

LOCATION: Hermes House, 1 Ridge Road, London, NW2 2QR

REFERENCE: F/03313/14 **Received:** 19 June 2014
Accepted: 17 June 2014

WARD(S): Childs Hill **Expiry:** 12 August 2014

Final Revisions:

APPLICANT: Mazin Ltd

PROPOSAL: Demolition of existing office building and erection of part three part two storey building to create 5 new B1 office units.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 1970/01, 1970/02 Rev A & 1970/03 Rev A.

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 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.

- 4 The premises shall be used for B1 Offices and no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country

Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

- 5 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.

- 6 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.

- details about the time/frequency and routing of construction vehicles and access/egress arrangements within the site;
- details about how access will be kept clear/ maintained during works;
- site preparation and construction stages of the development;
- details of contractors parking arrangements;

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).

- 7 Prior to commencement, further details, shall be submitted to and approved in writing by the Local Planning Authority. The details on:
- associated signs and markings, highlighting the disabled parking space is for visitors only
 - the parking space will not be used for any purpose other than parking and turning of vehicles in connection with this development
 - the users will not be charged.
 - details about how this parking space will be managed in practice and shared between the five proposed offices

Reason: In the interests of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 8 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).

- 9 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).

- 10 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.

- 11 The level of noise emitted from the any 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.

- 12 Prior to occupation the approved development shall make provision for cycle parking and cycle storage facilities in accordance with details submitted to and approved by the Local Planning Authority. The cycle parking spaces shall be permanently retained thereafter.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 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 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 3 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 council's supplementary planning document on Sustainable Design and Construction requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements

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) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and & measurement of environmental noise; 2) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 3) BS 8223: 1999 - Sound insulation and noise reduction for buildings: code of practice; 4) Department of transport: Calculation of road traffic noise (1988); 5) Department of transport: Calculation of railway noise (1995); 6) Department of transport : Railway Noise and insulation of dwellings.

- 4 Proposed new and reinstatement of the footway on the redundant crossover(s) will be subject to a detailed survey by the Crossover Team in Highways Group as part of the application for crossover, under Highways Act 1980. Works associated in this process will be carried out at the applicant's expense and will include all necessary works on the public highways as well as relocations of light columns, trees, street furniture etc. affected by the proposal. An estimate for this work could be obtained from London Borough of Barnet, NLBP Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The Mayor's London Plan: July 2011

Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS6, CS8

Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM11, DM14, DM17

Supplementary Planning Document Sustainable Design and Construction (2013)

Relevant Planning History:

Case Reference: **F/03313/14**

Application: Planning **Number:** F/01531/14
Validated: 20/03/2014 **Type:** APF
Status: DEC **Date:** 15/05/2014
Summary: REF **Case Officer:** Jo Dowling
Description: Demolition of existing office building and erection of 1no. detached part two, part three storey building to provide 5 self-contained flats, including hard and soft landscaping, cycle store and refuse facilities.

Application: Planning **Number:** F/04714/13
Validated: 14/10/2013 **Type:** APF
Status: DEC **Date:** 06/12/2013
Summary: REF **Case Officer:** Aahsanur Rahman
Description: Construction of detached three storey building with communal roof terrace to provide 6 flats, following demolition of existing office building.

Consultations and Views Expressed:

Neighbours Consulted: 144 Replies: 5

Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- There are errors in the design and access statement.
- Loss of light.
- There is a large tree in the rear garden of one of the properties in Cricklewood lane which would be damaged by the proposal.
- On street parking is already a problem and this will make the situation worse.
- Five offices would be over-intensification.

Internal /Other Consultations:

- Environmental Health - No objection subject to a number of conditions
- Traffic & Development - No objection

Date of Site Notice: 03 July 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site features a two storey office building that is currently vacant. The site is located on the northern side of Ridge Road close to the junction with Cricklewood Lane. Levels drop steeply across the site from west to south. The site

is tightly constrained with the current property extending up to the boundary on all sides. The surrounding area is predominantly residential with a mix of housing styles and tenures.

Proposal:

The application proposes the demolition of the existing property and the erection of a part two, part three storey building to provide 5 B1 office units. The proposal would provide 1 off street parking space.

The proposed building would measure between 5.2m -9.1m high, 24.6m wide and 13.5m deep. The property would be constructed of a mix of render, yellow stock brick, cedar cladding and dark grey powder coated aluminium window frames.

No levels have been provided for the proposal.

Planning Considerations:

Planning permission for the demolition of the existing office building and erection of 1 no. detached part two, part three storey building to provide 5 self-contained flats, including hard and soft landscaping, cycle store and refuse facilities (our ref: F/01531/14) was recently refused planning permission and therefore the starting point when considering this application is whether the current proposal successfully addresses the previous reasons for refusal which were:

The applicant has failed to clarify the period for which the building has remained vacant and has not submitted any marketing information to demonstrate that there is no demand for B1 use on the site. Accordingly the proposed loss of B1 office use would fail to comply with Development Management policy DM14 (2012).

