including 7no. dormer windows to facilitate a loft conversion, removal of a chimney and associated internal alterations. Approved 10/12/10.

H/03134/11 - Erection of new brick wall with retailings to form garden enclosure. Erection of new brick boundary wall with railings at the rear of the building. Approved 21/09/11.

Consultations and Views Expressed:

Neighbours Consulted: 105  
Neighbours Wishing To 0  
Speak

Replies: 15

At the time of writing the report residents have been re-consulted on amended plans. Any responses received will be reported at the meeting. The objections raised may be summarised as follows:

- Loss of views
- Area already overpopulated
- Affordable housing will bring down the area and property prices
- Loss of privacy
- Would not have purchased property if known about development
- Currently difficult to park on Priory Field Drive increased traffic will make it more difficult for emergency vehicles to enter and exit

- Construction vehicles will create unacceptable congestion and cause noise and disturbance
- Object to small access road behind rear of Highview Avenue which will create noise and fumes.
- Increased intensity of use of existing access road and will probably have more vehicles than number of car parking spaces provided
- Alternative access road should be used
- Proposal would add to traffic on Hale Lane
- Parking controls for non residents should be considered in this area
- Quiet access road will be transformed into busy thoroughfare for traffic
- Overlooking
- Gardens normally back onto other gardens. Properties in Highview Avenue will be sandwiched between two roads with only a garden between them
- Access road currently private which offers a degree of security to residents in Highview Avenue the private access gate should be retained
- Scale of proposal will prevent the road from sustaining current tranquil surrounding area
- Loss of light from such a vast proposal
- Scaling back the trees the road will lose its naturalistic look
- Impact on subsidence
- Noise pollution
- Plenty of other sites in Edgware that could be developed
- Turning from Priory Field Drive onto Hale Lane is already dangerous proposal would increase flow of traffic and is an accident waiting to happen
- Congestion accessing the road
- Impact on protected trees
- Single lane entry/exit unable to cope with additional traffic

Internal /Other Consultations:

- Trees and Landscape - Following amendments to the scheme no objections raised subject to conditions and informatives
- Traffic & Development - No objection subject to conditions and informatives
- Refuse - No objection

Date of Site Notice: 21 February 2013

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

The application site relates to the Convent of St Mary at the Cross, a large irregular shaped site measuring approximately 0.82 hectares in area. The site is surrounded by detached single family dwellings in Priory Field Drive to the south and west and semi detached properties in Highview Avenue, to the east. To the north of the site are several blocks of flats accessed from Priory Field Drive.

The main convent is a Grade II listed building and occupies a large part of the site extending from north to south. The original 1870's abbey was extended in the 1950s with an unsympathetic extension and conference centre. The chapel is also

linked to Henry Nihil House a large linked-detached property located on the west side of the site which is used as a small residential care home for the elderly. To the east of Henry Nihil House and linked via a small walkway is Loreto House, a small detached property. The site is covered by a number of protected trees and area TPOs.

It is noted that Henry Nihil House, Loreto House and the Chapel are to remain as existing and this application relates to the southern part of the site covering an area of 0.31 hectares.

### Proposal:

The application seeks permission for the conversion and alterations to the existing Abbey building to create 2no. single family dwelling houses and 2no. self-contained flats. Erection of 5no. 2 storey single family dwelling houses including rooms in the roof space (4no. semi-detached, 1no. detached) following demolition of existing 1930s and 1950s extension. Associated hard/soft landscaping and creation of 20no. car parking spaces.

The break down of the units would be as follows

In the existing 1870s Abbey:

1no. 3 bedroom house

1no. 4 bedroom house

2no. 3 bedroom flats

New residential Units:

4no. 5 bedroom houses

20 no. parking spaces are proposed adjacent to the dwellings and it is proposed that the front forecourt of the houses will be maintained as soft landscaped areas. Each of the houses will have small private amenity spaces separated by hedges and will also have access to the larger communal gardens which will remain as existing. The units in the existing Abbey will also have private entrances into the courtyard gardens as well as access to the wider communal area.

