

**LOCATION:** Bald Faced Stag, 104 Burnt Oak Broadway, Edgware, Middx, HA8 0BE  
**REFERENCE:** H/01765/14 **Received:** 31 March 2014  
**WARD:** Burnt Oak **Accepted:** 31 March 2014  
**Expiry:** 26 May 2014

**Final Revisions:**

**APPLICANT:** TFC Walthamstow Ltd C/O Peter Pendleton & Associates Ltd

**PROPOSAL:** Conversion and extension of the existing public house to create 8 flats and retail supermarket at ground floor level.

**Approve Subject to S106**

**Subject to a Section 106 Agreement**

**RECOMMENDATION I:**

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

- 1 Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
- 2 All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- 3 **Requirement to submit Travel Plan** **£5,000.00**  
Requirement to submit a Travel Plan for approval by the Council prior to first occupation of the development and the obligation to provide a contribution towards the Council's costs of monitoring the implementation of a Travel Plan.
- 4 **Highways (traffic order)** **£2,000.00**  
A contribution towards the cost of required changes to an existing traffic order or creation of a new order related to the development.
- 5 **Monitoring of the Agreement** **£350.00**  
Contribution towards the Council's costs in monitoring the obligations of the agreement.

**RECOMMENDATION II:**

That upon completion of the agreement the Assistant Director of Development Management & Building Control approve the planning application reference: H/01765/14 under delegated powers subject to the following conditions: -

- 1 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.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: BUR-EX-1, BUR-EX-2, BUR-EX-3, BUR-EX-4, BUR-EX-5, BUR-RES-1, BUR-RES-2, BUR-RES-2.1, BUR-RES-2.2, BUR-RES-2.3, BUR-RES-2.4, BUR-RES-2.5, BUR-RES-3, BUR-RES-4, BUR-RES-4.1, BUR-RES-4.2, BUR-RES-4.3, BUR-RES-4.4, BUR-RES-4.5, BUR-RES-6, BUR-RES-7, BUR-RES-8 dated 31 March 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).

- 3 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason:

To safeguard the visual amenities of the building and surrounding area 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).

- 4 Before the development hereby permitted is occupied the internal layout of the units as shown on approved plan numbers: BUR-RES-3, BUR-RES-4, BUR-RES-4.1, BUR-RES-4.2, BUR-RES-4.3, BUR-RES-4.4 and BUR-RES-4.5 dated 31 March 2014 shall be established. The established internal layout and use of space shall remain thereafter.

Reason:

To safeguard the privacy and amenities of future occupiers of the development in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 5 Before the development hereby permitted commences, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

- 6 Prior to the occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason:

To protect the amenities of future and neighbouring residential occupiers in accordance with policy DM02 and DM04 of the Adopted Barnet Development Management Policies DPD (2012).

- 7 Part 1

Before development commences other than for investigative work:

- a. A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential

contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

- b. If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-
- a risk assessment to be undertaken,
  - refinement of the Conceptual Model, and
  - the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

- c. If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

## Part 2

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF of the Adopted Barnet Core Strategy DPD (2012) and 5.21 of the London Plan 2011.

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

Reason:

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

- 9 The level of noise emitted from the plant hereby approved 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 in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

- 10 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 in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

- 11 Before development commences, a scheme of proposed noise mitigation measures shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of occupiers are not prejudiced by rail and / or road traffic and / or mixed use noise in the immediate surroundings.

- 12 No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 07:00 am or after 19:00 pm on any other day.

Reason:

To prevent the use causing an undue disturbance to occupiers of adjoining residential properties at unsocial hours of the day.

- 13 The use hereby permitted shall not be open to customers before 07:00 or after 22:00 Monday - Saturday or before 10:00 or after 17:00 on Sundays and Bank Holidays.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties.

- 14 Before the development hereby permitted is occupied, details of the screening of the roof top amenity areas shall be submitted to and approved in writing by the Local Planning Authority, implemented before occupation of the first residential unit and retained in accordance with the approved details 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).

**INFORMATIVE(S):**

- 1 i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
- 2 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.

