

**LOCATION:** 4 Winnington Close, London, N2 0UA  
**REFERENCE:** F/00899/12 **Received:** 01 March 2012  
**Accepted:** 01 March 2012  
**WARD(S):** Garden Suburb **Expiry:** 26 April 2012  
**Final Revisions:**

**APPLICANT:** Mrs E Basrawy  
**PROPOSAL:** Demolition of existing property.  
(CONSERVATION AREA CONSENT)

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan - 01A; Design & Access Statement - February 2012; 02E; 03D; 04E; 05D; 06C; 07D; 08C; 09F; 10E; 11D; 18B.  
Reason:  
For the avoidance of doubt and in the interests of proper planning.
- 2 This work must be begun not later than three years from the date of this consent.  
Reason:  
To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
- 3 The demolition works hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been executed and planning permission has been granted for the redevelopment for which the contract provides. Evidence that this contract has been executed shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority prior to any demolition works commencing.  
Reason:  
To preserve the established character of the Conservation Area pending satisfactory redevelopment of the site.
- 4 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.

**INFORMATIVE(S):**

- 1 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 (UDP) (2006).  
In particular the following policies are relevant:

National Planning Policy Framework  
London Plan (2011): 3.4, 3.5A, 3.5B, 7.4A

Adopted Barnet Unitary Development Plan (2006):  
GSD, GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, D6, D11, D12, D13,  
HC1, HC5, M11, M13, M14.

Local Development Framework:

Core Strategy Policies (Submission version) 2011 – CS4, CS5.

Development Management Policies (Submission version) 2011 – DM01, DM02, DM04, DM06, DM15, DM16, DM17.

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

Having taken all material considerations into account, the proposed development is acceptable as the existing house is not considered to be of such great architectural merits as to ensure its retention.

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Framework 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.

Policy 3.4 of the London Plan states that development should optimise housing output for different types of location taking into account local context and character, the design principles set out in Chapter 7 of the London Plan and public transport

capacity.

Policy 3.5A states that housing developments should be of the highest quality internally, externally and in relation to their context and the wider environment taking account of strategic policies to protect and enhance London's residential environment and attractiveness as a place to live.

Policy 3.5B indicates that the design of all new housing developments should enhance the quality of local places taking into account, amongst other things, physical context, local character and density. Table 3.3 sets out minimum space standards for new dwellings.

Policy 7.4A states that, development should have regard to the form, function, and structure of an area, place or street, and the scale, mass and orientation of surrounding buildings. The policy goes on to say at 7.4B that buildings should provide a high quality design response that, amongst other things, is informed by the surrounding historic environment.

The Mayor for London has introduced a Community Infrastructure Levy. This applied from 1 April 2012 to most developments in London where the application is determined by the Local Planning Authority.

Within Barnet the levy will be charged at a rate of £35 per square metre of net additional floorspace.

#### Relevant Unitary Development Plan Policies:

The statutory plan for the Borough is the Barnet UDP. This was adopted on 18 May 2006, replacing the original UDP adopted in 1991.

On 13 May 2009 the Secretary of State for Communities and Local Government issued a Direction "saving" 183 of the 234 policies within the UDP.

One overall theme that runs through the plan is 'sustainable development'. Policy GSD states that the Council will seek to ensure that development and growth within the borough is sustainable.

Relevant policies: GSD, GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, D6, D11, D12, D13, HC1, HC5, M8, M11, M13, M14.

In June 2005 the Council published its "Three Strands Approach", setting out a vision and direction for future development, regeneration and planning within the Borough. The approach, which is based around the three strands of Protection, Enhancement and Growth, will protect Barnet's high quality suburbs and deliver new housing and successful sustainable communities whilst protecting employment opportunities. The second strand of the approach, "Enhancement", provides strong planning policy protection for preserving the character and openness of lower density suburbs and conservation areas. The Three Strands Approach will form the "spatial vision" that will underpin the Local Development Framework.

The Council has also adopted (June 2007), following public consultation, an SPD

“Sustainable Design and Construction”. The SPD provides detailed guidance that supplements policies in the UDP, and sets out how sustainable development will be delivered in Barnet.

### HGS Character Appraisal

### HGS Design Guidance

### Core Strategy (Submission version) 2011:

Barnet’s emerging Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the Local Plan is complete, 183 policies within the adopted Unitary Development Plan (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.

Barnet’s Local Plan is at an advanced stage following submission in August / September 2011. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy policies to this case: CS4, CS5.

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.

Barnet’s Local Plan is at an advanced stage following submission in August / September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management policies to this case: DM01, DM02, DM04, DM06, DM15, DM16, DM17.