Access to the site will remain as existing with cars entering and exiting from the existing entrance in Priory Field Drive. However, there is no direct access through the site to the flats to the north.

In terms of demolition the existing 1930s and 1950s extensions will be demolished and replaced with 5no. two storey townhouses with rooms in the roof space. The houses have been designed with gable fronted features to mirror the existing gables in the Abbey and each house will measure 7 metres in width, 11 metres in depth and 11.3 metres in height with gable ended roofs.

### Planning Considerations:

#### *Principle of Development*

St Marys Abbey is located in a largely residential area surrounded by properties in

Priory Field Drive and Highview Avenue. Given the prevailing character of the surrounding area the principle of residential units on this site is considered acceptable. Although the existing Abbey has a C2 (residential institution) use, it is considered that the development would only result in the loss of a small part of the Abbey and the Sisters will remain in a different part of the Abbey adjacent to the application site.

### *Design and Appearance*

It is considered that the proposed new dwellings have been sympathetically designed to mirror the appearance of the existing Grade II Listed Abbey. The proposed houses will be uniform in appearance and all of similar size and depth. Front gabled features are characteristic of all the new dwellings, taking reference from the existing gables in the Abbey. The houses are aligned in terms of their front and rear building lines but increase slightly in height towards the Abbey, mirroring the existing changes in levels. The plans have been amended with regards to the roof lights to minimise the number and size of the roof lights. It is therefore considered that the new houses have been sympathetically designed to reflect and respect the setting adjacent to the Grade II Listed Building and are therefore considered acceptable in planning terms.

Small changes are required to the internal and external appearance of the existing Abbey to ensure the proposal is suitable for residential needs mainly involving creating or bricking up existing external doors. These features have been designed to match the intricate detailing of the existing Grade II Listed Building so as best to preserve and enhance its character and appearance. The existing Abbey is set in landscaped gardens and the proposal will retain the existing communal gardens. In addition, although the proposal introduces new residential development on this site, they replace the existing 1930s and 1950s extensions which are unsympathetic to the main listed building. Accordingly, it is not considered that the proposal will result in significant harm to the setting of the Abbey.

### *Impact on Neighbouring Amenities*

The proposed dwellings will be located a minimum of 20 metres from the edge of the rear gardens with the neighbouring properties in Highview Avenue and approximately 45 metres from neighbouring habitable room windows. The originally submitted plans showed the houses to be located a minimum of 22 metres from the boundary but have been moved 2 metres closer to ensure the protected trees are not harmed by the development. Whilst rear gardens normally back onto the rear gardens of neighbouring residential properties the distance between the new properties and the existing dwellings in Highview Avenue is significantly greater than the relationship between typical suburban dwellings within the borough and far exceeds the minimum requirement of 21 metres as set out in the Council's Supplementary Planning Document - Sustainable Design and Construction. Furthermore, the existing trees which act as a natural screening between the Abbey site and Highview Avenue will be retained ensuring that there will be no overlooking between the existing properties and new dwellings. There will also be over 40 metres between the rear of the private gardens for the new dwellings and the boundary with the neighbouring properties in Priory Field Drive. Given the distance

between the new dwellings and the neighbouring residential properties and the existing screening, it is not considered that the proposal will result in any overlooking, loss of light or loss of privacy to the occupiers of these neighbouring properties.

### *Trees and Landscaping*

The plans have been amended with regards to the trees and landscaping to ensure that the proposal does not result in the loss of any protected trees. The plans have been amended to relocate the free standing houses two metres closer to the boundary with Highview Avenue to ensure that the gardens of the new dwellings are outside the root protection area of the protected trees. The existing trees which act as a natural screening between the application site and the properties in Highview Avenue will be maintained as well as the existing trees along the boundaries with Priory Field Drive. Furthermore the plans demonstrate that no site works will take place within the root protection area of the protected trees.

