

LOCATION: 90 Victoria Road, Barnet, Herts, EN4 9PB

REFERENCE: B/05688/13

Received: 03 December 2013

Accepted: 17 December 2013

WARD(S): East Barnet

Expiry: 11 February 2014

Final Revisions:

APPLICANT: Jacardy

PROPOSAL: Demolition of existing bungalow and erection of 2no. two storey semi-detached houses plus rooms in roof space, 4no. off street parking spaces, refuse and hard/soft landscaping.

RECOMMENDATION: Approve Subject to Conditions

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

Location Plan (1:1250), Drawing Nos. 13055se-02, 103, 252c received 03 December 2013, 13055se-01b, 102b and Arboricultural Impact Assessment and Tree Constraints and Protection Plan received 19 February 2014, 250b received 27 January 2014 and 251c received 05 February 2014.

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 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.

- 4 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.

- 5 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 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).

- 6 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).

- 7 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.

- 8 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.

- 9 No development shall take place until a 'Demolition & Construction Method Statement' has been submitted to, and approved in writing by, the Local Planning Authority. The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution. Throughout the construction period the detailed measures contained within the approved Statement shall be strictly adhered to.

Reason:

In the interests of highway safety and good air quality in accordance with Policy DM17 and DM04 of the Adopted Barnet Development Management Policies DPD (2012) and policy 5.21 of the London Plan (2011).

- 10 Before the dwellings hereby permitted are first occupied the proposed bathroom windows in the flank elevations at ground and first floor level and

along the rear elevation at roof level 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 Before the development hereby permitted is occupied, details of the sub-division of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority, implemented and retained as such on site 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 Adopted Barnet Development Management Policies DPD (2012).

- 12 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 to F of Part 1 to Schedule 2 of that Order shall be carried out within the curtilage of the dwellings 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).

- 13 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).

- 14 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 the submitted arboricultural impact assessment and tree protection plan prepared by Arboricultural Solutions LLP. 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.

INFORMATIVE(S):

- 1 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.
- 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 2013 setting a rate of £36.04 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 £6,811.56 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 £25,515 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.

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.

- 3 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 or by telephoning: 0208 359 7294.
- 4 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
 - 5 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day as calculated according to the Code for Sustainable Homes.
 - 6 The applicant is advised that if the development is carried out it will be necessary for a crossover to be formed on the footway by the Highway Authority at the applicant's expense and you may obtain an estimate for this work from the Highways Group, Building 4, North London Business Park, London, N11 1NP (telephone 020 8359 3018).

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 National Planning Policy Framework (NPPF) published on 27 March 2012 is a material consideration in planning decisions. Paragraph 2 states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 14 identifies a presumption in favour of sustainable development.

Twelve core land-use planning principles that under-pin both plan-making and decision-taking are set out in para. 17. These include:

- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

- Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs;
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions;

Good design is recognised in para. 56 as a key aspect of sustainable development, it is indivisible from good planning, and should contribute positively to making places better for people.

In para. 58 it is stated that planning decisions should, amongst other things, ensure that developments;

- Add to the quality of the area,
- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation,
- Are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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.

Core Strategy (Adoption version) 2012:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Significant weight should be given to the 16 policies in the CS in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS10, CS11 and CS15

Development Management Policies (Adopted) 2012:

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies are used for day-to-day decision making. Significant weight should be given to the policies in this document in the determination of planning applications.

Relevant Development Management Policies (Adoption version) 2012: DM01, DM02, DM07, DM08 and DM17

Relevant Supplementary Planning Documents/Guidance

In terms of design and sustainability the Council have adopted the Supplementary Planning Document 'Sustainable Construction and Design' (April 2013) and 'Residential Design Standards' (April 2013). The sustainable construction SPD emphasises the importance of a sustainable approach to construction and updates the Council's amenity standards and room sizes amongst other factors when assessing applications for new development or extensions to existing buildings; the residential design SPD stresses the importance of achieving a high quality design and appearance for development. Both documents should be regarded as a material consideration in the determination of planning applications.