- 3 The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out – habitable rooms away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint – setting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) NSCA Guidance: Development Control: Planning for Air Quality and the Planning Policy Statement 23: Planning and Pollution Control; 2) Environment Act 1995 Air Quality Regulations, Planning Policy Statement 23: Planning and Pollution Control, Annex 1: Pollution Control, Air and Water Quality; 3) Local Air Quality Management Technical Guidance LAQM.TG(03); 4) London Councils Air Quality and Planning Guidance, revised version January 2007.

- 4 The applicant is advised that Burnt Oak Broadway is part of Traffic Sensitive Route from 8.00am - 9.30am and 4.30pm-6.30pm Monday-Friday.
- 5 Any highway approval as part of the planning process for the alteration to the existing crossovers or new crossovers will be subject to detailed survey by the Crossover Team in Highways Group as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Highways Group, NLBP, Building 4, 2<sup>nd</sup> Floor, Oakleigh Road South, London N11 1NP.
- 6 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £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 £18,704.76 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 £70,065 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 at: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

### Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

You can apply for relief or exemption under the following categories:

#### 1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6314/19021101.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

#### 2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

#### 3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the [legislation.gov.uk](http://legislation.gov.uk)

Visit:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

### RECOMMENDATION III

**That if an agreement has not been completed by 14/08/2014, that unless otherwise agreed in writing, the Assistant Director of Development Management and Building Control should REFUSE the application H/01765/14 under delegated powers for the following reasons:**

1. The proposal fails to include an undertaking to provide a Travel Plan, amendments to the traffic management order and contribute to the associated monitoring costs, contrary to policy CS9 of the Barnet Local Plan Core Strategy and policy DM17 of the Development Management Policies DPD and the Planning

Obligations SPD.

## 1. MATERIAL CONSIDERATIONS

The application is reported to the Sub-Committee at the request of Councillor Farrier.

The National Planning Policy Framework 2012

The Mayor's London Plan: July 2011

Relevant Core Strategy DPD (2012) Policies: CS NPPF, CS1, CS5, CS9, CS10, CS11, CS15

Relevant Development Management DPD (2012) Policies: DM01, DM02, DM03, DM04, DM07, DM08, DM11, DM13, DM17.

Supplementary Planning Documents and Guidance

Sustainable Design and Construction (2013)  
Residential Design Guidance (2013)  
Planning Obligations (2013)

Mayor's CIL

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail. The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £36.04 per sqm on all 'chargeable development' in Barnet.

Barnet CIL

Barnet's Community Infrastructure Levy was approved at Full Council on 16 April 2013. Adoption of the Barnet CIL Charging Schedule is the 1st May 2013. All planning applications decided on or after that date will be subject to the charge at a rate of £135 per sqm on all 'chargeable development' in Barnet.

Relevant Planning History:

<b>Application:</b>	Planning	<b>Number:</b>	H/01637/13
<b>Validated:</b>	29/04/2013	<b>Type:</b>	APF
<b>Status:</b>	APD	<b>Date:</b>	21/02/2014
<b>Summary:</b>	DIS	<b>Case Officer:</b>	Graham Robinson
<b>Description:</b>	Demolition of the existing building and construction of a 4 storey plus basement building comprising of a retail supermarket at ground floor and basement levels with 20 self-contained flats above.		

<b>Application:</b>	Planning	<b>Number:</b>	H/01765/14
<b>Validated:</b>	31/03/2014	<b>Type:</b>	APF
<b>Status:</b>	REG	<b>Date:</b>	
<b>Summary:</b>	DEL	<b>Case Officer:</b>	Aahsanur Rahman



**Description:** Conversion and extension of the existing public house to create 8 flats and retail supermarket at ground floor level.

**Application:** Planning  
**Validated:** 12/06/2012  
**Status:** DEC  
**Summary:** LW  
**Description:** Change of use for A4 (Public House) to A1 (Retail) use.

**Number:** H/02235/12  
**Type:** 192  
**Date:** 19/07/2012  
**Case Officer:** Cathy Munonyedi

**Application:** Planning  
**Validated:** 01/06/2011  
**Status:** DEC  
**Summary:** APC  
**Description:** Installation of 3 No. internally illuminated fascia signs including large box signs on gable elevations; 2 No. internally illuminated projecting bus stop fascia signs; 1 No. non illuminated banner sign above fascia; 3 No. non illuminated vinyl applied graphics to fascia; 6 No. non illuminated vinyl applied graphics to shopfront below fascia including ATM surround; 2 No. non illuminated wall mounted signs in car park and 8 No. non illuminated freestanding signs in car park.

