

LOCATION: Arthur House, Barnet Lane, London, N20 8AP

REFERENCE: B/04204/14

Received: 05 August 2014

Accepted: 08 August 2014

WARD(S): Totteridge

Expiry: 03 October 2014

Final Revisions:

APPLICANT: Shandler Homes

PROPOSAL: Demolition of existing dwelling and construction of a two-storey dwellinghouse with rooms in the roof space and basement.

RECOMMENDATION: Approve Subject to Conditions

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

- 1413.P.02 Revision E dated 12.11.2013
- 1413.P.03 Revision D dated 11.11.2013
- 1413.P.04 Revision D dated 20.11.2013
- 1413.P.05 Revision A dated 17.06.2014
- 1413.P.06 dated 18.08.2014
- Sustainability Statement by Andrew Scott Associates Architects
- Design and Access Statement by Andrew Scott Associates Architects
- Demolition and Construction Method Statement by Andrew Scott Associates Architects
- Arboricultural Report by David Clarke Chartered Landscaped Architect and Consultant Arboriculturist Limited received via e-mail dated 08/10/2014 from Andrew Scott from <andrew.scott@architects-asa.co.uk>.

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 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 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).

- 6 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).

- 7 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).

- 8 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.

- 9 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.

- 10 Before this development is commenced details of the location, extent and depth of all excavations for drainage and other services in relation to trees on the site shall be submitted and approved in writing by the Local Planning Authority and the development carried out in accordance with such approval.

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.

- 11 No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored

within these fenced areas.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature 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.

- 12 No siteworks or works on this development shall be commenced before a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 Trees in relation to design, demolition and construction - Recommendations are submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with such approval.

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.

- 13 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.

- 14 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, C, D, E, F of Part 1 to Schedule 2 of that Order shall be carried out within the curtilage of the dwelling 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).

- 15 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).

- 16 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).

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 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 £12950 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 £49950 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 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.
- 4 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.
- 5 *Surface Water Drainage* - With regards to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, watercourses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separated and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developers Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewage infrastructure capacity, there is no objection to this application.

Water Comments - With regard to water supply, this comes within the area

covered by the Affinity Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9Ez - Tel - 0845 782 3333.

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 London Plan is recognised in the NPPF as part of the development plan.

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."

NPPF retains 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, DM06, DM08, DM17.

Supplementary Planning Documents and Guidance

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

The Council's Supplementary Planning Document: Residential Design Guidance (April 2013) is divided into four parts:

- Part 1 sets out the context for residential design in Barnet providing, local design principles which reflect and contribute to the understanding of Barnet's suburban character.
- Part 2 sets out general guidelines for new residential development as well as amenity and space standards. This document provides advice on privacy and overlooking, minimum room sizes, good building layout, provision of gardens, outdoor play space requirements.
- Part 3 sets out the requirements and design criteria related to changes to the existing housing stock within Barnet.
- Part 4 includes/provides supporting information including references, useful web links and the glossary list.

Totteridge Conservation Area Character Appraisal.

Relevant Planning History for Arthur House:

Site Address:	Arthur House, Barnet Lane, London, N20 8AP
Application Number:	B/05757/13
Application Type:	Full Application
Decision:	Application Withdrawn
Decision Date:	30/01/2014
Proposal:	Demolition of existing dwelling and construction of a two-storey dwelling house with rooms in the roofspace and basement.

Site Address:	Arthur House, Barnet Lane, London, N20 8AP
Application Number:	B/00982/14
Application Type:	Full Application

Decision: Refuse - The proposed development by reason of siting, mass, bulk and design, would result in a cramped, overly prominent building in this part of the Totteridge Conservation Area and constitute an overdevelopment of the site. It would not preserve or enhance the character or appearance of the conservation area and would be detrimental to the character and appearance of the street scene.

Decision Date: 04/08/2014.

Appeal Decision: An appeal is lodged against the refusal of this application and awaiting appeal decision.

