

LOCATION: 69 Jackson Road, Barnet, Herts, EN4 8UU

REFERENCE: B/05238/13

Received: 08 November 2013

Accepted: 11 November 2013

WARD(S): East Barnet

Expiry: 06 January 2014

Final Revisions:

APPLICANT: Skylon Properties Ltd

PROPOSAL: Reserved matters application seeking approval of scale, layout and landscaping pursuant to condition 2 and 3 of Outline planning permission B/00753/11 dated 11/01/11 for 'Erection of a three storey building including rooms in roofspace to create 3no self-contained residential units. Associated access from Church Hill Road and 3 parking spaces.'

RECOMMENDATION: **Approve**

INFORMATIVE(S):

- 1 The plans accompanying this application are:
 - Design and Access Statement dated December 2013 ref: GL/JY/3076/DAS RM
 - 01, 25 Revision C and 26
- 2 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.
- 3 The applicant is advised to implement landscaping proposal in accordance with approved plan drawing No. 25 Revision C.

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 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.

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, CS4, CS5, CS9, CS10 and CS15.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM03, DM17.

Supplementary Planning Documents and Guidance

The Council's Residential Design Guidance SPD was adopted by Cabinet in April 2013. This sets out information for applicants to help them design an extension to their property and new build development which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation.

Included advice states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

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

The Council adopted a Sustainable Design and Construction SPD in April 2013, following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

The Council's Supplementary Planning Document: Adopted Residential Design Guidance April 2013 is divided into four parts:

- Part 1 sets out the context for residential design in Barnet providing, local design principles which reflect and contribute to the understanding of Barnet's suburban character.
- Part 2 sets out general guidelines for new residential development as well as amenity and space standards. This document provides advice on privacy and overlooking, minimum room sizes, good building layout, provision of gardens, outdoor play space requirements.
- Part 3 sets out the requirements and design criteria related to changes to the existing housing stock within Barnet.
- Part 4 includes/provides supporting information including references, useful web links and the glossary list.

The SPD supplements policies contained within the Local Plan and the London Plan which together form the Development Plan for Barnet. The SPD is therefore a material consideration for decisions on planning applications. It has been prepared in

line with the requirements of the Planning and Compulsory Purchase Act 2004 and associated regulations and guidance on Supplementary Planning Documents.

Relevant Planning History:

Site history for current landparcel :

122677 - 69 Jackson Road, Barnet, Herts, EN4 8UU

Case Reference: **B/05238/13**

Planning applications picked up in spatial search

Site Address: 69 Jackson Road, Barnet, Herts, EN4 8UU (Land rear of)
Application Number: 00753/11
Application Type: Outline Application
Decision: Approve with conditions
Decision Date: 20/01/2012
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of a three storey building including rooms in roofspace to create 3no self-contained residential units. Associated access from Church Hill Road and 3 parking spaces. (Outline Application)**

Case Officer: Mary Kearns

Site Address: Land to the rear of 69 Jackson Road, Barnet, Herts, EN4
Application Number: B/05234/13
Application Type: Full Application
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of a four storey building comprising 4no. self-contained flats with associated car parking, landscaping and refuse and cycle stores.**

Case Officer: Mumtaz Shaikh

Consultations and Views Expressed:

Neighbours Consulted: 120 Replies: 32 objections have been received.

Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- The proposal is an overdevelopment of the area and too close to existing houses.
- Jackson Road is narrow road, additional traffic and parking as a result of the proposal would be unbearable.
- The road is made up of unique Victorian cottages and the proposed modern flats would be out of character with the surrounding.

- The proposal would cause loss of natural light and privacy, overlooking, overshadowing, noise, pollution, potential subsidence, flooding, and sewage problems for the residents of Jackson Road.
- The application land has been a haven for wildlife especially bats which are protected species, will be lost.
- More development would add to already strained infrastructure in the area.
- The site lies above a main sewer.
- The development would affect the value of houses in the area.
- It would set precedent for other to follow such infill development.
- The proposal does not cater for disabled.
- There is no need for small flats in the area.
- The development should make adequate provision for refuse/recycling storage and materials are inappropriate.
- Southernmost hedging is extremely narrow and would not contain car parking noise.
- Site clearance has started on site.
- There are number of trees on site some of which are chopped down and it would be detrimental to the local environment.

Internal /Other Consultations:

Trees and Landscape Office - The amended landscaping proposal shown on plan drawing no. 25 Revision C is now considered to be acceptable.

Highways - The amended Site Plan showing same car parking arrangement as the outline application approved under ref: B/00753/11 is now considered to be acceptable.