Relevant Planning History:

Application	Planning	Number:	N/14953/06
:			
Validated:	04/01/2006	Type:	APF
Status:	DEC	Date:	01/03/2006
Summary:	REF	Case Officer:	
Description	Alterations to roof including front and rear dormers to facilitate a loft conversion. Single storey side and rear extensions.		
:			

Application	Planning	Number:	N/14953/A/06
:			
Validated:	28/06/2006	Type:	APF
Status:	APD	Date:	14/08/2006
Summary:	DIS	Case Officer:	
Description	Alterations to roof including front and rear dormers to facilitate a loft conversion. Single storey side and rear extensions.		
:			

Application Planning
:
Validated: 18/05/2007
Status: DEC
Summary: REF
Number: N/14953/B/07
Type: APF
Date: 11/07/2007
Case Officer:
Description Two semi-detached houses.
:

Application Planning
:
Validated: 21/09/2007
Status: DEC
Summary: APC
Number: N/14953/C/07
Type: APF
Date: 16/01/2008
Case Officer:
Description Demolition of existing bungalow. Erection of two semi-detached houses.
:

Consultations and Views Expressed:

Neighbours Consulted: 42 Replies: 5 replies were received under the initial consultation which are summarised below. The application was subsequently amended and it is the amended scheme which is the subject of this report. Neighbouring residential properties have been re-consulted and any further comments will be reported at the meeting.

Neighbours Wishing To Speak: 0

The objections raised on the originally submitted scheme may be summarised as follows:

- Parking and traffic impact from development
- Loss of light, invasion of privacy and overlooking impact from the proposed development
- The scale and appearance of the proposal would be out of keeping with the character of the site
- Noise concerns from development
- The development would be inappropriate for the area
- The scheme would be an overdevelopment of the site
- The scheme would have a cramped appearance
- There is a shortage of bungalows and the scheme further harms this shortage

- The height of the new buildings would be overbearing on to the neighbouring properties

Internal /Other Consultations:

- The Council's Highways officer considered the scheme acceptable on parking and highways grounds

Date of Site Notice: 02 January 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site currently contains a detached bungalow on the western side of Victoria Road. The plot is 12.3m in width at the front and narrows to a point at the rear. To the north is another bungalow with rooms in the roof and to the south is a set of three, two-storey terraced properties. Opposite the property are two storey semi-detached dwellings. To the rear there are no dwellings that back directly onto the site, although the site shares a boundary with no. 38 Margaret Road which runs at right angles to Victoria Road. The ground level rises from south to north.

There are a variety of styles and designs to properties along Victoria Road. There is no dominant character to the dwellings in the area, though they are commonly two-storey.

Proposal:

This application seeks permission for the demolition of the existing dwelling and the erection of a pair of 3-bed semi-detached houses with associated garden space and car parking. The proposed dwellings would measure a depth of 14m at ground level and 9.4m at first floor level. The dwellings would have pitched roofs with gable ends and 4 no. rear dormers within the roof space set well within the main roof of the properties. The proposal would measure a height of 9.2m and a width of 9.7m retaining at least 1m from the boundary with neighbours on either side. Due to the plot narrowing from front to back the proposed dwellings also follow this form and narrow in width from 9.9m along the front to 7.2m at the ground floor rear. The proposed front building line of both properties does not sit level; the dwellings are angled slightly away from one another to reflect the bend in the road at this point.

Summary of differences between approved scheme and current scheme:

The current scheme would measure the same height as that approved of 9.2m, however the previously approved drawings did not take into account the sharp increase in ground level from south to north of the plot and therefore did not

accurately reflect the ridge height in comparison with the neighbouring properties; consequently the current scheme shows the proposal measuring a ridge height of 0.7m higher than the neighbouring row of dwellings to the south.

