

Location 847-851 Finchley Road, London, NW11 8LX

Reference: 15/04907/S73

Received: 4th August 2015

Accepted: 7th August 2015

Ward: Childs Hill

Expiry 2nd October 2015

Applicant: Mr Mike Myles

Proposal:

Variation of condition 1 (plan numbers) of planning permission F/04552/13 dated 07/01/14 for 'Erection of a part 3, part 4 storey building comprising 25No. self contained flats, following demolition of existing temple, ancillary buildings and 2No residential dwelling houses. Formation of basement parking for 25 cars and cycle storage. Associated landscaping and vehicular access from Helenslea Avenue'. Variation to include amalgamation of 2no. units at first floor level within the block on Helenslea Avenue, including new terrace. To provide a total of 24 self contained flats.

Recommendation: Approve subject to s106

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. 3. Health - £25,876.00
4. Libraries - £2,814,00
5. Education facilities - £155,417.00
6. Affordable housing - £856,000.00
7. Monitoring of the agreement - £20,802.14
8. Highways (traffic order) - £0.00

RECOMMENDATION II:

That upon completion of the agreement the Assistant Director of Development Management and Building Control approve the planning application under delegated powers subject to the following conditions:

1 The development hereby permitted shall be carried out in accordance with the following approved plans: GA (00) 003A RevP1; GA (00) 003 RevP1; GA (00) 055 P1; GA (00) 055A RevP1; GA (00) 007 RevP1; GA (00) 007A RevP1.

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 30.04.2013.

Reason:

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

3 The levels of the buildings, road and footpaths shall be carried out in accordance with the details as approved under application F/05912/13 dated 22/09/2014. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.

4 The materials used for the external surfaces of the buildings areas shall be in accordance with the details as approved under application F/05912/13 dated 22/09/2014. The materials used for the proposed paving shall be provided in accordance with the details as approved under application 15/01516/CON dated 01/06/15. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

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.

6 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 provided at the site in accordance with the details and submitted and approved under application F/05912/13 dated 22/09/2014 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.

7 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.

8 Part 1

Before development commences other than for investigative work:

a. A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.-

b. If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-

- o a risk assessment to be undertaken,
- o refinement of the Conceptual Model, and
- o the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason:

To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.

9 The level of noise emitted from the machinery 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.

10 The development shall be carried out in accordance with the scheme of acoustic details and proposed mitigation measures to reduce noise impacts to acceptable levels as provided and approved under application F/05912/13 dated 22/09/2014.

The approved measures shall be implemented in their entirety before (any of the units are occupied or use commences).

Reason:

To ensure that the amenities of neighbouring premises are protected from noise from the development.

11 The scheme of proposed air pollution mitigation measures shall be implemented in accordance with the details as submitted and approved under application F/05912/13 dated 22/09/2014. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied or use commences).

Reason:

To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity

12 The development shall be carried out in accordance with the approved measures as identified within the submitted noise assessment as approved under application F/02841/13 dated 12/12/13. These measures shall be implemented in their entirety before (any of the units are occupied or the use commences).

Reason:

To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

13 a) The dwelling(s) shall achieve a Code Level 4 in accordance with the Code for Sustainable Homes Technical Guide (November 2010) (or such national measure of sustainability for house design that replaces that scheme) and achieve full Lifetime Homes credits.

b) 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 4 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 Strategic and Local Policies in accordance with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.2 and 5.3 of the London Plan (2011).

14 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.

15 Before the development hereby permitted is occupied, the parking spaces shown on the submitted Drawing No. PL (00) 000 shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic.

16 Site works or works on this development including demolition or construction work, shall be carried out in accordance with the Demolition, Construction and Traffic Management Plan submitted and approved under application F/02841/13 dated 05/05/13. All works must be carried out in full accordance with the approved details.

Reason: In the interests of highway safety in accordance with Policy DM17 Travel impact and parking standards of the adopted Development Management Policies DPD (2012) and to safeguard the health of existing tree(s).

17 A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be provided in accordance with the details as submitted and approved under application 15/01516/CON dated 01/06/15.

Reason:

To ensure a satisfactory appearance to the development.

18 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.

19 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.

20 Lighting to the proposed buildings including the courtyard, access road and parking areas shall be carried out in accordance with the details as submitted and approved under application F/05297/14 dated 06/11/2014. The lighting scheme shall be provided before the buildings are first occupied and permanently retained thereafter.

Reason: To ensure that the amenities of neighbouring residents are not prejudiced and that the car parking area is lit to an appropriate level.

21 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.

22 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 submitted and approved under application F/02841/13 dated 12/12/2013. 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.