**Number:** H/02298/11  
**Type:** ADV  
**Date:** 19/07/2011  
**Case Officer:** Graham Robinson

**Application:** Planning  
**Validated:** 22/11/2013  
**Status:** DEC  
**Summary:** REF  
**Description:** Conversion and extension of the existing public house to create 8 flats and retail supermarket at ground floor level

**Number:** H/05121/13  
**Type:** APF  
**Date:** 17/01/2014  
**Case Officer:** Graham Robinson

#### Consultations and Views Expressed:

Neighbours Consulted: 128  
Replies: 2  
Neighbours Wishing To Speak: 0

#### Summary of objections:

The proposal will increase noise levels and traffic movements which will impact adversely on the amenity of neighbours

The proposal will result in overlooking to neighbouring properties

Date of Site Notice: 17 April 2014

#### Internal /Other Consultations:

- Highways - recommend approval subject to a S106 agreement requiring contributions to amend the Traffic Management Order for the area and to monitor the submitted travel plan
- Environmental Health - recommend approval subject to conditions
- London Borough of Brent - No objections

## 2. PLANNING APPRAISAL

### Site Description and Surroundings:

The site property is the Bald Faced Stag public house on the east side of Burnt Oak Broadway (A5).

The surrounding area is mixed in character with a mixture of commercial premises, some with flats above. To the north of the site is the Watling Estate Conservation Area and Burnt Oak town centre. The building to the north at 102 Burnt Oak Broadway is located within the conservation area.

To the south of the site is a Tesco supermarket. This is two storeys in height with a flat roof. To the south is Stockwell Close which provides access to the car park for the supermarket and runs behind the site.

### Proposal:

The application proposes the conversion of the existing public house to create 8 flats and retail supermarket at ground floor level.

There would be approximately 1160m<sup>2</sup> of retail area in the ground floor and basement, of which 644m<sup>2</sup> would be basement storage.

The proposed development would involve the alteration to the fenestration on the front of the property, including the insertion of 6 recessed dormer windows and the insertion of a steel gate on the front / side elevation of the property.

On the side elevation of the property, the proposal would involve the insertion of a staircase.

On the rear elevation of the property, the proposal would involve the insertion of a single storey rear extension with a recessed balcony, basement extension, 5 dormer windows and alterations to the fenestration of the property. The single storey rear extension would measure approximately 7.5 metres deep, 3.2 metres high and would span the entire width of the property.

The top floor of the property would be created by infilling the area between the existing pitched roofs and would provide living accommodation and an internal roof terrace.

Internally, the works would involve the conversion of the upper floors of the property into 5 X 2 bedroom flats and 3 X 1 bedroom flats.

### Planning Considerations:

The main considerations are:

- The principle of the proposed development
- The impact on the character and appearance of the application site and surrounding area

- The impact on the amenity of future and neighbouring residents
- The impact on highway safety and whether the proposal would provide a sufficient parking allocation
- Other material planning considerations

### The principle of the proposed development

The application site features a former public house which had ancillary residential accommodation above. The proposal would involve a similar layout with an A1 (retail) use at ground floor level and residential flats above. There are examples of residential flats in the surrounding area and the principle of residential flats in the top floors of the building are therefore considered acceptable.

### The impact on the character and appearance of the application site and surrounding area

The 2012 National Planning Policy Framework states that *“the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”*.

In addition to the NPPF, Policy CS5 of the Core Strategy states that the Council *“will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design”*. In addition to this, Policy DM01 of the Council’s Development Management Policies 2012 states that *“development proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets... development (should) demonstrate a good understanding of the local characteristics of an area. Proposals which are out of keeping with the character of an area will be refused”*.

The area surrounding the application site characteristically features commercial premises at ground floor, with residential use above.