Date of Site Notice: 21 November 2013

2. PLANNING APPRAISAL

Site Description and Surroundings:

This application relates to an area of land located at the western end of Oakleigh Court, and to the rear of No.s 67 - 69 Jackson Road. This land forms part of an extended rear garden at No.69 Jackson Road and is currently vacant and overgrown.

Oakleigh Court is a gated development of two 3-storey blocks of flats (with rooms in the roofspace), positioned on the northern and southern sides of a private access road leading from the western side of Church Hill Road. Parking is provided to the

fronts of these two blocks, and the refuse storage area is located close to the gated entrance.

Proposal:

This application seeks approval of condition 3 relating to reserved matters requiring details of "scale, layout and landscaping" of the outline planning permission granted under ref: B/00753/11 dated 11/01/2011 for "*Erection of a three-storey building including rooms in roofspace to create 3no self-contained residential units and associated access from Church Hill Road and 3 car parking spaces.*" This application for reserved matters is also made in accordance with condition 2 of the outline planning permission ref:B/00753/11 dated 11/01/2011 which requires application for approval of the reserved matters to be made within three years from the date of the outline planning permission.

This application has submitted following plans and information for the reserved matters:

- Plan drawing Nos. 01, 25 Revision C, 26 and 27.
- Design and Access Statement dated December 2013 ref: GL/JY/3076/DAS RM

Planning Considerations:

The Principle of Development

The principle of erection of a three-storey building including room in roofspace to create 3no. self-contained residential units (comprising 2x1-bedroom and 1x2-bedroom units), associated access from Church Hill Road and provision for 3 parking spaces has already been approved under outline planning permission ref: B/00753/11 dated 11/01/2012 subject to conditions.

The reserved matters currently under consideration are:

Scale – the height, width and length of the building proposed in relation to its surroundings.

Layout – the way in which buildings, routes and open spaces are provided within the development and their relationship to buildings and spaces outside the development.

Landscaping – this is the treatment of private and public space to enhance or protect the site's amenity through hard and soft measures, for example, through planting of trees or hedges or screening by fences or walls.

The main considerations are:

1. Whether harm would be caused to the character and appearance of the area;

2. Whether the landscaping scheme is acceptable.

Scale

The proposed three-storey building with room in roof space to create 3no. self-contained residential units (comprising 2x1-bedroom and 1x2-bedroom units) would have a depth of 8.1m. The proposed building at the front would have a width of 8m for the first 2.9m depth. The remaining depth of the building would have a width of 7.65m as it would be set-in further 0.3m along its south-west boundary.

The proposed building along its tapered north-east boundary would be set-in 1.1m at the front and 1.8m at the rear thus maintaining a gap of 2.8m from the flank wall of the neighbouring Oakleigh Court (a 3-storey block of flats with rooms in roof space comprising flat Nos. 13 to 24) which has no windows/doors. The proposed building along its tapered south-west boundary would be set-in 1.3m at the front and 1m at the rear. The south-west boundary of the application site abuts a very long (i.e. 70m long) overgrown rear garden of No. 66 Jackson Road.

The proposed building would have its frontage towards south-east and it would be set-away between 11.8m to 12.6m from its slightly tapered front site boundary. The proposed building would have its rear towards Jackson Road and it would be set-away between 7m and 8.8m from its staggered rear site boundary. The rear of the site would abut part rear garden of No. 67, 68 and 69 Jackson Road which has approximately 15m to 16m long rear garden. The proposed building therefore would maintain a distance of approximately 26m to 28m to the rear elevation of the buildings in Nos. 67, 68 and 69 Jackson Road.

The proposed three-storey building would have a mansard roof comprising 2 front roof light (each measuring 0.8m x 1.15m) and one (1.9m (wide) x 0.7m (deep) x 1.9m (high)) flat roofed rear dormer window and it would be of a similar design as its adjacent residential block of flats known as Oakleigh Court (a 3-storey block of flats with rooms in roof space comprising flat Nos. 13 to 24) which is located towards on the north-east side of the application site. The proposed 11.1m (high) building however would be set 0.8m below the ridge level and 0.4m below the eaves level of the neighbouring Oakleigh Court. The proposed building at the front would be set-back approximately 0.4m from the front main building line of neighbouring Oakleigh Court and at the rear would project approximately 0.6m from the main rear wall of Oakleigh Court. The overall scale of the proposed building would be much smaller than neighbouring Oakleigh Court.

The proposed building in terms of its floor and elevation plans shown on plan drawing No. 25 Revision C and 26 providing information regarding its width, length, height, its proximity to its site boundaries and neighbouring properties in Jackson Road and Oakleigh Court is similar to the plan drawing No. 771 002B approved under outline planning application ref: B/00753/11. However, in the current proposal there is a small difference of between 0.1m to 0.2m in dimensions from the plans

originally approved at outline stage. The scale of the proposed building is therefore very similar to that indicated in the outline application and it is considered to be acceptable with no detrimental impact on the amenities of the occupiers of the neighbouring residential properties.

