

Location **89-91 Edgwarebury Lane Edgware HA8 8LZ**

Reference: **15/03004/FUL** Received: 14th May 2015
Accepted: 28th May 2015

Ward: Edgware Expiry 23rd July 2015

Applicant: Mr Sunny Popat

Proposal: Demolition of existing pair of semi-detached houses and erection of a two-storey building with rooms in roof space to provide 7no self-contained flats with associated amenity space, car parking, cycle storage, bin store and hard and soft landscaping

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: A.01 Rev.01; A.02 Rev.01; A.03 Rev.02; Design and Access Statement.

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) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy

CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 4 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).

- 5 a) Before the development hereby permitted is first occupied, details of the subdivision of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 6 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 2015.

- 7 a) No development or site works shall take place on site 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.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 of the London Plan (2015).

8 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 2015.

9 Before the building hereby permitted is first occupied the proposed windows at and above first floor level in the flank elevation facing No. 87 Edgwarebury Lane 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 Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

10 a) Before the development hereby permitted is first occupied, parking spaces, cycle parking and turning spaces as shown on Drawing A.01 Rev 01 shall be provided and marked out within the site.

b) The parking spaces shall be used only in accordance with the scheme approved as part of this condition and not be used for any purpose other than the parking and turning of vehicles in connection with the approved development.

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 Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

- 11 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.

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. 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. 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 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 exceptional 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 if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.

- 4 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 5 Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.

Officer's Assessment

1. Site Description

The application site currently contains a pair of two-storey semi-detached dwelling houses located on the western side of Edgwarebury Lane, on the corner of Edgwarebury Lane and Fairview Way. The pair of dwellings are similar in character and appearance to the neighbouring buildings to the south which front Edgwarebury Lane, and to the neighbouring dwellings at Fairview Way.

2. Site History

None relevant to the current proposal.

3. Proposal

This application proposes the demolition of the existing pair of semi-detached dwellings and the construction of a new two storey building (with rooms in the roofspace) to provide 7no self-contained 2-bedroom flats with associated private and communal garden, 7no car parking spaces, cycle and bin storage as well as hard and soft landscaping.

This application was originally submitted on 14 May 2015, with 8no units originally proposed. Amendments have since been made to that original scheme (received January 2016). As well as a reduction in the number of units from 8 to 7, the following additional changes have been made to originally submitted proposal:

- Ground floor footprint further set-in from Fairview Way
- Removal of dormer from north end elevation and set-down of ridge height to create hip-end to mirror that at No 93 across Fairview Way
- Reduction in number of dormers on rear elevation from four to three
- Reduction in size of dormers
- Removal of hipped roofs from two-storey bays on front elevation
- Alterations to pattern of fenestration to better reflect neighbouring properties (incorporating removal of balconies from rear elevation at first floor level)
- Reduction in number of flats from eight to seven (incorporating alterations to internal configuration)
- Installation of lift
- Reconfiguration of parking arrangements
- Reconfiguration of private and communal amenity space and associated landscaping

The scheme as it currently stands would be a two storey building, with rooms in the roofspace (facilitated by front rooflights and rear dormer windows. The building would be constructed of a similar style to the neighbouring semi-detached properties, with a hipped roof, and front bay windows. The proposed building would measure approximately 20 metres in width by 16.5 metres in depth at ground floor level, and approximately 13 metres in depth at first floor level (due to the presence of a single storey rear projection). The main would have a hipped roof with a ridge height of 10m and an eaves height of 5.9 metres.

Private amenity space is provided for flat 1, 2 and 3 with each amenity space have 2no cycle storage spaces. A communal amenity area providing 88.3m² of space between the remaining 4no flats is proposed with a cycle storage area with 8no cycle spaces.

7no car parking spaces are proposed as part of the development. 5no would be at the front of the property with a soft landscaped area separating them, and 2no at the side of the property accessed from Fairview Way. 3no trees would be removed as part of the development with 3no replacements proposed.

A 10m² refuse storage area is proposed adjacent to the new access from Fairview Way to the north west of the new building.

4. Public Consultation

On receipt of the original planning application, consultation letters were sent to 40 neighbouring properties. A site notice was also displayed. The initial consultation exercise generated 14 objections, making the following comments:

- Overcrowding of residential area with undue pressure on existing utilities.
- Insufficient car parking spaces so overflow will be in Fairview Way, obstructing traffic.
- Edgwarebury Lane already suffers from traffic jams and proposal would make congestion worse.
- Design is impractical and does not reflect that of surrounding buildings.
- Mix of units is not appropriate for a building of this size.
- Proposal would invade privacy of neighbouring properties on Edgwarebury Lane and Fairview Way.
- Proposal would result in a loss of light.
- Building will be larger than existing houses.
- Proposal would result in an overdevelopment of the area.
- Addition of flats would change the character of the area.

