

LOCATION: Trafalgar House, Grenville Place, London, NW7 3SA

REFERENCE: H/03555/14 **Received:** 03 July 2014
Accepted: 08 July 2014

WARD(S): Hale **Expiry:** 02 September 2014

Final Revisions:

APPLICANT: Trafalgar House LLP

PROPOSAL: New third floor to provide 4 x3 bedroom flats. External alterations. Changes to windows to all elevations. New front canopy.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 1306 PA 00 02; 1306 PA 00 01; 1306 PA 01 01; 1306 PA 02 01; 1306 PA 03 01; 1306 GA 02 RevN; 1306 PA 04 02 RevB; 1306 PA 03 02 RevC; 1306 PA 10 00 RevB; 1306 PA 11 00 RevB; 1306 pa 13 00 RevB; 1306 PA 15 02 RevB; 1306 PA 03 02 RevB; 1306 PA 03 02 RevB.

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 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).

- 5 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).

- 6 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.

- 7 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).

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

Reason:

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

- 9 The level of noise emitted from the plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason:

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

- 10 Before development commences, a report should be carried out by a competent acoustic consultant and submitted to the Local Planning Authority for approval, that assesses the likely noise impacts from the development of the ventilation/extraction plant. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations. The approved measures shall be implemented in their entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

- 11 Before the development hereby permitted commences, details of the

materials to be used for the balconies including plans at 1:20 showing the details of the balconies and balustrades shall be submitted and approved 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.

- 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 development hereby permitted is occupied, details of the parking spaces for the residential units shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason:

To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic 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.

- 14 All new residential dwellings within the development hereby approved shall be constructed to meet and achieve the 'Lifetime Homes' standard.

Reason:

To ensure the development meets the needs of its future occupiers and to

comply with the requirements of policy DM02 of the Adopted Barnet Development Management Policies DPD (2012) and policies 3.8 and 7.2 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 Details submitted in respect of the Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the method statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (excavation, site preparation and construction) and the provision on site of a storage /delivery area for all plant, site huts, site facilities and materials and a community liaison contact.
- 3 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 £19,154.80 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 £73,882.80 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.

- 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.

1. MATERIAL CONSIDERATIONS

The National Planning Policy Framework 2012

The Mayor's London Plan: July 2011

Relevant Core Strategy (2012) Policies:

CS NPPF - National Planning Policy Framework - Presumption in Favour of Sustainable Development

CS5 - Protecting and Enhancing Barnet's character to create high quality places

Relevant Development Management (2012) Policies:

DM01 Protecting Barnet's character and amenity

DM02 Development standards
DM03 Accessibility and inclusive design
DM04 Environmental considerations for development
DM08 Ensuring a variety of sizes of new homes to meet housing need
DM17 Travel impact and parking standards

Supplementary Planning Documents and Guidance

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

Mayor's CIL

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

Barnet CIL

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

Relevant Planning History:

Site history for current landparcel :

105019 - Trafalgar House, Grenville Place, London, NW7 3SA

Case Reference: **H/03555/14**

Application:	Planning	Number:	H/00013/13/LIC
Validated:	06/02/2013	Type:	LIC
Status:	DEC	Date:	19/02/2013
Summary:	EXM	Case Officer:	Emily Benedek
Description:	Replacement of 3no. existing antennas with 3no. new antennas onto support poles on the roof of Trafalgar House.		

Application:	Planning	Number:	H/00041/14/LIC
Validated:	24/09/2014	Type:	LIC
Status:	REG	Date:	
Summary:	DEL	Case Officer:	Nora Andreea
Description:	The removal and replacement of 3no. new pole mounted antennas and associated works		

Application:	Planning	Number:	H/02830/14
Validated:	22/05/2014	Type:	PAD
Status:	DEC	Date:	17/07/2014
Summary:	PAG	Case Officer:	Aahsanur Rahman
Description:	Change of use from B1 office to C3 residential (24 Units)		

Application: Planning
Validated: 26/11/2013
Status: DEC
Summary: PAG
Description: Change of use from B1 (office space) to C3 (residential flats) 24 units.