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

23 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.

24 No development or other operations shall commence on site in connection with the [demolition and] development hereby approved until a detailed tree felling I pruning specification has been submitted to and approved in writing by the local planning authority and all tree felling and pruning works shall be carried out in full accordance with the approved specification and the British Standard 3998: 2010 Recommendation for Tree Works (or as amended).

Reason: To safeguard the health of existing trees which represent an important amenity feature.

25 The proposed entrance gates and boundary walls shall be built in accordance with the details as approved under application 15/01516/CON dated 01/06/15. Development shall be carried out in accordance with the approved plans.

Reason:

To preserve and enhance the appearance of the area and to ensure the development is secure.

26 Before the building hereby permitted is occupied the proposed window(s) in the side elevation at first floor level of the Helenslea Road block facing 2 Helenslea Avenue shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason:

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

27 Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20% of the approved parking spaces to be provided with electric vehicle charging facilities. The development shall be implemented in full accordance with the approved details prior to the first occupation and thereafter be maintained as such.

Reason:

To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

RECOMMENDATION III:

0 RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 30th November 2015 unless otherwise agreed in writing, the Assistant Director of Development Management and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet the costs of contributions towards health, libraries, education, affordable housing, highways (traffic order) and associated monitoring of the agreement. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

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. 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 application is accompanied by a legal agreement
- 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 £__ 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 £__ 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.

Officer's Assessment

1. Site Description

The site is within close proximity to the town centre of Golders Green, and the London Underground Station located on North End Road (A502). The site does not fall within a conservation area.

The site is approximately 0.27ha and comprises No's 847, 849 and 851 Finchley Road . No's 849 and 851 Finchley Road are a pair of semi-detached residential dwellings and 847 Finchley Road is a Victorian church (currently the temple) located on a large plot on the corner of Finchley Road and Helenslea Avenue.

The Temple is an extended 19th century church building covering much of the plot and substantially larger than the neighbouring dwellings. The building varies from a single storey on Helenslea Avenue to approximately 15m to the apex of the roof above pavement level at its frontage on Finchley Road. The building is set back approximately 2.7m from the Helenslea Avenue boundary and 5.25m from the Finchley Road frontage and is bound on both by a 1.2m high brick wall. The Temple building and a pair of semi-detached houses currently cover about 40% of the site.

The semi-detached houses date from the 1930s and are brick built, two-storey single family dwellings with pitched roofs. They have low front boundary walls with openings giving access to front gardens, which are predominantly hardscaped to form parking courts. Both properties have rear gardens.

There is currently no vehicular access onto the Temple site, however pedestrian access is gained from Finchley Road and Helenslea Avenue. The houses are accessed from Finchley Road and each accommodates two off street parking spaces.

2. Site History

Site Address: 847 Finchley Road London NW118LX

Application Number: C04859E/05

Application Type: Full Application

Decision: Migrated Code

Decision Date: 12/10/2005

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: Demolition of existing temple and erection of new building to provide an authentic Hindu Temple with associated basement levels to provide 33 off-street parking spaces and 7 separate managed parking spaces.

Case Officer: Karina Conway

Site Address: 847 Finchley Road London NW118LX

Application Number: C04859D/04

Application Type: Full Application

Decision: Refuse

Decision Date: 17/01/2005

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: Demolition of existing temple and erection of new building to provide an authentic Hindu Temple.
Case Officer: Karina Conway

Site Address: 847 - 851 Finchley Road, London, NW11 8LX

Application Number: F/04108/11

Application Type: Full Application

Decision: Migrated Code

Decision Date: 30/03/2012

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: Erection of a part 3, part 4 storey building comprising 20 No. self contained flats, following demolition of existing temple, ancillary buildings and 2 No residential dwelling houses. Formation of basement parking for 21 cars and cycle storage. Associated landscaping and vehicular access from Helenslea Avenue. (Amended description).

Case Officer: David Campbell

Site Address: 847-851 Finchley Road, London, NW11 8LX

Application Number: F/04707/12

Application Type: Full Application

Decision: Migrated Code

Decision Date: 30/04/2013

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: Erection of a part 3, part 4 storey building comprising 25 No. self contained flats, following demolition of existing temple, ancillary buildings and 2 No residential dwelling houses. Formation of basement parking for 25 cars and cycle storage. Associated landscaping and vehicular access from Helenslea Avenue.

