

**LOCATION:** 8 The Vale, London, NW11 8SG  
**REFERENCE:** F/00349/12 **Received:** 30 January 2012  
**Accepted:** 30 January 2012  
**WARD(S):** Childs Hill **Expiry:** 26 March 2012  
**Final Revisions:**

**APPLICANT:** ATZ Properties Ltd  
**PROPOSAL:** Variation of conditions 1 and 3 of planning permission F/00400/10 dated 09/03/10 for 'Demolition of existing dwelling and erection of a two storey building plus basement and rooms in roof space to accommodate 3 self contained flats.' Variation to include alterations to parking layout and approved plan numbers.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: PL-001; PL-002; PL-003 January 2012; PL-004RevA; pl-005RevA; PL-006RevA.  
Reason:  
For the avoidance of doubt and in the interests of proper planning.
- 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 PL-003 January 2012 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.
- 4 Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.  
Reason:  
To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.
- 5 Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.  
Reason:  
To safeguard the visual amenities of the locality.
- 6 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.

- 7 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.

- 8 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.

- 9 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.

- 10 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.

- 11 The level of noise emitted from any plant machinery shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.  
If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

- 12 Before development commences, a report should be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval, that assesses the likely noise impacts from the development of the ventilation/extraction plant. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development.

- 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). No dwelling shall be occupied until 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 GSD of the adopted Unitary Development Plan (adopted 2006) and the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007).

- 14 No development shall take place until details of the arrangements to meet the obligation for education, health and library facilities and the associated monitoring costs have been submitted to and approved in writing by the local planning authority.

Reason:

To ensure the proper planning of the area and to comply with policies CS2, CS8, CS13, IMP1 and IMP2 of the adopted Unitary Development Plan and the adopted Supplementary Planning Documents "Contributions to Education", "Contributions to Health Facilities", "Contributions to Libraries" and "Planning Obligations".

- 15 A Construction Management Plan must be submitted to and approved by the Local Planning Authority before the development starts on site.

Reason: In the interests of highway safety in accordance with Policy M11 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

- 16 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.

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

Reason:

To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

#### **INFORMATIVE(S):**

1. You are advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location. In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

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

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate: 1) Department of Environment: PPG 24 (1994) Planning Policy Guidance - Planning and noise; 2) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and measurement of environmental noise; 3) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 4) BS 8223: 1999 - Sound insulation and noise reduction for buildings: code of practice; 5) Department of transport: Calculation of road traffic noise (1988); 6) Department of transport: Calculation of railway noise (1995); 7) Department of transport : Railway Noise and insulation of dwellings.

- 2 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006):

GSD, GBEnv1, GBEnv2, GBEnv3, D1, D2, D3, D4, D5, M14, H2, H16, H18, H21, CS2, CS8, CS13, IMP1, IMP2.

Core Strategy (Submission version) 2011:

CS5, CS9.

Development Management Policies (Submission version)2011:

DM01, DM02, DM17

ii) The proposal is acceptable for the following reason(s): -

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet UDP policies 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.

- 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](mailto:street.naming@barnet.gov.uk) or by telephoning: 0208 359 7294.

- 4 In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team as part of the crossover application. The outcome of this assessment cannot be prejudged. Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Highways Group, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP
- 5 The applicant is advised that in case if any modifications are proposed to the existing access off the public highway then it will be subject to a detailed investigation by the Highways Group. This may result in alterations to the existing on-street controlled parking bays. Any alterations to on-street parking bays will be subject to a statutory consultation period. The Council cannot prejudge the outcome of the consultation process. Any modification works including relocation of any existing street furniture would need to be done by the Highway Authority at the applicant's expense. You may obtain advice and an estimate for this and any associated work on public highway from the Chief Highways Officer, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Framework March 2012:

The determination of planning applications is made mindful of Central Government advice and the Development 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 basic question is whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest.

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

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to

do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

#### 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 Unitary Development Plan Policies:

GSD, GBEnv1, GBEnv2, GBEnv3, D1, D2, D3, D4, D5, M14, H2, H16, H18, H21, CS2, CS8, CS13, IMP1, IMP2.

#### Core Strategy (Submission version) 2011

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council submitted its LDF Core Strategy Submission Stage document in August 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

#### Relevant Core Strategy Policies:

CS5, CS9

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

The Council submitted its LDF Development Management Policies Submission Stage document in September 2011. Therefore weight can be given to it as a

material consideration in the determination of planning applications.

Relevant Development Management Policies:

DM01, DM02, DM17.

Relevant Planning History:

**Site history for current landparcel :**

26201 - 8 The Vale, London, NW11 8SG

Case Reference: **F/00349/12**

**Application:** Planning **Number:** C/16389/A/06  
**Validated:** 09/10/2006 **Type:** APF  
**Status:** DEC **Date:** 05/02/2007  
**Summary:** APC **Case Officer:** Kevin Waters  
**Description:** Conversion of garage to habitable room. Ground and first floor infill side extension to side with No. 10 The Vale. Single storey rear extension with existing first floor extension widened and moved away from boundary with No. 6 The Vale. Repositioning of front entrance. Alteration of roof including rear dormer windows to facilitate loft conversion.

**Application:** Planning **Number:** C/16389/05  
**Validated:** 16/09/2005 **Type:** APF  
**Status:** WDN **Date:** 21/10/2005  
**Summary:** WIT **Case Officer:** Kevin Waters  
**Description:** Conversion of garage into habitable room. Two-storey infill side extension. Single storey rear extension and first floor side extension, repositioning of front entrance. Alteration to roof including rear dormer window to facilitate a loft conversion.