### Relevant Planning History:

<b>Site Address:</b>	4 Winnington Close, London, N2 0UA
<b>Application Number:</b>	F/00107/09
<b>Application Type:</b>	Full Application
<b>Decision:</b>	Approve with conditions
<b>Decision Date:</b>	02/04/2009
<b>Appeal Decision:</b>	No Appeal Decision Applies
<b>Appeal Decision Date:</b>	No Appeal Decision Date exists
<b>Proposal:</b>	<b>Demolition of existing property and erection of a two storey detached house with rooms in the roofspace and basement.</b>

**Case Officer:** Fabien Gaudin

**Site Address:** 4 Winnington Close, London, N2 0UA  
**Application Number:** F/00108/09  
**Application Type:** Conservation Area Consent  
**Decision:** Approve with conditions  
**Decision Date:** 02/04/2009  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Demolition of existing property.**  
**Case Officer:** Fabien Gaudin

**Site Address:** 4 Winnington Close, London, N2 0UA  
**Application Number:** F/00839/12  
**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:** **Demolition of existing property and erection of a two storey detached house with rooms in the roofspace and basement.**  
**Case Officer:** Junior C. Moka

Consultations and Views Expressed:

Neighbours Consulted: 0                      Replies: 0  
Neighbours Wishing To Speak 0

Internal /Other Consultations:

Urban Design & Heritage -  
No objection

Hampstead Garden Suburb, Conservation Area Advisory Committee  
No objection.

Date of Site Notice: 15 March 2012

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

The application site is a two storey detached house at the end of Winnington Close. It is a focal point of the street. The site is located within the Hampstead Garden Suburb Conservation Area and Article 4 Direction Area. This part of the Hampstead Garden Suburb Conservation Area is one of the later parts to be developed and the application site and surrounding building were originally built in the 1960s. Houses at 1, 3, 5 and 7 are new and were built in the last few years.

Proposal:

The application seeks conservation area consent for the demolition of the existing two-storey dwelling. This application follows the previously consented scheme F/00108/09.

### Planning Considerations:

It is considered that the application property makes a neutral contribution to the character and appearance of the Conservation Area (as per HGS Character Appraisal).

It is considered that the application complies with Policies 133 and 134 of the NPPF which are relevant in assessing the proposal to demolish the existing building on site.

This policy states; "where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use."

Policy 134 of the NPPF states that; "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

The principle of demolition and replacement has been established in the street (see planning history above) and although it is not considered to be the most sustainable method to update residential accommodation, this point alone does not warrant refusal for the application subject to the environmental standard condition detailed above. It should be noted that each case must be dealt with on its own merit and the fact that permission is granted for one house to be demolished and rebuilt in one particular street does not necessarily mean that the council will support the demolition of all houses in that same street. Indeed, the demolition of 1 Winnington Close without permission was considered unacceptable.

This application follows an approval for demolition and rebuild at the application site for similar scheme under application reference F/00108/09 dated April 2009. Therefore the principle of demolishing the existing dwelling on site has already been deemed acceptable.

A replacement building has been applied for under planning application F/00839/12.

The Conservation Area Advisory Committee for Hampstead Garden Suburb at the meeting on 28 March 2012 commented:- "*No character issues.*"

### **3. EQUALITIES AND DIVERSITY ISSUES**

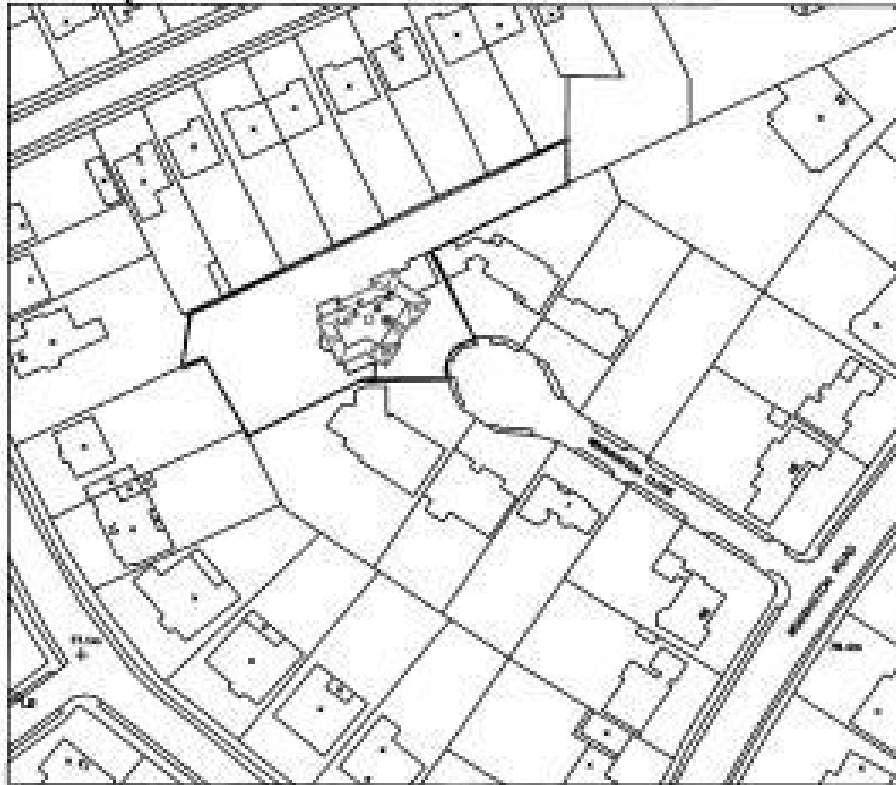
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

#### **4. CONCLUSION**

Having taken all material considerations into account, the proposed development is acceptable as the existing house is not considered to be of such great architectural merits as to ensure its retention. **APPROVAL** is recommended.

**SITE LOCATION PLAN: 4 Winnington Close, London, N2 0UA**

**REFERENCE: F/00899/12**



**LOCATION PLAN**

**scale 1:1250**

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