Following the receipt of amended plans in January 2016, a new period of public consultation was commenced. As a result, 22 letters of objection were received, making the following points (summarised):

- Erection of this building is out of character with the properties in the area.
- Construction traffic will be dangerous.
- Proposal would increase parking pressure on Fairview Way which is already a busy street.
- Edgwarebury Lane is already congested and more cars will be dangerous.
- Overdevelopment of the area is a concern.
- This part of Edgwarebury Lane contains semi-detached and detached 3-5 bedroom homes.
- Proposal would reduce privacy of neighbouring properties.
- Proposal would reduce lighting levels to neighbouring properties.
- Proposed building would be larger than neighbouring buildings.
- Proposal would result in the loss of attractive family housing.
- Multi occupancy residence will attract more people, visitors and cars to the location.
- The introduction of so many small homes will change the character of the area.
- Family size houses remain a priority in this area.
- Insufficient parking spaces are proposed.
- Neighbouring buildings have the same brick arch insignia above the windows and this is in keeping with the homes on Fairview Way. The proposal would not have this and would be out of character with neighbouring buildings.
- Size and depth of the new building is not in fitting with the proportion of homes in the vicinity.
- Additional lighting will adversely affect the amenities of neighbours.
- Proposal would be built into the existing gardens, eliminating existing trees and causing the loss of garden.

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 Government's 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 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

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 and CS9.
- Relevant Development Management Policies: DM01, DM02, DM03, DM08 and DM17.

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.

Residential Design Guidance SPD (adopted April 2013)

- The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- Development should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that developments should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

- Notes that the conversion of existing dwellings into flats can have a cumulative impact on environmental quality and the character of established residential areas. Conversions can harm the character of areas by increasing activity, with increasing activity resulting in more

people movements, increased car movements and parking stress, more rubbish to be collected and more deliveries.

- Conversion proposals are likely to be resisted in areas of low density where predominantly there are single family occupation houses.

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.
- Whether harm would be caused to highway safety.

5.3 Assessment of proposals

Impact of the proposal on the character and appearance of the area

Policy DM01 states that the conversion of dwellings into flats in roads characterised by houses will not normally be appropriate. The supporting text to this policy provides the main reason for this aspect of DM01 as follows:

The conversion of existing dwellings into flats can have a cumulative effect that is damaging to the quality of the environment and detracts from the character of established residential areas. Conversions may be appropriate in certain types of property or street particularly where they are highly accessible. However, even in such locations they can harm the character of areas by changing external appearance and increasing activity. Such activity can often involve more people movements, increased car movements and parking stress, more rubbish to be collected and more deliveries

Where conversions are acceptable any external alterations should seek to minimise their impact on the external appearance of the property and local character. Conversions must also be able to satisfactorily address all other relevant policies in the DPD including the need to consider the dwelling size priorities set out in Policy DM08 and the approach to parking management set out in Policy DM17.

It is noted that Edwarebury Lane is characterised by both single family dwellings and flatted buildings. The applicant's submitted Design and Access Statement gives examples of Nos. 44, 53-55, 104, 110 and 115 Edwarebury Lane which are all flatted developments.

Planning permission was also granted under planning reference H/01698/14 for the conversion of No. 93 Edwarebury Lane (the site on the opposite side of Fairview Way to the application site) into three flats. That application was recommended for approval by officers and approved by the Hendon Area Sub-Committee in October 2014. The same planning policies were in place at the time that decision was taken as are in place now. The report to that application explains "the area has been surveyed and there is evidence that a number of properties have been converted to flats in the vicinity of the application site, these include Nos. 36, 40, 42 and 63. Nos. 102 and 113 were granted planning permission over recent years to convert into 5no units and 3no units respectively". Therefore, there is evidence that several buildings in the immediate vicinity of this site have been converted into flats.

It is therefore considered that this part of Edwarebury Lane has a fairly mixed character, comprising both single family dwellinghouses, and flatted developments. Therefore, an existing part of the character of the area is the increased comings and goings and activity associated with flatted developments. The proposed development would not introduce any

new features, or adverse impacts, on the existing character of this part of Edgwarebury Lane and it is not considered that the principle of the proposed flat conversion would be contrary to Policy DM01, as the development would preserve local character.