Layout

Internal Layout

The internal layout of the building is same as the plans approved at the outline planning application stage in that the ground floor of the building would provide a communal entrance to all the flats within the building. Within the building, the communal entrance leads into a corridor which provides a separate entrance to the ground floor flat and a separate access to the stairs leading to upper floors of the building.

The ground floor 1-bedroom flat has an internal corridor through which all the rooms can be accessed. All habitable rooms are served with windows providing adequate light, ventilation and outlook. The internal layout of the ground floor flat is considered to be acceptable.

The first floor of the building providing 1 x 1-bedroom flat has the same internal arrangement as the ground floor flat. The same is repeated on the second floor of the building. However, the second floor together with room in roof space provides 1 x 2-bedroom flat.

The proposed internal layout of the flats within the building is considered to be satisfactory. The rooms between the flats also stack well in that bedrooms are stacked above bedrooms and living room/kitchen are stacked above living room/kitchen to minimise noise and vibration impact on the amenities of the future occupants of these flats.

Unit Size

The internal floor area of the ground and first floor flat providing 1 x 1-bedroom unit for 1 person would be 44m² each and second floor flat with rooms in roof space providing 1 x 2-bedroom unit for 3 person's accommodation would be 76.3m². The proposed 1b1p flat on the ground and first floor would meet the Council's minimum residential space standard of 37m² and the proposed 2b3P flat on the second floor would meet the Council's minimum residential space standard of 61m² as set out in the Table 1.3 "*Minimum residential space standards requirements*" in the Council's SPD: Residential Design Guide (adopted April 2013).

Amenity Space

The proposed flats would have a communal rear garden/amenity space accessed from the side of the proposed 3-storey building facing Oakleigh Court. The rear

garden/amenity space of the proposed building would be approximately 82m². According to Table 1.2: "Outdoor Amenity Space Requirements for Barnet" set out in the Council's SPD: Residential Design Guide (adopted April 2013), *flats are required to provide 5m² of amenity space per habitable room*. The proposed development comprising 10 habitable rooms would need to provide a minimum of 50m² of amenity space. The proposed rear garden therefore would be large enough to satisfy the communal amenity space requirement for the proposed 3 flats in the building.

Landscaping

The proposed amended landscape plan drawing No. 25 Revision C comprising landscaping notes and planting schedule, now providing soft landscaping along the front and sides of the proposed parking area, along the front, rear and side of the proposed building and in the proposed communal garden/amenity space of the application site is considered to be an acceptable layout and in accordance with the principles established by the indicative landscape strategy submitted with the Outline application.

The proposed landscaping plan also introduces privacy measures by introducing soft landscape near the kitchen and bedroom window of the ground floor flat within the proposed building to prevent any issues regarding loss of privacy and overlooking for the future occupants of this ground floor flat.

3. COMMENTS ON GROUNDS OF OBJECTIONS

With regards to the objections received it should be noted that this application is followed on from the approval of an outline planning permission ref: B/00753/11 dated 11/01/2012 where similar/same objections to the proposal have been considered. This application is seeking approval of reserved matters regarding scale, layout and landscaping which follows the parameter shown on the outline application and is not considered to have any adverse impact on the amenities of the occupiers of neighbouring properties. The proposed plans now shows details of refuse and recycling storage area and its enclosure and it is considered to meet the Council's refuse/recycling storage area requirements for the proposed development. The proposed bins enclosure is also considered to be in keeping with the character and appearance of the area. The amended landscaping proposal introducing appropriate soft landscaping within the site is considered to be acceptable. The application site does not have trees protected by Tree Preservation Order (TPO) and therefore trees without TPOs can be removed with planning permission.

The concerns in the report of the perceived impact of the development on protected species was considered at the time of the outline planning application and it was recommended that an informative be added stating that should any protected

species be encountered during the course of the development the works should cease and expert advice sought.

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 support the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The principle of the proposed development was established by the grant of outline planning permission in January 2012. It is considered that the proposed reserved matters regarding scale, layout and landscaping would be in accordance with the Council's policies and guidelines, are appropriately designed, would not prejudice highway safety or convenience and would not cause unacceptable harm to the amenities of the area or any neighbouring properties.

It is therefore recommended that the application be **APPROVED**.

SITE LOCATION PLAN: 69 Jackson Road, Barnet, Herts, EN4 8UU

REFERENCE: B/05238/13



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