

LOCATION: United Reformed Church, Chesterfield Road, Barnet, Herts
REFERENCE: B/03360/14 **Received:** 23 June 2014
WARD(S): Underhill **Accepted:** 07 July 2014
Expiry: 01 September 2014

Final Revisions:

APPLICANT: Thames North Trust and Chesterfield Road URC

PROPOSAL: Demolition of existing church buildings and construction of a new two storey plus basement church and 5no. two storey plus rooms in roofspace terraced dwellinghouses with associated hard and soft landscaping, refuse storage and off-street car parking.

RECOMMENDATION: Approve Subject to Conditions

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

Drawing Nos. 263/P/101, 102, 103, 104, 105, 106, 107, 108, 109, 1-38-3169/P1A, P2A, P3A

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

2 This development must be begun within three years from the date of this permission.

Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

3 Before the development hereby permitted is occupied the parking spaces shown on Drawing No. 263/P/102 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 in accordance with policies DM17 of the Adopted Barnet Development Management Policies DPD (2012) and 6.1, 6.2 and 6.3 of the London Plan 2011.

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 development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

- 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 character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 6 Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with policies DM01, DM03, DM17 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 7 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).

- 8 Before the building hereby permitted is occupied the proposed window in the north west elevation and labelled on Drawing No. 263/P/103 to be obscurely glazed shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 9 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows, other than those expressly authorised by this permission, shall be placed at any time in the north west elevation.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A to E of Part 1 to Schedule 2 of that Order shall be carried out within the curtilage of the dwellings hereby approved.

Reason:

To safeguard the amenities of neighbouring occupiers and the general locality in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 11 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

- 12 No development shall take place until a 'Demolition & Construction Method Statement' has been submitted to, and approved in writing by, the Local Planning Authority. The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage

of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution. Throughout the construction period the detailed measures contained within the approved Statement shall be strictly adhered to.

Reason:

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

- 13 Before the development hereby permitted is occupied, details of the sub-division of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority, implemented and retained as such on site thereafter.

Reason:

To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Adopted Barnet Development Management Policies DPD (2012).

- 14 A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

- 15 All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 16 Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason:

To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 17 No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with the details on the 'Tree Retention and Tree Protection Measures (Construction Phase)' drawing (Drawing 1-38-3169/P3A) accompanying report reference 1-38-3169/2. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 18 The development hereby approved shall be implemented in accordance with the Report on the Impact on Trees, Ref 1-38-3169/2 dated 19 June 2014).

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 19 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.

- 20 The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme) and achieve full Lifetime Homes credits. No dwelling shall be occupied until evidence that the Lifetime Homes credits have been achieved and a Final Code Certificate has been issued certifying that Code Level 3 has been achieved and this certificate has been submitted to and approved by the local planning authority.

Reason:

To ensure that the development is sustainable and complies with policy DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007) and policies 5.2 and 5.3 of the London Plan (2011).

- 21 The church and community building hereby permitted shall not be used before 08:00 or after 22:30, except for at Christmas and New Year where the church, community building and related outdoor space shall not be used before 08:00 or after 00:45.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

- 22 Prior to the installation of any external lighting, full plans, details and specifications of all external lighting to be installed shall be submitted to the Local Planning Authority and approved in writing. The lighting shall be implemented in full accordance with the approved details and thereafter be maintained as such.

Reason: To ensure that appropriate lighting is provided as part of the development in accordance with policy DM01 of the Barnet Local Plan and 5.3 of the London Plan.

INFORMATIVE(S):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 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 £22750 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 £86940 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.

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.

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

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

Visit:

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

- 3 Wildlife and Countryside Act 1981 Obligations etc: TIN/TPO
Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.
- 4 Any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The Council of the London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from:

<http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf>

or requested from the Street Naming and Numbering Team via email:

street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

- 5 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 6 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day as calculated according to the Code for Sustainable Homes.

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 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". The NPPF retains a 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 and is recognised in the NPPF as part of the development plan.

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.

The Mayor's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

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, CS5.

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

Supplementary Planning Documents and Guidance

The Council's Residential Design Guidance SPD was adopted in April 2013. This sets out information for applicants to help them design an extension to their property 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, development 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.

Relevant Planning History:

Site Address: United Reformed Church 89 Chesterfield Road Barnet Herts EN5 2RP
Application Number: N01000S/08
Application Type: Full Application
Decision: Finally disposed of
Appeal Decision: **Dismissed** (see N01000R/07 below for summary)
Appeal Decision Date: 08/10/2008
Proposal: **Demolition of existing church. Erection of two, part two, part three storey buildings to accommodate 9No. self contained flats and two storey church to the rear of the site. Provision of car parking spaces and landscaping.**

Site Address: United Reformed Church Chesterfield Road Barnet EN5 2RP
Application Number: N01000R/07
Application Type: Full Application
Decision: **Refused. 1)** Proposed development would be a cramped, overbearing and visually obtrusive form of development that would be detrimental to the character and appearance of the street scenes in Chesterfield Road and Palmer Gardens. **2)** The proposed development would result in levels of noise and disturbance that would be detrimental to the amenities of adjoining residential properties.

