

Location **25/27 Wickliffe Avenue London N3 3EL**

Reference: **15/02194/FUL** Received: 8th April 2015
Accepted: 8th April 2015

Ward: Finchley Church End Expiry 3rd June 2015

Applicant: Mr RAJNI KANSAGRA

Proposal: Demolition of existing buildings and erection of a two storey plus rooms in
roofspace and basement detached building comprising of 9no. self-contained
flats. Provision of 11no. parking spaces, cycle and refuse storage areas and
associated hard and soft landscaping and amenity space

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: PL-100, PL-101B, PL-102D, PL-103D, PL-104E, PL-105E, PL-106D, PL-107D, PL-108B, PL-109B, Noise Impact Assessment, Letter from AAe Environmental Consultants dated 27/03/2015, Design and Access Statement, Planning Statement, Daylight and Sunlight Assessment, Arboricultural Report and Plans 1,2,3,4,and 5, WA-PP-001.

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 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 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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 CS NPPF

and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 4
- a) Before the development hereby permitted is first occupied, 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.
 - b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

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
- a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.
 - b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

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 Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 6
- a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.
 - b) 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.
 - c) 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 CS5 and CS7 of the Local Plan Core Strategy DPD (adopted

September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2011.

- 7 Before the building hereby permitted is occupied the proposed east facing first and second floor windows to of flat 7 and flat 9 facing no.23 Wickliffe Avenue, and the south facing first floor and second floor windows to flats 5 and 8 facing Charlton Court shall be glazed with obscure glass only and fixed shut. The first floor windows shall only have a fanlight opening. The windows shall be permanently retained as such thereafter.
- 8 a) The development shall not be occupied until details of all extraction and ventilation equipment to be installed as part of the development have been submitted to and approved in writing by the Local Planning Authority. The report shall 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 content and recommendations.
- b) The development shall be implemented in accordance with details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

- 9 The property shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 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.

- 10 Before the development hereby permitted is occupied the parking spaces shown on Plan PL-102 D shall be provided and the spaces shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that adequate parking is provided.

- 11 Before the development hereby permitted commences details of the Electric Vehicle Charging Points with 20% active and 20% passive shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the Electric Vehicular Charging provision is in accordance with the London Plan requirements.

- 12 No site works or works on this development including demolition or construction work shall commence until a Demolition, Construction and Traffic Management Plan has been submitted to for each phase of the development and approved in writing by the Local Planning Authority. All works must be carried out in full accordance

with the approved details unless previously agreed in writing by the Local Planning Authority.

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.

- 13 Notwithstanding the details shown on the approved plans, the development shall not be occupied until details of cycle parking are submitted to and approved by the Local Planning Authority. Such 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.

- 14 Before the development hereby permitted is commenced, details of proposed ecological mitigation as outlined in the letter dated 27 March 2015 from AAe Environmental Consultants shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with these details and permanently maintained thereafter.

Reason: To ensure that the development provides adequate ecological mitigation for the development.

- 15 Prior to the first occupation of the development a scheme detailing all play equipment to be installed in the communal amenity space on the site shall be submitted to the Local Planning Authority and approved in writing. The development shall be implemented in full accordance with the details as approved prior to the first occupation of any dwelling.

Reason: To ensure that playspace is provided in accordance with the London Plan.

- 16 Prior to the first occupation of the new dwellinghouses (Use Class C3) hereby approved they shall all have been constructed to meet and achieve all the relevant criteria of 'The Lifetime Homes' standard (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8 and 7.2 of the London Plan (2015) and policy DM02 of the Barnet Development Management Policies document (2012)."

- 17 Prior to the first occupation of the new dwellinghouses (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures so that mains water consumption would meet a standard of 105 per head per day or less. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and policy 5.15 of the London Plan (2015).

- 18 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement in carbon dioxide emissions in line with that compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2013 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies 5.2 and 5.3 of the London Plan (2015).