**Application:** Planning **Number:** F/00400/10  
**Validated:** 27/01/2010 **Type:** APF  
**Status:** DEC **Date:** 11/03/2010  
**Summary:** APC **Case Officer:** Elizabeth Thomas  
**Description:** Demolition of existing dwelling and erection of a two storey building plus basement and rooms in roof space to accommodate 3 self contained flats.

**Application:** Planning **Number:** F/00425/12  
**Validated:** 07/02/2012 **Type:** CON  
**Status:** REG **Date:**  
**Summary:** DEL **Case Officer:** Elizabeth Thomas  
**Description:** Submission of details of conditions 4 (Levels), 6 (Refuse) and 8 (Landscaping) pursuant to planning permission F/00400/10 dated 09/03/10.

**Application:** Planning **Number:** F/02048/10  
**Validated:** 20/05/2010 **Type:** CON  
**Status:** DEC **Date:** 04/08/2010  
**Summary:** AP **Case Officer:** Elizabeth Thomas  
**Description:** Submission of details of conditions (4) (Levels), (5) (Materials), (6) (Refuse), (7) (Ventilation), (8) (Landscaping details), (11,12) (Noise), (17) (Extension roof), pursuant to planning permission (F/00400/10) dated (09 March 2010).

**Application:** Planning **Number:** F/03849/10  
**Validated:** 28/09/2010 **Type:** CON  
**Status:** DEC **Date:** 14/10/2010  
**Summary:** AP **Case Officer:** Fabien Gaudin  
**Description:** Submission of details of Condition 14 (Education/ Libraries/ Health Obligations) pursuant to planning permission F/00400/10 granted 09/03/10.

**Application:** Planning **Number:** F/04303/09

**Validated:** 30/11/2009 **Type:** APF  
**Status:** WDN **Date:** 22/01/2010  
**Summary:** WIT **Case Officer:** Elizabeth Thomas  
**Description:** Demolition of existing dwelling and erection of a two storey building plus basement and rooms in roof space to accommodate 3 self contained flats.

**Application:** Planning **Number:** F/05055/10  
**Validated:** 13/12/2010 **Type:** CON  
**Status:** DEC **Date:** 20/01/2011  
**Summary:** AP **Case Officer:** Elizabeth Thomas  
**Description:** Submission of details of condition 11 (Noise Emission from Plant) pursuant to planning permission F/00400/10 dated 09/03/10.

### Consultations and Views Expressed:

Neighbours Consulted: 36 Replies: 3  
Neighbours Wishing To Speak 1

The objections raised may be summarised as follows:

- Loss of parking spaces. Serious impact on the controlled parking zone.
- Parking spaces are not going to be any safer than already approved on original scheme.
- Proposed parking it looks like a commercial estate.
- Damage to tree in front of the property.
- Other worry is that they have already done changes which was not allowed on the original plan.
- Proposed bin enclosure on already raised ground will make loss of light.
- Hard and soft landscaping has not been carried out as per approved plan which were designed to match adjacent properties in style.

**It was decided at the April West Area Planning Sub Committee that the application should be deferred for further highways advice. Further advice has been provided by the highways officer and is addressed in the below report.**

Date of Site Notice: 09 February 2012

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site is a large detached building which has been laid out into 3 self contained flats. The property falls within the Childs Hill ward and does not fall within a conservation area.

### Proposal:

The variation of conditions 1 and 3 of planning permission F/00400/10 dated 09/03/10 for 'Demolition of existing dwelling and erection of a two storey building plus basement and rooms in roof space to accommodate 3 self contained flats.' Variation to include alterations to parking layout.



### Planning Considerations:

The traffic and development team have reviewed the amended drawings and are satisfied with the proposed parking layout. The main difference with the application is the orientation of the car parking spaces. Cars will now be parked adjacent to the road rather than parallel. The same level of car parking is proposed as the previous layout and therefore the proposal is still in compliance with policies that require adequate parking provision for new development. The overall appearance of the front is considered to be acceptable and would not result in harm to the character of the streetscene.

The provision of the new crossover and the extension of the existing crossover would be subject to an investigation by highway officers. The site is within a controlled Parking Zone (CPZ) and therefore any alterations to the existing CPZ bays would be subject to public consultations.

As there is also a tree on public footway fronting the development site, the provision of the crossover will be subject to consultation and approval by the council's highway tree section before any works can take place.

All other matters remain as per the previous approval.

The application was deferred for further highways advice the highways officer has re-assessed the proposal for 3 car parking layout with two separate crossovers. There is no objection subject to the detailed investigation by the crossover team and provided that the tree section is agreeable to allowing the proposed works on footway in such close proximity of the existing tree.

Observations show that car parking spaces perpendicular to the kerb similar to the proposed is already in existence and in operation in The Vale on other properties in the vicinity of the site. Vehicles parked in these spaces often reverse out on to The Vale. Therefore the proposed parking is not dissimilar to the existing arrangement on The Vale therefore I have no objection to the proposed parking layout on highway grounds.

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

All planning related matters are considered to be covered in the above appraisal.

### **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, this proposal complies with the Adopted Barnet UDP policies 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. This application is in keeping with Council Policies and Guidelines and is therefore recommended for **APPROVAL**.

**SITE LOCATION PLAN: 8 The Vale, London, NW11 8SG**

**REFERENCE: F/00349/12**



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