Appeal Decision: **Dismissed.** Proposal extends close to boundary and runs much of its length with only a small break between residential blocks to provide any relief. The proximity to boundary and amount of development would make it appear cramped. Height adds to the bulk and mass of the buildings on site - would be in stark contrast to the small and intimate design of the buildings in Eleanor Gardens and Palmer Gardens. Proposal would have an adverse effect on the living conditions of 8-10 Eleanor Gardens in terms of outlook, and other neighbouring properties in terms of noise and disturbance.

Appeal Decision Date: 08/10/2008
Proposal: **Demolition of existing church. Erection of part two, part three storey building to accommodate 9No. self contained flats and two storey church to the rear of the site. Provision of car parking spaces and landscaping.**

Site Address: United Reformed Church, Chesterfield Road, Barnet, Herts
Application Number: B/00800/13
Application Type: Full Application
Decision: **Refused.** Proposed three storey building containing 8 flats would be unduly obtrusive and out of keeping in the context of the established neighbouring residential developments at Eleanor Gardens and Palmer Gardens, detrimental to the character and appearance of the area and the outlook of

neighbouring residents.
14/10/2013
Decision Date:
Proposal: Demolition of the existing Church, community rooms and hall and replacement with a new Church with basement; PV panels and a roof lantern. Construction of 8no. self contained residential units within a part single, part two and part three storey building with balconies including amenity space; associated hard and soft landscaping. Provision of off-street parking; cycle storage area and refuse.

Consultations and Views Expressed:

Neighbours Consulted: 163

Replies:

- 6 letters of objection, and one petition of objection containing 15 signatures.
- 1 letter of comment.
- 51 letters of support.
- Petitions in favour of the development have been received, containing 74 signatures.

Neighbours Wishing To Speak: 0

The objections raised may be summarised as follows:

- Proposal would cause disruption to the local area.
- Parking is inadequate.
- There is little amenity space for the proposed units.
- The use of the hall would require a strict curfew to avoid noise and disturbance to neighbours.
- The entrance/exit has restricted views.
- Proposal would reduce light to neighbours.
- Chesterfield Road is congested and more houses will add to this.
- Proposal would adversely affect privacy of neighbours

The one letter of comment states that whilst happy with the church being redeveloped and the idea of community housing, does not want to be overlooked.

Internal /Other Consultations:

Traffic and Development: No objections.

Date of Site Notice: 10 July 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site contains a church which fronts Chesterfield Road. There is a single storey building to the rear of the church, with a lawned garden area to the rear of this.

The site is fully enclosed by existing built development. To the north, on the corner of Chesterfield Road and Whitings Road, a three storey building fronts the junction. The neighbouring dwellings fronting Whitings Road comprise two storey pairs of chalet-bungalow style dwellings. The properties to the south and east, at Eleanor Gardens and Palmer Gardens, are part of a sheltered housing complex of single and

two storey buildings with communal amenity spaces around the buildings. The neighbouring buildings on the opposite side of Chesterfield Road are two storey semi-detached dwellings.

Proposal:

This application proposes the demolition of all existing buildings on the site, and the construction of a replacement church building to the front of the site, with a row of five 2-storey terraced dwellings with rooms in the roofspace to the rear of the site.

The proposed church building would have a maximum width of 25.8 metres at ground floor level, including an undercroft vehicular access point to a car parking area to the rear of the church. At first floor level, the church would have a pitched roof to the southern side close to No. 87 Chesterfield Road with an eaves height of 4.4 metres and a ridge height of 7.3 metres. To the northern side, the church would have a full first floor element 7.9 metres high, with a lantern roof above with a maximum height of 9.8 metres. The building would have a depth of 11 metres. The car parking area to the rear of the church would have 9 parking spaces including one disabled parking space. Two additional parking spaces (including one disabled space) are proposed to the front of the church. The church would include a small area of basement accommodation, entirely below its footprint.

The row of terraced dwellings to the rear of the plot would be close to the north-western boundary of the site. The row would measure a maximum of 30.4 metres in width by 10 metres in depth. It would have a pitched roof with a maximum height of 11 metres. The five dwellings would each contain four bedrooms. The row of terraced dwellings would be located over 30 metres from the nearest neighbouring properties fronting Whitings Road, 12 metres from the nearest properties at Palmer Gardens and over 15 metres from the nearest properties in Eleanor Gardens.

Planning Considerations:

The main issues in this case are considered to be covered under four main areas:

- Whether the demolition of the existing community building is acceptable;
- Whether harm would be caused to the character and appearance of the street scene and the wider locality, and whether the current scheme overcomes the previous reason for refusal;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether the proposal would provide satisfactory living conditions for future occupants.