The proposed scheme would measure 1.2m deeper than the approved scheme at first floor level and 4.2m at ground floor level. Since granting permission for 2 no houses under N14953C/07 No. 88 to the north has been extended at ground floor level to form a conservatory measuring 3.9m in depth. As such both neighbouring properties on either side of the site have extensions at ground floor level which are material planning considerations in assessing this application.

Planning Considerations:

– Principle of development

The proposed demolition of the existing dwelling and its replacement with a pair of 3-bed semi-detached dwellings is considered acceptable in principle given, in the first instance, the lapsed permission on the site for a pair of houses and secondly the size of the plot, the no. of bedrooms proposed and the re-using of the existing site for development.

– Character and appearance

Policy DM01 states that all development should represent high quality design and 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. The Council's Residential Design Guide SPD (2013) details the various design aspects of development and that standards expected by the Council. In addition to this Policy DM08 states that development should provide where appropriate a mix of dwelling types whereby for market housing, homes with 3 bedrooms are a priority.

The street scene is characterised by a variety of styles and designs and it is not considered that the loss of a bungalow and the erection of a pair of semi-detached properties would be out of character or harmful to the appearance of the locality and there is no one predominant form.

Whilst the height of the scheme would be slightly higher than that of the adjoining properties and the depth at both ground at first floor deeper than the approved scheme, given the change in ground levels and the varying styles and designs of the surrounding dwellings, the scheme is not considered to significantly harm the character and appearance of the street. In addition to this the scheme retains a suitable gap on either side with the neighbouring properties. In this regard the proposal is considered acceptable and complies with the Council's relevant policies and guidance.

- *Impact on neighbouring properties*

The neighbouring properties most likely to be affected by the proposal are Nos. 92 Victoria Road to the south and 88 Victoria Road to the north. The rear part of the proposed dwellings would measure 2m from No. 88 and 1.8m from No. 92. Both neighbouring properties on either side have been extended at single storey level by at least 3.9m and in this regard the scheme is not considered to harm these properties. Given the existing extensions at neighbouring properties the proposal is not considered to harm the neighbours in terms of an overbearing or overshadowing impact. In addition to this the scheme does not contain any windows serving habitable rooms in the flank elevations and any bathroom windows proposed can be secured by condition to be obscure glazed. In this regard the proposal would not result in any significant overlooking of the neighbouring properties and proposal is considered acceptable.

- *Internal layout, configuration and amenity space provision*

All of the rooms proposed within the new dwellings would meet the Council's minimum requirements. At least two of the three bedrooms would be capable of accommodating a double bed. One of the proposed dwellings will contain 72sqm of rear garden space and the other would contain 94sqm thereby each dwelling complying with the minimum requirement of 40sqm for a two storey house with up to 4 habitable rooms. In addition to this the space is considered of a useable and sufficient quality. In terms of its layout, room size, configuration and amenity space provision the proposal is considered acceptable and complies with the Council's relevant policies and guidance.

- *Impact on highways*

Concerns were raised over the impact of the proposal on highways and traffic. However the scheme provides 2 no. parking spaces for each of the dwellings, utilising the 2no. existing dropped crossings providing access to the hard standing. A scheme incorporating some soft landscaping along the frontage to enhance the appearance of the site could be secured by condition were the application to be approved. Furthermore, a condition requiring a construction method statement detailing site and vehicle safety is recommended were the application to be approved. In terms of its impact on highways and traffic the proposal is considered acceptable and complies with the Council's relevant policies and guidance.

- *Impact on trees*

The site contains a variety of trees in the rear garden, however, none of these are protected. An arboricultural report accompanies the application and proposes to retain the existing trees on site with the provision of tree protection methods. A condition can be attached to the decision notice requiring the applicant to comply

with the method statement and protection plan. In terms of its impact on trees the proposal is considered acceptable and complies with the Council's relevant policies and guidance.

- *Refuse storage and recycling*

The proposal demonstrates the provision of adequate storage of refuse and recycling facilities to the rear of the site and in this regard the proposal is considered acceptable and complies with the Council's relevant policies and guidance.