1. The applicant has failed to provide a legal agreement to ensure financial contributions are secured in order to mitigate against the potential harm from the proposed development on the highway. The policy DM17 (2012) and the council's Planning Obligations supplementary Planning Document.
2. The redevelopment of this site for 5 flats by reason of the number of units proposed results in unacceptable over-intensification of the site and a cramped form of development. The proposal does not accord with Policies DM01 and DM02 of the Development Management Policies DPD (2012), Residential Design Guidance SPD (2013), Sustainable Design and Constriction SPD (2013).
3. The layout of the proposed flats would result in substandard accommodation for future occupiers of the unit contrary to policies DM01 and DM02 of the Development Management Policies DPD (2012), Residential Design Guidance SPD (2013), Sustainable Design and Constriction SPD (2013).
4. The proposal fails to provide adequate standards of outdoor amenity space for occupiers of the flats contrary to Policies DM01 and DM02 of the Development Management Policies DPD (2012), Residential Design Guidance SPD (2013), Sustainable Design and Constriction SPD (2013).

Considering each of these in turn:

The applicant has failed to clarify the period for which the building has remained vacant and has not submitted any marketing information to demonstrate that there is no demand for B1 use on the site. Accordingly the proposed loss of B1 office use would fail to comply with Development Management policy DM14 (2012).

The current application is to replace the existing building with a new building providing B1 (office) floorspace. Although the proposal would result in the overall loss of 13sqm (gross) of floorspace this equates to 3% of the existing floorspace. Furthermore, the proposal would continue to provide employment floorspace in accordance with Policy DM14. It is therefore considered that this reason for refusal has successfully been addressed.

The applicant has failed to provide a legal agreement to ensure financial contributions are secured in order to mitigate against the potential harm from the proposed development on the highway. The policy DM17 (2012) and the council's Planning Obligations supplementary Planning Document.

The current proposal is to replace the existing office building which has no off street parking with a marginally smaller replacement B1 floorspace with one off street parking space. In addition on-site cycle storage is proposed. It is therefore considered that this reason for refusal has successfully been addressed.

The redevelopment of this site for 5 flats by reason of the number of units proposed results in unacceptable over-intensification of the site and a cramped form of development. The proposal does not accord with Policies DM01 and DM02 of the Development Management Policies DPD (2012), Residential Design Guidance SPD (2013), Sustainable Design and Constriction SPD (2013).

The current proposal is for B1 office space of a similar quantum to that which already exists on the site. The proposal is therefore not considered to result in an over development of the site and as a result it is therefore considered that this reason for refusal has been successfully addressed.

The layout of the proposed flats would result in substandard accommodation for future occupiers of the unit contrary to policies DM01 and DM02 of the Development Management Policies DPD (2012), Residential Design Guidance SPD (2013), Sustainable Design and Constriction SPD (2013).

The current proposal is for office floorspace for which the Residential Design Guidance and Sustainable Design and Construction SPD are not applicable. It is therefore considered that this reason for refusal has been successfully addressed.

The proposal fails to provide adequate standards of outdoor amenity space for occupiers of the flats contrary to Policies DM01 and DM02 of the Development Management Policies DPD (2012), Residential Design Guidance SPD (2013), Sustainable Design and Constriction SPD (2013).

As the current scheme is for replacement office floorspace amenity space is not required and it is therefore considered that this reason for refusal has successfully

been addressed.

The design of the proposed replacement building remains the same as for the previous residential scheme the only difference being that the proposed balconies to the upper floors have been omitted. The proposed building utilises the drop in levels across the site to minimise the bulk of the proposed building so the current proposal would be between 0.4-1m higher than the current building. As with the current building the built form would extend up to the boundary on all sides of the site. However, given its isolated opposition within the streetscene and the current building on this site this is considered acceptable. The proposal would also maintain the current relationship with adjoining properties and as a result the proposal is considered to accord with the requirements of Policies CS1 and DM01 of the adopted Local Plan.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The majority of these have been considered in the main report. However, the following specific responses can be made:

- The Design and Access statement has been amended to address the errors highlighted by objectors.
- Due to the increase in levels the adjoining properties in Cricklewood Lane are higher than the application site, in addition to which they are separated from the application site by their rear gardens. The current proposal would increase the height of the building by between 0.4-1m. It is therefore considered that the proposal would not result in a loss of light to these properties sufficient to warrant a refusal.
- The tree in the adjoining property is not protected.
- The current offices on the site have no off street parking. The proposal would result in a small loss of floorspace and the provision of one off street parking space. The proposal is therefore not considered to adversely impact on on-street parking provision.
- The current proposal would result in the loss of 13sqm of floorspace. The current building could be sub-divided into smaller units without the benefit of planning permission. The proposal is therefore not considered to result in an over-intensification of the use.

4. EQUALITIES AND DIVERSITY ISSUE

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 proposal would result in the re-provision of B1 (office) floorspace. As the proposal would no longer result in the loss of office floorspace or in the provision of residential accommodation. The previous reasons for refusal are considered to have been satisfactorily addressed. The proposal is therefore considered to accord

with Policies CS NPPF, CS1, DM01, DM14 and DM17 of the adopted Local Plan.
Accordingly APPROVAL is recommended.

SITE LOCATION PLAN: Hermes House, 1 Ridge Road, London, NW2 2QR

REFERENCE: F/03313/14