- 19 a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing or other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.

b) The details approved by this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan 2011.

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 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 £39,670 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 £153,360 payment under Barnet CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

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 CIL 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 at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: 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

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

- 3 The applicant is advised that 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 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 street.naming@barnet.gov.uk or by telephoning 0208 359 7294.

- 4 The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed new vehicular access. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, including reinstatement of redundant vehicle accesses, will be borne by the applicant. The tree section will be consulted regarding the highways tree in close proximity of the proposed crossovers.

To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section - Environment, Planning and Regeneration Directorate, London Borough of Barnet, North London Business Park (NLBP) Building 4, Oakleigh Road South, London N11 1NP

Officer's Assessment

1. Site Description

The site is formed of two detached dwellinghouse on the south side of Wickliffe Avenue. The area is characterised by semi-detached and detached two storey dwellings on the south side, and three storey townhouses on the north side, with the exception of Cranmer Court opposite the site which is a six storey block of flats. To the west of the site is Windsor Open Space, a site of Borough importance for nature conservation. To the rear of the site is Charlton Court, a more modern development of flats.

The site covers an area of 0.15 hectares.

2. Site History

F/01543/14 - Demolition of existing dwelling and proposed development of six apartments within two storey building with rooms in roofspace and basement level. Provision of car parking area and hard and soft landscaping. - Refused - 01/05/2014 - Allowed at Appeal - 30/07/2014

3. Proposal

The proposals are for the demolition of existing buildings and erection of a two storey plus rooms in roofspace and basement detached building comprising of 9no. self-contained flats. Provision of 11no. parking spaces, cycle and refuse storage areas and associated hard and soft landscaping and amenity space.

The proposed building has been amended following discussion with officers to reduce the size of the building and the bulk of the link element adjoining the two main elements of the building.

4. Public Consultation

Consultation letters were sent to 58 neighbouring properties.
5 responses have been received, comprising 5 letters of objection.

The objections received can be summarised as follows:

Builders on site have started work and this is taking place at antisocial hours

Health and safety hazard and detrimental to the road.

Development is now much closer to the perimeter of the site and as such will cause a loss of outlook due to its sheer bulk. This will impact on the natural outlook of Charlton Court and will be overbearing and will reduce amount of natural light to flat garden space.

Residential houses should be kept as residential houses so as to retain the character of Wickliffe Avenue.

The noise level in the road will go up and the road will be much busier if 9 flats of residents use it.

This will also present a danger to the children , elderly and dogs walking to and from the park and will destroy the ambience of the park.

The basement is not in keeping with the road and would stand out like an eyesore. I moved to Wickliffe Avenue recently because it is a quiet and peaceful road and I feel these nine flats would destroy the atmosphere of the park and the road.

Bulk and size of the proposed development

If you grant the development, the developers will be in with another planning application for the nice houses (21 & 23) next door.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2015

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 2050. 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.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS9, CS10, CS15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 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. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of the development is acceptable
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring and future residents.
- Whether the proposals would have an acceptable impact on highway and pedestrian safety
- Whether the proposals would have an acceptable impact on trees of special amenity value
- Whether the proposals would have an acceptable impact on local ecology
- Sustainable Design and Construction Issues

5.3 Assessment of proposals

Whether the principle of the development is acceptable

This planning application follows the allowed appeal at no.27 Wickliffe Avenue.

The applicant now seeks to include no.25 within the development site.

The character of the area is predominantly houses, however, there are blocks of flats located directly to the north and south of the site. It is therefore considered that in principle development consisting of family sized flats would be acceptable provided that it respects the scale of neighbouring dwellings on Wickliffe Avenue.

The site is located in an suburban area and is located in an area of PTAL rating 1b. The London Plan advises that development should be at 35-55 units/hectare. The proposals appear to be at 60 units/hectare. However, this density is the same as the previously allowed scheme and therefore it is not considered that it would be excessive.