Number: H/05604/13
Type: PAD
Date: 17/01/2014
Case Officer: Emily Benedek

Consultations and Views Expressed:

Neighbours Consulted: 99 Replies: 8
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Increased traffic, noise, dirt and difficulty parking.
- Loss of privacy and overlooking of garden.
- Loss of light.
- Already eyesore with number of number of aerials on the roof.
- Overbearing.
- Look out of place.
- Skyline will be blocked.
- Overwhelm surrounding properties.
- Insufficient parking.
- Unattractive.
- Object to re-positioning of telecommunication equipment.

Date of Site Notice: 17 July 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application is an existing office block located on Grenville Place, the area has a mixed character of both office blocks and residential flats.

It should be noted that there is an approved prior notification application for the change of use of the existing office block to provide 24 residential units. The change of use has not been implemented yet.

Proposal:

The application relates to an additional storey being provided to create a new level of residential accommodation comprising of 4 x3 bedroom flats. External alterations. Changes to windows to all elevations. New front canopy.

Planning Considerations:

The main considerations are:

- The principle of the proposed development
- The impact on the character and appearance of the application site and surrounding area
- The impact on the amenity of future and neighbouring residents
- Other material planning considerations

The principle of the proposed development

The principle of the creating an additional storey to the building is considered to be acceptable. The area is characterised by large block buildings comprising of 3-4 storeys and as such the proposal will not appear out of context. The principle of residential accommodation is also considered to be acceptable, it is acknowledged that there is a prior approval for the change of use of the existing building into residential units. The surrounding buildings are in residential occupation. It is noted that planning permission was granted in 2012 at Grosvenor Court under H/04522/11 which is opposite the site to provide an additional storey of residential accommodation. This additional storey is under construction.

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

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

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

The proposed additional storey by way of flat roof extension which is set 2m in from the side building lines is considered to be acceptable. Given the position of the extension, set in from each elevation it is considered to appear as a subordinate addition that would not result in an overbearing development. There are existing structures for maintenance and telecommunications on the roof which will be removed as part of the proposal. The telecommunications equipment will not be replaced on the new roof structure without any relevant licenses which may be applicable.

The impact on the amenity of future and neighbouring residents

Policy DM01 of the Development Management Policies 2012 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

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

The proposed flats meet the minimum space standards as set out in the London Plan and would provide sufficient outlook and access to light for habitable rooms. It is also considered that the proposed flats would have access to rooftop amenity space. Details of the balustrading for this is to be secured by way of condition.

In terms of noise it is not considered that the proposal will give rise to significant comings and goings in close proximity to surrounding residential occupiers to an unacceptable degree or to a significantly greater extent than the existing office units.

Details of noise from ventilation and extraction equipment for kitchens and bathrooms will be secured by way of condition. Details of the site plant room will also be secured by way of condition to protect the interests of future residential occupiers.

Turning to the impact on neighbouring properties, the proposal has been designed carefully to ensure that there is no loss of amenity to surrounding residential occupiers. The extension has been set off the elevations of the main building by 2m to ensure the proposal does not appear overbearing. Handrails have been provided around the perimeter of the building closest to Monarchs Court and Deans Drive which is set in by 0.7m to prevent direct overlooking or loss of privacy from the external amenity space or habitable room windows. The proposal provides adequate distance to neighbouring properties and their gardens.

By virtue of its scale, siting and design it is considered that the development

would not impact adversely on any neighbouring properties access to light or have an overbearing impact on neighbouring properties to an extent that would warrant the refusal of the application on these grounds. Furthermore, it is considered that the proposed fenestration would not result in any direct overlooking to the neighbouring properties to an extent that would warrant the refusal of the application on these grounds.

3. COMMENTS ON GROUNDS OF OBJECTIONS

All planning related matters are considered to be covered in the above appraisal.