Proposal: **Demolition of existing dwelling and construction of a two-storey dwellinghouse with rooms in the roof space.**

Relevant Planning History for the wider area

Site Address: 1 The Pastures, London, N20 8AN
Application Number: B/04253/13
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 08/11/2013
Proposal: **Demolition of existing dwelling and construction of a two-storey dwelling house with rooms in the roof space and associated landscaping.**

Site Address: 1 The Pastures, London, N20 8AN
Application Number: B/06095/13
Application Type: Material Minor Amendment/Vary Condition
Decision: Approve with conditions
Decision Date: 10/03/2014
Proposal: **Variation to condition 2 (Plans) pursuant to planning permission B/04253/13 dated 08/11/13 for "Demolition of existing dwelling and construction of a two-storey dwelling house with rooms in the roof space and associated landscaping". Variation include new subterranean development and changes to fenestration.**

Site Address: 1 The Pastures, London, N20 8AN
Application Number: B/02363/13
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 26/06/2014
Proposal: **Demolition of existing dwelling and construction of a two-storey dwelling house, plus basement, with rooms in the roof space and associated landscaping.**

Site Address: Shelbourne, 18 The Pastures, London, N20 8AN
Application Number: B/04354/14
Application Type: Full Application
Decision: Awaiting Decision
Proposal: **Demolition of existing dwelling and detached garage and construction of new 2 storey house including rooms in roof space, basement level, landscaping, new boundary walls and cross over.**

Site Address: Waen Havon, Barnet Lane, London, N20 8AP
Application Number: B/03920/11
Application Type: Full application
Decision: Deemed Refusal
Appeal Decision: Dismissed
Appeal Decision Date: 06/06/2012
Proposal: **Demolition of the existing house. Erection of two storey 2no. dwellinghouses with rooms in the roofspace. Provision of off-street**

parking and associated landscaping.

Site Address: Waen Havon, Barnet Lane, London, N20 8AP
Application Number: 03598/12
Application Type: Full Application
Decision: Refuse
Appeal Decision: Dismissed
Appeal Decision Date: 17/09/2013
Proposal: **Demolition of existing dwelling and replacement with a two storey new dwelling with room in the roofspace and swimming pool in the basement with associated landscaping.**

Site Address: Waen Havon, Barnet Lane, London, N20 8AP
Application Number: B/01868/13
Application Type: Full Application
Decision: Refuse
Appeal Decision: Dismissed
Appeal Decision Date: 14/02/2014
Proposal: **Demolition of existing single dwelling and erection of two new build dwellings.**

Site Address: Waen Havon, Barnet Lane, London, N20 8AP
Application Number: B/05897/13
Application Type: Full Application
Decision: Approve with conditions
Decision date: 04/03/2014
Proposal: **Demolition of existing dwelling and replacement with a new dwelling with basement.**

Consultations and Views Expressed:

Neighbours Consulted: 37 Replies: 5 objections received
Neighbours Wishing To Speak 2

The objections raised may be summarised as follows:

Objections received from neighbouring house Searles Field

- The proposed new house on 3 stories as opposed to 2 stories would be much larger than the old property on site. The proposed house would be built too close to neighbouring house Searles Field and it would block out the light at the front of this neighbouring property and it would result in loss of light and privacy, cause overlooking and overshadowing and it would be overbearing.
- The occupiers of neighbouring house Searles Field are extremely worried about the conservation area. The proposed house would be too close to their trees at the front of their house and are worried that the trees would get damaged. The trees at present provide privacy for their house and if the trees get damaged their privacy would be lost. It is suggested that the size of the property should be scaled down, built similar to the existing property and it should be set further away from their property so as not to cause any of the above mentioned problems.

Objections received from neighbouring house 17 Priory Close

- The proposed redevelopment of Arthur house is totally against the letter and spirit of the Totteridge Conservation area.
- The destruction of a perfectly good four bedroom house is not an act of conservation area. The proposal does not add to the housing stock of Barnet in any

way.

- The design of the front of the property is not in keeping with any other property in Barnet Lane.
- The re-submitted planning application indicates that the development is still over the twice the size of the existing four bedroom house.
- With a proposed rear patio area again around half the size of the existing property, the total area covered by cement is over three times that of the existing building. This is strongly anti-environmental. It is particularly dangerous as earlier this year six 70 years old protected trees in the garden of 17 Priory Close (directly to the rear of Arthur House) were brought down in strong winds largely caused by having their roots almost totally submerged as a result of run-off from two previous developments in Barnet Lane.
- The drop on the land of Arthur House is 7 metres and with the proposed massive over development it represents a real and dangerous threat to trees and the property in Priory Close. This is particularly concerning as all long term weather forecasts indicate increasingly severe winters in the UK. The interruption of natural drainage can only be further exacerbated by placing a swimming pool in the basement of this four-storey development. Planned parking for 5 cars would add further risk to the already difficult junction of Barnet Lane/ White Orchards/ The Pastures.