- Other matters

The Council's Community Infrastructure Levy came into effect on 1 May 2013 at a rate of £135 per square meter in addition to the current Mayoral CIL charge of £36.04 per square meter. As such the proposal would be liable for a combined CIL charge of £32,326.56.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Addressed in main report

4. EQUALITIES AND DIVERSITY ISSUES

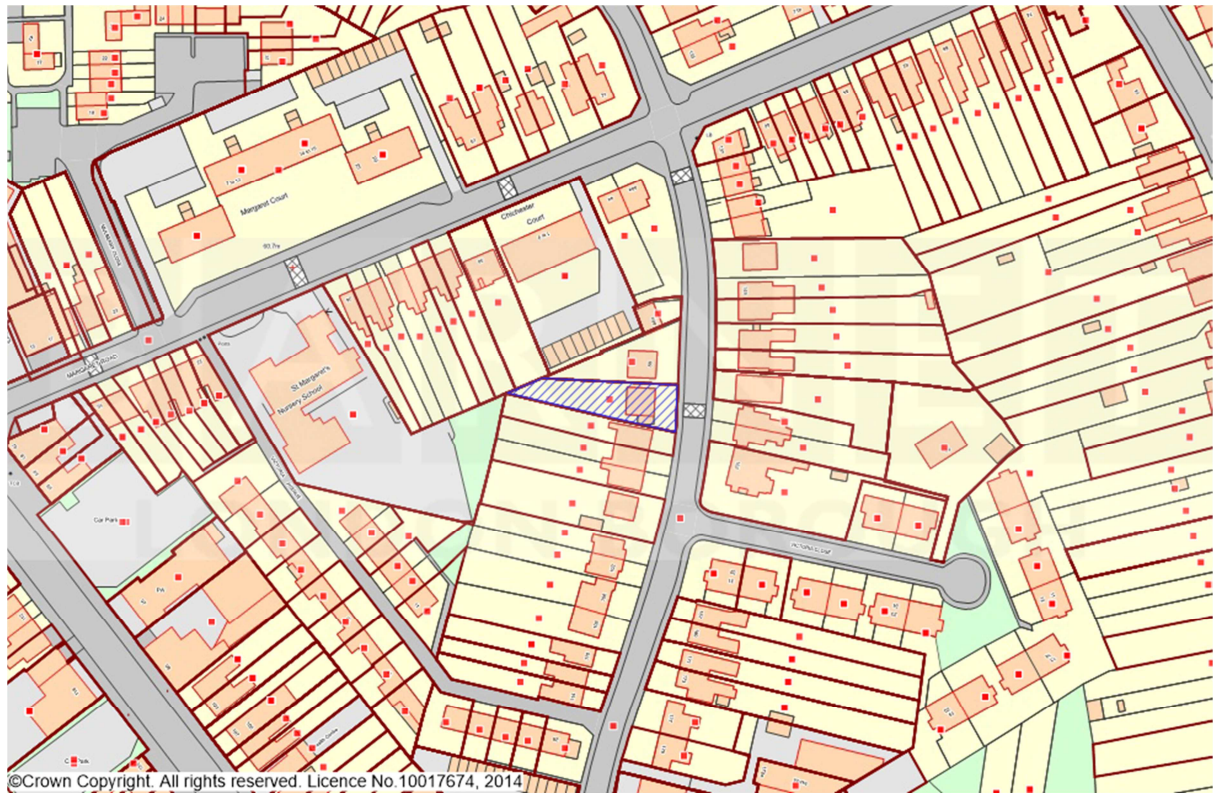
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

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 and the general street scene. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore acceptable and compliant with the Adopted Barnet Local Plan policies and guidance, providing an additional family home without adversely affecting the character and appearance of the application site and surrounding area. As such the application is recommended for approval.

SITE LOCATION PLAN: 90 Victoria Road, Barnet, Herts, EN4 9PB

REFERENCE: B/05688/13



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