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

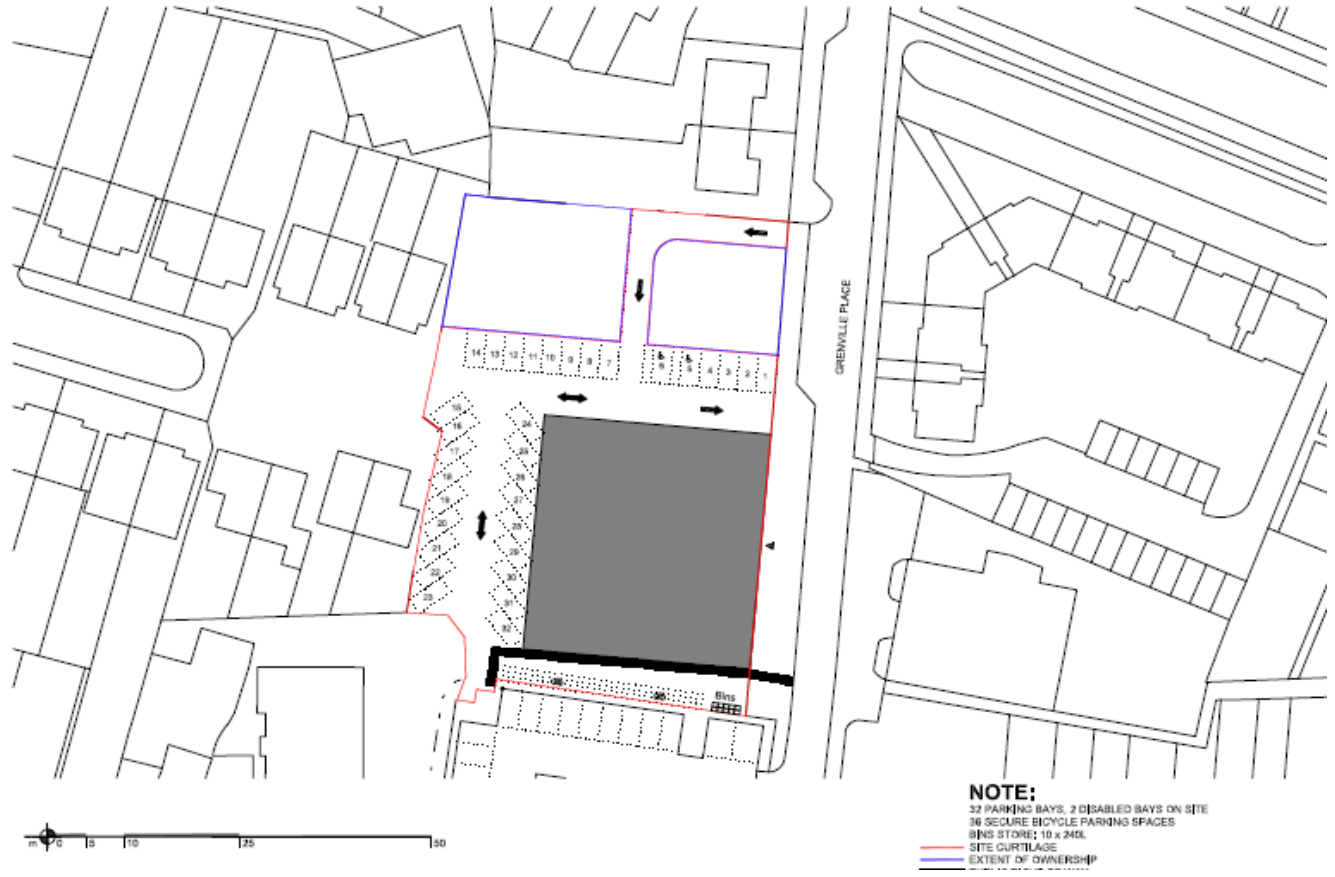
Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet Local Plan policies and guidance and would be in keeping with the character and appearance of the surrounding area. It is not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

**SITE LOCATION PLAN:
3SA**

Trafalgar House, Grenville Place, London, NW7

REFERENCE:

H/03555/14



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