Summary of objections received from neighbouring house High Elms (please note the full objection letter is available as an Appendix to this report)

- We would strongly submit that the application before your Authority is not relating to exceptional circumstances despite the Applicants assertions.
- Proposal would be in Direct Contravention of and contrary to Policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy, Policies DM01 and DM06 of the Development Management Policies DPD, the Totteridge Conservation Area Character Appraisal and the Residential Design Guidance SPD.
- Previous refusal was empathic and unequivocal in the extreme in its terms and can be taken as very comelling precedent for any future application of this site.
- Existing dwelling should be retained, remodelled and refurbished
- Proposed construction works would impede traffic flow along Barnet Lane and would harm the amenities of local residents
- Construction workers would exacerbate existing on-street parking pressures.
- Proposal would prejudice the quite enjoyment by adjacent owners of their properties, contrary to The Human Rights Act Protocol 1, Article 1.
- Insufficient parking is proposed on-street and the point of access is a threat to road safety.
- Proposal is too large and an overdevelopment of the site. Spaces between the proposal and the neighbouring buildings have only increased marginally since the previous application. The current application relates to a structure of greater scale and massing than the previously refused application.
- Proposal would reduce natural light to neighbouring properties, and views of the sky and sun.
- Excavation would cause damage to trees.
- Design and Access statement and Demolition and Construction statement relates to the previous scheme.

Totteridge Conservation Area Advisory Committee

- Reduction in size from previously refused application B/00982/14 is negligible and our comments of 28th April remain relevant to this current application.

Internal Consultations:

- Urban Design & Heritage - This is a resubmission to an application that was approved by the planning department, but was overturned at committee. As such the plans have been resubmitted, with minor amendments to the dimensions of the house. The Planning team have sent it straight to committee, in light that the planning department approved a larger scheme and would therefore have no reason to not approve this application.
- Transportation - No objection to the proposal.
- Tree Officer - The amended plans are considered to be an improvement on the original plans submitted with the application and are now considered to be acceptable subject to conditions.

Date of Site Notice: 21 August 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

This application relates to a two-storey, detached dwelling located within a substantial plot on the western side of Barnet Lane and within 'Area 3' of the Totteridge Conservation Area. A group of mature trees within the rear garden are covered by a Tree Preservation Order (TPO) although the numerous large trees along the side boundaries are also considered to make a valuable contribution to the character and appearance of the site and wider area.

The Totteridge Conservation Area Character Appraisal highlights a number of key characteristics of this particular part of the conservation area including the following: *"Barnet Lane is narrow, winding and steeply sloping to the north. It is dominated by high brick walls toward Totteridge Village and is semi-rural in character with overhanging trees, simple cottages and houses."* The properties known as 'The Close' and 'Hillside Manor', which are located slightly further north along Barnet Lane, have both been identified as 'positive buildings.'

A number of negative features of the overall conservation area have also been identified within this appraisal document, including the *"bland residential development such as Badgers Croft, The Pastures and White Orchards"* and the *"...continuous development pressure to enlarge smaller properties which are so characteristic of the area either by extension, demolition and rebuild."*

The levels fall from the front (east) to the rear west of the site. There is a large garden area to the southern side of the application property, which contributes to the site's spacious character and allows views through from the front of the site to the dense vegetation at the rear. A narrow pathway runs along the northern side of the dwelling, adjacent to the boundary with the neighbouring property (High Elms). Due to the

topography along Barnet Lane, the application property sits at a slightly higher ground level than High Elms.

The area to the front of the application property consists of a fairly small driveway and garden area. As with a number of properties along this part of Barnet Lane, a large brick wall, with recessed vehicular entrance, extends across the site's front boundary.

Although the age and architectural style of the properties within this area are varied, they are largely two-storey, modest detached dwellings with pitched roofs and modest dormers.

The application property, which has a steep cat slide roof over the integral garage to the northern side, measures approximately 15.4m wide at ground floor level - 12m wide at first floor level; 8-11m deep at first floor level; and 5.1-5.4m in height to the eaves / 8.9m to the ridge. There is also a single-storey projection to the rear of the dwelling, which measures approximately 2-5m deep and 8m wide. The dwelling sits approximately 9.2m - 13m back from the front boundary with Barnet Lane; approximately 11.8m - 18.3m from the southern boundary; and 3m from the northern boundary. The properties to the north of the site are of a similar size to the application property whereas the two dwellings to the south are of a greater depth.