In terms of the proposed building, the new development would be constructed of a similar architectural style to the established character of the neighbouring semi-detached properties on the street scene, with a hipped roof, rooflights in the front roofslope, and flat-roofed front bay windows. The proposed materials would be secured by condition, but it would be appropriate for the proposed bricks to, as far as practicable, match those used in the neighbouring properties. There are other properties in the area which have rear dormer windows, and it is considered that on their own merits the rear dormer windows appear as proportionate additions in the roofslope which do not detract from the appearance of the proposed building. The proposed building would be larger than the existing in terms of overall floor area and volume, however its flank elevation to Fairview Way (visible on this prominent corner site position) has been designed with a subservient projection to reflect the width of the original and surrounding buildings, and this step acts to break up the massing of the building.

The proposed building would retain two entrances, and therefore would have the appearance from the front of a pair of semi-detached dwellings. Parking would be provided to the front forecourt, as with the existing front driveways, and also to the rear of the site. These parking areas are shown to be appropriately landscaped such that they would not detract from the character and appearance of the street scene.

The proposed building would be closer to the site boundaries than the existing. However sufficient spacing would remain between the flank boundaries and the neighbouring property such that the proposal would not appear cramped within its plot or result in the visual coalescence of built form.

Overall it is considered that the proposed building, and its use as flats, is acceptable in the area and would not be detrimental to the character and appearance of the street scene or the wider area.

The quality of accommodation for future occupants

The proposal includes units and rooms which meet or exceed the minimum floor areas set out in the London Plan and the council's guidance, and therefore provide adequate quality of accommodation. Each unit is dual aspect and would have an acceptable level of outlook.

Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats, outdoor amenity space should be 5 m² per habitable room. It is proposed to split the existing rear garden into four sections, with each of the ground floor flats benefitting from acceptably sized rear gardens and the remaining 4no flats sharing an area of 88m². Taking this into account this would comply with the guidelines set out in the Sustainable Design and Construction SPD. The proposed development will provide adequate amenity space.

Impact the proposal would have on the amenities of neighbours

The proposed building would be closer to No. 87 Edgwarebury Lane than the existing building (approximately 1.9m). However it should be noted that the only windows in the flank elevation of No. 87 which face the site are secondary windows, or windows which do not serve habitable rooms. Having regard to the distance between these windows and the

proposed building, it is not considered that the proposal would appear overbearing when viewed from these neighbouring windows.

The proposed building would be glimpsed from the front- and rear-facing windows at ground and first floor level at No. 87. However having regard to the limited extent of visibility, the presence of an existing building on the site and the use of those rooms, it is not considered that the proposal would appear unduly overbearing and visually intrusive when viewed from No. 87 such that it would cause any demonstrable harm to the amenities of the occupants of that neighbouring property.

The proposed building would be sufficient distance from all other neighbouring properties that it would not appear overbearing or visually intrusive when viewed from these neighbouring properties.

The proposed development would include a number of windows which face toward the immediately neighbouring property, No. 87 Edgwarebury Lane. At ground floor level, the proposed windows would face toward a proposed boundary treatment. The precise nature of this treatment is not specified, however the LPA would require a solid/opaque means of enclosure such as a close boarded fence at least 1.8 metres high to enclose the site. Such a fence would ensure the ground floor windows are not detrimental to the privacy or amenities of the occupants of No. 87. At first and second floor level, four windows are proposed in the flank elevation of the proposed building facing No. 87. These either serve bathrooms, or are secondary windows to the rooms they serve. As a result, a condition is attached requiring these windows to be obscurely glazed and fixed shut with only a fanlight opening, to protect the privacy of the occupants of No. 87.

Having regard to the depth of the rear garden (approximately 13 metres), the distance from the first floor windows to the rear of the garden (approximately 16 metres) and having regard to the amount of mutual overlooking already existing at this site between the existing and neighbouring buildings, which is commensurate with most suburban areas, it is not considered that this proposal would adversely affect the privacy or amenities of the occupants of any other neighbouring property.

Impact of the proposal on highway safety

Policy DM17 states that for flats of 2 to 3 bedrooms, 1.5 to 1 parking space should be provided per flat. The scheme proposes 7 off-street parking spaces in two separate locations - 5no would be located to the front of the property and 2no are proposed which would be accessed from Fairview Way. The 2no parking spaces from Fairview Way would be accessed from a new drop kerb access point. Taking this into account, this would accord with the requirements of Policy DM17. The existing access would be retained and this would allow access to all of the parking. This is not considered to have a significant impact on highway safety.

5.4 Response to Public Consultation

The objections received are responded to in the appraisal above.

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

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