Impact on Community Facilities

The proposal would involve the demolition of an existing church and associated community facilities, and the construction of a replacement facility. The principle of these works is acceptable, as there would be no loss in community facilities. The proposal would provide a modern and up to date community facility.

Impact on the character and appearance of the street scene and the wider locality

The proposed church building to the front of the site is identical to the size, siting and

appearance of the church building proposed under the previous planning application. The Local Planning Authority raised no objections in the previous application to the replacement church building, in terms of its impact on the character and appearance of the locality. The proposed replacement church building would be of an acceptable scale and appearance in this part of Chesterfield Road. It would be an appropriate addition to the street scene which would not be detrimental to the character and appearance of the locality.

In relation to the row of terraced dwellings to the rear, the proposed building would be constructed along the north western boundary of the application site. It would be set over 15 metres from the properties fronting Eleanor Gardens, and would have a large amount of space about it. The proposed residential building would respect the appearance, scale, mass height and pattern of surrounding buildings, spaces and streets. The proposed development would not be detrimental to the character or appearance of the area. The proposed car parking area would be between the proposed church building and the row of terraced dwellings, and therefore would not appear intrusive within the street scene.

Impact on the amenities of neighbours

The proposed row of terraced dwellings would be located beyond the end of the rear gardens of the two storey dwellings fronting Whitings Road. The gardens of these neighbouring properties are approximately 28 metres long and the proposed building would be a further two metres from the rear boundaries. Given the distances involved, which far exceed the recommended 21 metre window-to-window distance in the Sustainable Design and Construction SPD, it is not considered that the proposed row of terraced dwellings would appear overbearing or visually intrusive when viewed from the rear-facing windows or rear amenity area of the properties fronting Whitings Road. The windows in the north west elevation of the proposal are set at an angle to provide a westward aspect. This will ensure that the rooms served would receive adequate light, whilst not causing any significant direct overlooking toward the neighbouring properties.

In respect of the neighbouring buildings fronting Palmer Gardens, these would not directly face the proposed residential development, which would be set at an angle from the front and side elevations of these buildings. Given this relationship, it is not considered that the proposal would appear overbearing or visually intrusive when viewed from the neighbouring properties fronting Palmer Gardens. In addition, the proposed residential development would not adversely affect the privacy of the occupants of the properties at Palmer Gardens.

In respect of the neighbouring properties fronting Eleanor Gardens, it should be noted that whilst the previously refused scheme was, at its closest, 1.4 metres from the properties fronting Eleanor Gardens, the current scheme would be 14 metres from the boundary between the application site and Eleanor Gardens, with a distance of 21 metres between the windows at the proposed development and the windows of much of the properties fronting Eleanor Gardens. Given the separation between the two, it is considered that the proposal would not appear overbearing or visually intrusive when viewed from Eleanor Gardens. Furthermore, it would not be detrimental to the privacy of the occupants of the nearest properties fronting Eleanor Gardens.

Given the relationship between the proposed replacement church building and the nearest neighbouring properties, it is not considered that this building would be detrimental to the amenities of the occupants of any neighbouring residential property.

Quality of proposed living accommodation for future occupants

The proposed residential units would each meet the minimum internal room and floor size requirements set out in the Sustainable Design and Construction SPD. The units would have an adequate outlook and aspect, with appropriate internal horizontal stacking. Sufficient rear garden space would be provided to each property, and the properties would be sufficient distance from the nearest neighbouring properties such that they would not be overlooked. As such, the proposed residential accommodation would provide an adequate quality of accommodation for future occupants.

Other matters

As noted above, this application has been submitted following the refusal of planning application B/00800/13 by the East Area Planning Sub-Committee at its meeting of 10 October 2013. The differences between the previously refused scheme and the current scheme are as follows:

- The previous application included a T-shaped building to the rear of the plot, with the arms of the T in a similar position to the proposed row of terraced houses, and the stem projecting towards the properties which front Eleanor Gardens. The building would have contained 8 flats. The current building is therefore further from Eleanor Gardens than the previous scheme.

That previous planning application was refused only on the grounds that the proposed three storey flatted development would be unduly obtrusive and out of keeping in the context of the established neighbouring developments at Eleanor Gardens and Palmer Gardens, detrimental to the character and appearance of the area and the outlook of neighbouring residents. As noted above, the current application does not propose a large three storey flatted development, but instead includes a row of five terraced houses positioned alongside the north western boundary of the site. The proposed building has far more space about it when compared to the previously refused scheme, is set further from the neighbours at Eleanor Gardens and would introduce fewer residential units to this area. The proposed scheme addresses the objections raised by the Local Planning Authority to the previous scheme, and is therefore recommended for approval.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The objections are addressed in the appraisal above. Any disturbance resulting from construction activities are not material planning considerations.

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

It is considered that the proposed scheme would accord with the requirements of the Development Plan, would overcome the previous reasons for refusal and the application is therefore recommended for approval.

SITE LOCATION PLAN:
Barnet, Herts

United Reformed Church, Chesterfield Road,

REFERENCE:

B/03360/14



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