Proposal:

The proposal is for the demolition of the existing dwellinghouse and the construction of a new two-storey, detached dwellinghouse with basement and rooms in the roofspace that would have 2 front pitched roof dormers, 3 rear flat roof dormers, 3 rooflights to north-east and 1 rooflight to north-west elevation.

The proposed new dwellinghouse at ground floor level would be 18.7m (wide) with a depth of 14.7m on the side of neighbouring house "High Elms" and 17.6m on the side of neighbouring house "Searles Field". However, at first floor level, the house would be smaller comprising a width of 18m and a depth of 12.4m on the side of "High Elms" and 14.6m on the side of "Searles Field". The basement of the house (i.e. lower ground floor) would have the same width (i.e. 18.7m) as the ground floor of the house. However, its depth in the centre would be 13.5m and on the side of both "High Elms" and Searles Field would be 8.5m.

The main part of the proposed house would have a crown roof with height of 9.3m to the ridge level and 5.5m to the eaves level. The front and rear of the house would have two projecting gables, located on both sides of the house and these would have a height of 8.6m to the ridge level and 5.5m to the eaves level. The front projecting gable towards "Searles Field" is longer than that on the side of "High Elms". The centre of the front elevation of the house would also have a gable with a height of 7.9m to the ridge level. The rear projecting gables are of the same depth. The front and rear elevation of the house would have single storey projection with crown roof with a height of 3.5m to the ridge level. A balcony is also created between the two rear projection at first floor level and it would be enclosed by approximately 1.2m high railings.

The rear roof elevation of the house would have 3 flat roofed rear dormers which would be 1.15m (wide) x 1.4m (deep) x 1.4m (high). The front roof elevation would

have 2 pitched roofed rear dormers which would be 1.8m (high) to ridge level x 1.15m (wide) x 1.4m (deep). The rooflights on both side elevations would be 0.7m x 0.7m.

The windows and doors in the house would have vertical emphasis.

The proposed house from the side boundary adjoining "High Elms" would be set-in 5.3m at the front and 3m at the rear and from the side boundary adjoining "Searles Field" would be set-in 7.5m at the front and 6.5m at the rear. The front of the house from east to south would be set-back approximately 15.8m to 12.2m from its front plot boundary facing Barnet Lane.

The existing Cypress Hedge providing a screen between "Searles Field" and the application site would be retained. The trees along the north-east boundary providing a screen between "High Elms" and the application site largely fall within the site of "High Elms" and therefore would be retained. The proposal would provide part soft landscaping and part permeable gravel at the front of the house. The rear of the house would have approximately 2.2m (deep) patio area extending across the width of the house which would be constructed of permeable paving. The rear garden beyond this would retain its existing levels. The existing vehicular access on the east side of the site boundary would be retained to provide vehicular access for the proposed house.

Planning Considerations:

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

- Whether harm would be caused to the character and appearance of the street scene and the conservation area, as a result of the proposed demolition or construction;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to trees located within and adjacent to the site.

Background

By way of background, this application has been submitted following a previous planning application ref: B/00982/14 for "*Demolition of existing dwellinghouse and construction of a two-storey dwellinghouse with basement and rooms in roof space*" that was reported to Chipping Barnet Area Planning Committee on 28/07/2014 with a recommendation for approval subject to conditions. However, the officer's recommendation was overturned at the committee meeting and the application was refused by the Members of the Chipping Barnet Area Planning Committee for the following reason:

- *The proposed replacement dwelling, by reason of its siting, mass, bulk and design, would result in a cramped, overly prominent building in this part of the Totteridge Conservation Area and constitute an overdevelopment of the site. It would not preserve or enhance the character or appearance of the conservation area and would be detrimental to the character and appearance of the street scene. The proposal would be contrary to policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012), the*

Totteridge Conservation Area Character Appraisal, and the Residential Design Guidance SPD (adopted 2013).