The proposed alterations would involve alterations to the fenestration on the front of the property. The proposed single storey extension and dormer windows would be located on the rear of the property where, whilst it would be visible from the rear car park, it would not form a prominent addition to the frontage of the street scene. The proposed extensions and alterations would appropriately be constructed of materials and fenestration to match the existing property and would appropriately remain subordinate in scale to the original form of the property. Based on these considerations, the proposed development is considered to sufficiently maintain the character and appearance of the property and surrounding area.

### The impact on the amenity of future and neighbouring residents

The proposed works would result in the creation of eight flats. Policy DM01 of the Development Management Policies 2012 states that all development should

represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Section 8.4 of Barnet's Local Plan SPD: residential design guidance states: *"in designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to outdoor amenity space that is not overlooked from the public realm and provides reasonable level of privacy"*. In addition to this, section 2.4 of the SPD for sustainable design and construction states that *"the impact of development on the availability of daylight / sunlight and privacy to the occupants of existing buildings and the occupants of new development is strongly influenced by design and contributes significantly to the quality of life. The amount of daylight available in buildings enhances people's quality of life and reduces energy use. The Mayor's Housing SPG standard 5.5.2 recommends that development should preferably have direct sunlight in living areas and kitchen dining spaces and all homes should provide for direct sunlight to enter at least one habitable room for part of the day. Overheating should be considered when designing for sunlight"*.

The proposed flats meet the minimum space standards as set out in the London Plan and would provide sufficient outlook and access to light for habitable rooms. It is also considered that the proposed flats would have access to sufficient amenity space in the proposed balconies and roof terrace that would be located on the top floor of the property.

In terms of noise, air pollution and contaminated land, the council's environmental health department have stated that in the event of approval conditions should be attached to require a noise report for the site plant, air quality mitigation measures and a contaminated land report shall be submitted to and approved in writing by the local planning authority prior to the commencement of development.

Turning to the impact on neighbouring properties, it is considered that the alterations and extensions, by virtue of their scale, siting and design, would not impact adversely on any neighbouring properties access to light or have an overbearing impact on neighbouring properties to an extent that would warrant the refusal of the application on these grounds. Furthermore, it is considered that the proposed fenestration would not result in any direct overlooking to the neighbouring properties to an extent that would warrant the refusal of the application on these grounds.

#### The impact on highway safety and whether the proposal would provide a sufficient parking allocation

The site does not currently provide access to car parking and the applicant has submitted a travel plan in relation to providing a car free scheme. The application site has good access to public transport, with a PTAL rating of 5 but does not have access to car parking.

The proposal would provide approximately 516m<sup>2</sup> of retail space at ground floor

level, 644m<sup>2</sup> of basement storage and 3 X 1 bedroom and 5 X 2 bedroom flats. In accordance with council parking standards this would require a maximum of approximately 1/1.5 car parking spaces per 2 bedroom unit and 0/1 car parking space per 1 bedroom unit. Accordingly, the car parking standards would range between the provision of 5 to 10.5 car parking spaces for the residential units.

The council's highways department have stated that whilst the site is located in a controlled parking zone and would not provide car parking, it is located in a town centre location and has good accessibility to public transport. As such, they have not raised objections to the proposal subject to the completion of a S106 agreement to provide contributions towards the monitoring of the submitted travel plan and an amendment to the traffic management order.

In terms of bicycle parking, 16 bicycle storage spaces would be provided in front entranceways to the units and this would comply with council parking standards.

#### Other material planning considerations

A recent application for demolition of the existing building and erection of a 4 storey building plus basement to provide a shop and 20 flats was refused and dismissed at appeal. The Inspector had no issue with the principle of the development but the appeal was dismissed due to the scale and design of that proposal.

A subsequent application for extension and conversion was refused earlier this year due to concerns about the rear extension. The reasons for refusal of that application are considered to have been addressed in the current application.

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

The concerns raised have been addressed in the considerations above.

### **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**

The application is recommended for approval with conditions subject to the completion of a S106 agreement for the monitoring of the submitted travel plan and amendments to the traffic management order for the area.

**SITE LOCATION PLAN:**  
Edgware, Middx, HA8 0BE

**Bald Faced Stag, 104 Burnt Oak Broadway,**

**REFERENCE:**

**H/01765/14**



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