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

Layout

The proposed layout would involve the demolition of existing buildings on site and construction of two blocks linked by a recessed structure to the middle of the site. Parking would be located to the side of the site nearest no.23 with a landscaping area maintained to the boundary. Parking would also be provided in the form of an undercroft to the front of this part of the site.

The rear building line of the building would be staggered so that it would be deeper on the side of the building closest to Windsor Park.

Bulk/Massing

The proposed building would be two stories with accommodation at roof level, and lower ground floor level. However the lower ground floor level would not be evident from the street.

The scheme has been revised to reduce the size and height of the link element between the two blocks. In this way it is considered that the building would respond appropriately to the street.

The surrounding context consists of two storey houses on the south side of Wickliffe Avenue and a six storey block of flats opposite, as well as three storey town houses. It is considered that the building would be of acceptable scale when compared to neighbouring buildings.

Landscaping

The proposals would make provision for significant landscaping to the front of the site. This include the retention of the majority of a number of mature trees on the side of the site nearest the park, as well as planting beds closer to no.25. The proposed front entrance gate has been removed from the scheme.

It is considered that the proposals provide suitable soft and hard landscaping.

External Appearance

The proposals would involve traditional design with some arts and crafts influence. The building would include use of render and brickwork at ground floor, and tiled roofs.

The scheme has been amended to reduce the size of the proposed balconies so that they are more in proportion with the existing building.

Buildings on this side of Wickliffe Avenue are predominantly rendered as is Charlton Court to the rear of the site.

It is considered that this would provide a sympathetic appearance to neighbouring buildings.

Whether harm would be caused to the living conditions of neighbouring and future residents.

Neighbouring Amenity

The proposed building would be sited closer to the rear of the plot at no.27 than the previous approved scheme. There would be a gap of some 15m between the rear wall of the building and the flank wall of Charlton Court to the rear.

However, given that there is mature tree screening on the boundary, and that the main windows from Charlton Court are not located on this elevation, it is not considered that there would be harmful overlooking.

The rear building line of the proposed building has been stepped so that it would extend approximately 3.8m beyond the main rear wall of no.23 at a distance of 3m away. Whilst this would extend to a distance of 11.5m further away this part of the site is located where no.27 currently is and given the distance away it not considered that there would be harmful loss of outlook or light to neighbouring occupiers at no.23, nor would it result in overlooking given the distance windows are away and the relatively oblique angle windows are located from windows at no.23 and the limited views of the rear garden.

Furthermore, it is not considered that the proposed building would appear harmfully overbearing as perceived from the rear garden of no.23 or Charlton Court.

It is noted that the proposals include car parking close to the boundary with no.23 Wickliffe Avenue. Part of this area would be located within the undercroft and part within what is currently within the rear garden of no.25.

No.23 has the benefit of a single storey rear extension which projects a significant distance along the boundary with no.25.

A noise report accompanies the application. This advises that:

Only the first of the rear three bays will be fully visible from the upstairs windows of No. 23, the other two being hidden by the side of No. 23's garage.

The use of the bays will have no impact when compared with existing ambient sound levels.

Noise from the shutting of car doors, will be relatively modest when compared to the existing soundscape.

In order to ensure that at evening levels are compliant with the requirement of W.H.O. guidelines it is recommended that a short section brick or heavy timber fencing is installed from the rear corner of the new apartment block back to No. 23's garage.

It is not considered that the proposals would result in harmful levels of noise and disturbance as a result of increase vehicular movements or pedestrian activity.

Future Amenity

The proposed flats would comply with London Plan Standards on minimum internal floor areas.

Furthermore, the rear garden area has been sub-divided in order to provide adequate private and communal spaces. These would comply with the requirements of policy DM02 and the Supplementary Planning Document on Sustainable Design and Construction.

It is considered that the proposals would provide adequate level of amenity for future residents.