### *Highways*

The Council's Highways officer assessed the proposal and stated that the proposed number of parking spaces as well as their size is in compliance with Council standards. The access road from the junction with Priory Field Drive is private and has a restricted width of approximately 3.3metres. An area for passing cars has been allocated before entry into the Abbey grounds. This enables a car entering from Hale Lane to see and wait for a vehicle. It should be noted that the proposal is not creating a new access road but making use of an existing private road which has always been used as access for the Abbey. Whilst concerns are raised by neighbouring residents regarding noise and disturbance, the access road will only be used by the owners of the 9no. dwellings and cannot be used as a cut through to the north end of Priory Field Drive, it is therefore not considered to result in a high level of noise generating activity. Furthermore, the existing waiting bays will ensure that vehicles have adequate space to manoeuvre if a car is entering the site from Priory Field Drive.

Refuse is currently accessed from the site and arrangements will be maintained as existing.

### *Affordable Housing*

As the site is over 0.4 hectares in size it is liable for affordable housing. A contribution of £373,956 has been proposed in lieu of affordable housing on site. This contribution has been independently assessed to be fair and reasonable and is therefore considered acceptable. Given the constraints of the Listed Building and the protected trees, the amount of development on site is restricted. The form of development is considered to be the most appropriate to preserve the setting of the building. Given the site and viability constraints, it is considered acceptable to make a contribution in lieu of on-site provision.

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

Mostly addressed in the above the report.

Subsidence and loss of property values are not material planning considerations.

### **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. SECTION 106 ISSUES**

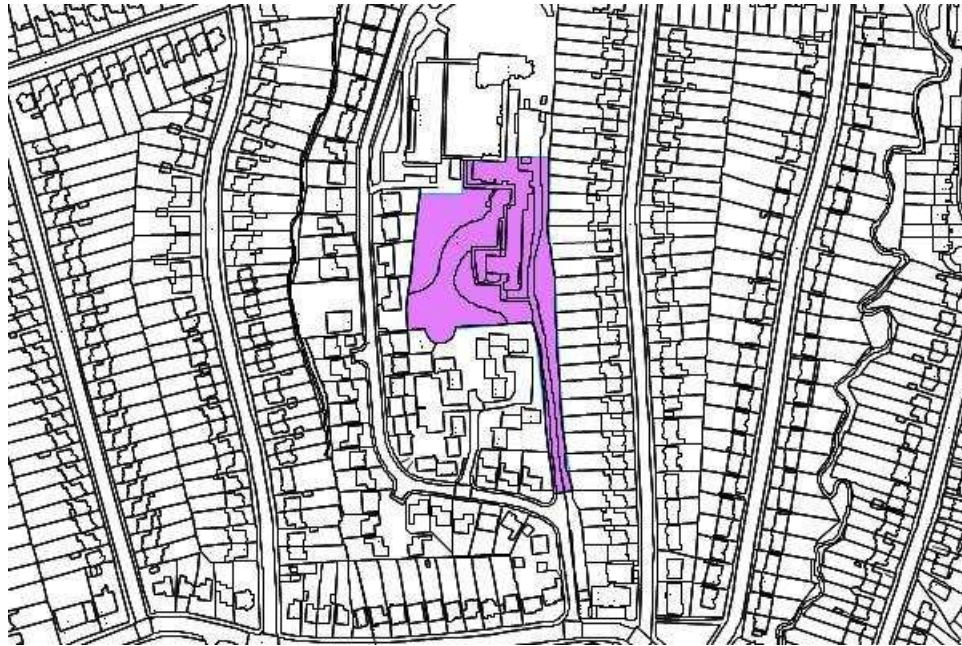
The contributions are necessary, directly relevant and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010.

### **6. CONCLUSION**

Having taken all material planning considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet Local Plan policies and guidance and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers, highway safety or have a detrimental impact on the character and appearance of the Grade II Listed Building. This application is therefore recommended for **approval**.

**SITE LOCATION PLAN: Convent Of St Mary At The Cross, Priory Field Drive, Edgware, Middx, HA8 9PU**

**REFERENCE: H/00459/13**



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