The current application is very similar to the previous planning application. The main differences between the current and the previous application ref: B/00982/14 are as follows:

1. The proposed new dwellinghouse at ground floor level would have a width of 18.7m, depth of 14.7m on the side of neighbouring house "High Elms" and 17.6m on the side of neighbouring house "Searles Field". However, the ground floor of the previously refused planning application had a width of 19.4m, depth of 15.2m on the neighbouring house "High Elms" and 18.2m on the side of neighbouring house "Searles Field. **Therefore the ground floor of the proposed new house has been reduced in width by 0.7m and its depth on the side of neighbouring house "High Elms" is reduced by 0.5m and on the side of neighbouring house "Searles Field is reduced by 0.6m.**
- The first floor of the new house would have a width of 18m and a depth of 12.4m on the side of "High Elms" and 14.6m on the side of "Searles Field". However, the first floor of the previously refused planning application had a width of 18.7m, depth of 13m on the neighbouring house "High Elms" and 15.2m on the side of neighbouring house "Searles Field. **Therefore the first floor of the proposed new house has been reduced in width by 0.7m and its depth on the side of neighbouring house "High Elms" is reduced by 0.6m and on the side of neighbouring house "Searles Field is reduced by 0.6m.**
- The basement (i.e. lower ground floor) of the new house (162m²) would have the same width (i.e. 18.7m) as the ground floor of the new house. However, its depth in the centre would be 11.2m and on the side of both "High Elms" and Searles Field would be 8.5m. However, the basement (i.e. lower ground floor) of the previously refused planning application (291.1m²) had a width of 19.4m and its depth on the side of "High Elms" was 15.2m and on the side of Searles Field was 18.2m. **Therefore the basement (i.e. lower ground floor) of the proposed new house has been reduced in width by 0.7m and its depth on the side of neighbouring house "High Elms" is reduced by 6.7m and on the side of neighbouring house "Searles Field is reduced by 9.7m. The overall floor area of the basement (i.e. lower ground floor) is reduced by 56%.**
- The front and rear of the proposed new house as in the previously refused planning application has two projecting gables, located on both sides of the house and these would have a height of 8.6m to the ridge level. However, in the previously refused planning application it had a height of 8.9m to the ridge level and **therefore the height of the projecting gables locates on both sides of the new house is reduced by 0.3m to the ridge level.**
- The proposed house from the side boundary adjoining "High Elms" would be set-in 5.3m at the front and 3m at the rear and from the side boundary adjoining "Searles Field" would be set-in 7.4m at the front and 6.5m at the rear. However, in the previously refused planning application the proposed new house from the

side boundary adjoining “High Elms” would be set-in 5.15m at the front and 3m at the rear and from the side boundary adjoining “Searles Field” would be set-in 7.8m at the front and 6.1m at the rear. **Therefore the proposed new house at the front from the side boundary adjoining “High Elms” has increased its set-in by 0.16m. However, the set-in of the proposed new house at the front from the side boundary adjoining “High Elms” is reduced by 0.41m and at the rear it is increased by 0.4m.**

- The front of the proposed new house from east to south would be set-back approximately 15.8m to 12.2m from its front plot boundary facing Barnet Lane. However, in the previously refused planning application the front of the proposed new house from east to south had a set-back approximately 15.6m to 13m from its front plot boundary facing Barnet Lane. Therefore, the proposed new house set-back on the east side from the front plot boundary facing Barnet Lane is increased by 0.2m and towards the south side is reduced by 0.8m. **This means that the proposed house is set-back further 0.2m on the east side and brought forward by further 0.8m on the south side to the front boundary facing Barnet Lane.**

Therefore most of the changes proposed in the current application are of a minor nature except for the basement level which has been reduced in floor area by approximately 56%. The current application therefore is, in terms of its siting, mass, bulk and design, almost the same as the previous planning application that was reported with a recommendation for approval and was overturned and refused by the Planning Committee Members. Given the small nature of the changes made, officers remain of the opinion that the proposal would comply with the requirements of the Development Plan. The application is therefore recommended for approval.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The objections received are mostly addressed within the appraisal section above. Officers consider the size and massing of the proposal to be acceptable, and are satisfied that adequate protection can be afforded to trees within and adjacent to the site. Matters of noise and disturbance caused by construction vehicles and activities are not a material planning consideration, and fall to be controlled under separate legislation.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet Local Plan policies and guidance and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. This application is therefore recommended for APPROVAL.

SITE LOCATION PLAN: Arthur House, Barnet Lane, London, N20 8AP

REFERENCE: B/04204/14



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