Whether the proposals would have an acceptable impact on highway and pedestrian safety

The proposal is for demolition of existing property and construction of a residential development consisting of 9 x 3-bedroom flats with 11 off street parking spaces. Additional details have been provided by the applicant to ensure that vehicles have adequate turning space.

The proposed parking provision is in accordance with the parking standards in London Borough of Barnet's Local Plan (Adopted) September 2012.

The proposals would provide adequate parking to serve the development. The site is located at the end of a residential road and provides suitable access.

A total of 18 cycle parking spaces are required in order to meet the standards in the latest London Plan. A condition should be included to provide revised cycle parking details, as well as to ensure parking is provided and a demolition and construction management plan.

Whether the proposals would have an acceptable impact on trees of special amenity value

Trees at neighbouring Windsor Open Space are subject to Tree Preservation Order. However no trees on the site are subject to Tree Preservation Order.

The applicant has submitted a Tree Survey, Arboricultural Implication Assessment, Method Statement & Tree Protection Plan. This follows pre-application discussion.

Sufficient working space for construction needs to be provided. Consideration also needs to be given to how the basement would be constructed.

An indicative plan showing proposed protective fencing has been received. This broadly appears to show that there would be an exclusion zone within the canopy areas of the trees on site. Construction working space would be provided to the front of the site.

It is considered that given there is a distance of approximately 10m to the boundary with trees on the boundary with Windsor Open Space

Whilst some trees would be removed to the front of the site, this is less than the previously allowed scheme at appeal. Furthermore, the trees on site are not subject to tree preservation order. The impact on trees of special amenity value is therefore considered acceptable.

Whether the proposals would have an acceptable impact on local ecology

The site is located adjacent to Windsor Open Space, which is a site of Borough interest for nature conservation. This is also linked to the larger Lower Dollis Brook site which is designated as Borough Grade II for Nature Conservation.

The applicant is required to comply with the Wildlife & Countryside Act 1981 in relation to protected species on site.

The proposals are accompanied by an ecological walk over survey from AAe Environmental Consultants.

This advises that no evidence of bats was found on site. However, it is noted that trees on the adjacent open space provide 'some foraging opportunities for bats'

It is suggested that there is not likely to be a materially harmful impact on local biodiversity as a result of the development, however it is suggested that conditions would need to be

attached to ensure that the development provided adequate mitigation in the event of approval.

Sustainable Design and Construction Issues

The code for sustainable homes has been withdrawn over the course of the planning application and no longer would be applicable.

Appropriate refuse stores would be located within a refuse store to the front of the property.

Conditions are suggested, in respect of water usage, carbon dioxide emissions and lifetime homes to ensure that the development achieves suitable environmental performance.

5.4 Response to Public Consultation

Generally addressed in the main report.

Builders on site have started work and this is taking place at antisocial hours - *This is an Environmental Health matter and such instances of out of hours working should be reported to them.*

Health and safety hazard and detrimental to the road. - *It is not considered that the development would present any specific safety hazards.*

Residential houses should be kept as residential houses so as to retain the character of Wickliffe Avenue. - *It is not considered that it would be reasonable to refuse permission on the loss of the existing houses. This is because the development makes provision for family sized units and taking into account the previous approval on the site.*

This will also present a danger to the children , elderly and dogs walking to and from the park and will destroy the ambience of the park - *The proposals would not stop residents from enjoying the park, nor would they prevent any specific risk to children, elderly or animals.*

If you grant the development, the developers will be in with another planning application for the nice houses (21 & 23) next door. - *All planning applications are assessed on their own merits.*

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Overall, the proposals would provide 9 family sized housing units on the site, making more efficient use of the land.

Taking into account the previous appeal decision at no.27, and the amendments that have been made to the design of the scheme, it is considered that the development would have

an acceptable impact on the character and appearance of the area whilst not compromising the amenities of neighbouring residents and providing appropriate parking.

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.