Case Officer: James Stone

Site Address: 847-851 Finchley Road, London, NW11 8LX

Application Number: F/02841/13

Application Type: Conditions Application

Decision: Not yet decided

Decision Date: Not yet decided

Appeal Decision: No Appeal Decision Applies

Appeal Decision Date: No Appeal Decision Date exists

Proposal: Submission of details of Condition No. 8 (Contaminated Land - Part 1), No. 12 (Impact of Noise), No. 16 (Demolition, Construction and Traffic Management Plan), No. 21 (Services in relation to trees), No. 22 (Trees protective fencing), No. 23 (Method statement - Trees) and No. 24 (Tree Works - Detailed Specification), pursuant to planning permission Ref: F/04707/12 dated 30/4/2013.

Case Officer: James Stone

3. Proposal

The proposal seeks to vary condition 1 (plan numbers) of planning permission F/04552/13 dated 07/01/14 for 'Erection of a part 3, part 4 storey building comprising 25 No. self contained flats, following demolition of existing temple, ancillary buildings and 2 No residential dwelling houses. Formation of basement parking for 25 cars and cycle storage. Associated landscaping and vehicular access from Helenslea Avenue'. Variation to include

amalgamation of 2no. units at first floor level within the block on Helenslea Avenue, including new terrace and new condenser unit on roof.

4. Public Consultation

Consultation letters were sent to 227 neighbouring properties.

0 responses have been received, comprising 0 letters of objection, 0 letters of support and 0 letters of comment.

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.
- Relevant Development Management Policies: DM01, DM02.

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 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 residents.

5.3 Assessment of proposals

Planning permission was granted at P& E Committee under ref: F/04707/12 for the comprehensive redevelopment of the site involving the demolition of all buildings on site, and construction of a new part-3, part-4 storey residential building comprising 25 residential units with private and communal amenity space, secure underground car and cycle parking and associated landscaping. The approved proposal included 25 residential units comprising of three 2 bedroom units and twenty one 3 bedroom units and one 4 bed unit.

A subsequent amendment to this application was then made under application F/04552/13 dat Variation to condition 1 (Plans) pursuant to planning permission F/04707/12 dated 03/09/13 for "Erection of a part 3, part 4 storey building comprising 25No. self contained flats, following demolition of existing temple, ancillary buildings and 2No residential dwelling houses. Formation of basement parking for 25 cars and cycle storage. Associated landscaping and vehicular access from Helenslea Avenue". Variations include:

Ground floor unit to Helenslea Road block redesigned

Front door to Helenslea Avenue block relocated

Access path leading from Helenslea Avenue between two blocks to the rear garden omitted and replaced with extended terrace to ground floor unit.

Proportions of openings to rear facade of Helenslea Avenue block amended. ,

Balconies to first floor flats omitted and added to the area of the flat.

Plant rooms at third floor omitted.

The current application now under consideration seeks to vary the previously varied plans under application F/04552/13 which was a variation of the original consent. The proposed variation seeks to re-configure the first floor layout of flats 1.6 and 1.7 in the three storey with basement accommodation block facing Helensea Avenue. The proposal will amalgamate flats 1.6 and 1.7 to provide 1 x 3/4 bedroom unit. The existing layout provides 2 x 3 bedroom units. As part of the proposal a new terrace area will also be provided.

The proposal results in the reduction in the total number of units at the site. This is not considered to be objectionable. The proposal will not increase the number of inhabitants the approved layout shows 6 x double bedrooms and the new layout provides 1 x 3/4 doule bedroom unit. This is considered to provide adequate family accommodation. The proposal will not give rise to any increased loss of amenity to future or neighbouring residential occupiers.

The amended layout will provide a large kitchen and increased rooms sizes to incorporate a master dressing area. The amended layout largely retains the existing layout in regards to siting of bedrooms and living areas and as such there are no stacking issues with the upper and lower units.

The new terrace will not project beyond the established building line of the property and will form a partially enclosed terrace. The terrace will use part of the existing internal floor area of the flat, however, given that this is now one unit, the proposed flat still complies with the internal floor standards as set out in the London Plan. In addition the incorporation of the terrace will provide some private amenity space for the future occupiers.

The ground and second floor of this building also provide terraces orientated the same as the proposed terrace. As a result it is not considered that this proposed terrace will increase any sense of overlooking or loss of privacy to neighbouring residential occupiers. The alterations to the fenestration to the rear of this building to facilitate the terrace are considered to be acceptable and in keeping with the overall design of the building. The detailing replicates that of the terrace on the level above.

Also included within the varied design is the introduction of a new condenser unit to provide air conditioning to the revised flat. The siting of this is considered to be acceptable and would have little visibility from the street context. A condition is imposed to seek details of the noise from this unit to ensure there is no undue harm to the future residential occupiers of the block.

5.4 Response to Public Consultation

N/A

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

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval subject to deed of variation to the previously approved S106.



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