

Location **10-14 Accommodation Road Golders Green NW11 8ED**

Reference: **16/0090/FUL** Received: 6th January 2016
Accepted: 25th January 2016

Ward: Childs Hill Expiry 21st March 2016

Applicant: Mr David Grunberg

Proposal: Demolition of existing building and erection of 8 dwellinghouses with associated refuse/recycling and cycle storage

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. 1. Highways (traffic order) £2,000.00
 "A contribution towards the cost of required changes to an existing traffic order or creation of a new order related to the development."
2. Monitoring of the Agreement £100.00
 "Contribution towards the Council's costs in monitoring the obligations of the agreement"

RECOMMENDATION II:

That upon completion of the agreement the Service 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:

- No. 324/P1 Rev C, 324/P8 Rev C, 324/P7 Rev C, 324/P10 Rev C, 324/P2 Rev C, 324/P3 Rev C, 324/P4 Rev C, 324/P5 Rev C, 324/P9 Rev C, 303/1 Rev A (received: 06/01/16).

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 2015.

4 The demolition works hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been executed and planning permission has been granted for the redevelopment for which the contract provides. Evidence that this contract has been executed shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority prior to any demolition works commencing.

Reason: To preserve the established character of the Conservation Area pending satisfactory redevelopment of the site in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM06 of the Local Plan Development Management Policies DPD (adopted September 2012).

5 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).

6 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

7 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.

8 Before the commencement of development hereby permitted is undertaken details of the proposed double glazed windows at scale 1:10 including a section to show the thickness of the glazing and the spacer bar, and a sample window produced shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason: To safeguard the character and appearance of the Conservation Area in accordance with policy DM06 of the Development Management Policies DPD (adopted September 2012).

9 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (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, 7.2 and 7.6 of the London Plan (2015) and policies DM02 and DM03 of the Barnet Development Management Polices document (2012).

10 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).

11 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 25% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 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).

12 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).

13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A to D of Part 1 of Schedule 2 of that Order shall be carried out within the area of the site hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

14 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority prior to first occupation of the development. Such spaces shall be provided prior to first occupation and 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.

15 Before the building hereby permitted is first occupied the proposed windows in the rear elevation facing Woodstock Road shall be glazed with obscure glass only and fixed shut and shall be permanently retained as such thereafter.

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).

16 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows other than those expressly authorised by this permission, shall be placed at any time in the rear elevation facing the properties in Woodstock Road.

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).

RECOMMENDATION III:

0 That if an agreement has not been completed by 27/06/16 unless otherwise agreed in writing, the Assistant Director of Development Management and Building Control should REFUSE the application 16/0090/FUL under delegated powers for the following reasons:

1. The development fails to provide a legal undertaking to enable an amendment to the Traffic Regulation Order and contribution towards the associated monitoring costs to mitigate the on-street parking impact in the vicinity of the site, contrary to policy DM17 of the Development Management Policies DPD and the Planning Obligations SPD.

Informative(s):

1 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 £7,875.00 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 £30,375.00 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.

2 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.

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.

Officer's Assessment

1. Site Description

The application site currently consists of a row of terraced offices buildings that are all occupied by an accounting firm. The site is located within Golders Green Town Centre conservation area.

2. Site History

Reference: 14/07267/FUL

Address: 10 - 14 Accommodation Road, London, NW11 8EP

Decision: Refused

Decision Date: 12.01.2015

Description: Demolition of existing buildings and construction of 8no three storey plus rooms in roofspace mews houses

Appeal Decision: Dismissed (24.11.2015)

Appeal Reference: APP/N5090/W15/3051158

Reasons for refusal:

1. The proposals would result in the loss of existing employment land. The proposals would be contrary to policy DM14 of the Adopted Barnet Development Management Policies 2012.
2. The proposals by reason of their layout and poor quality outlook, and lack of amenity space would provide an unacceptably poor level of amenity for future residents. This would be contrary to policy DM02 of the Adopted Barnet Development Management Policies and Supplementary Planning Document on Residential Design Guidance.
3. The proposals would result in a harmful level of overlooking and loss of outlook to the rear windows of the residential properties at on Golders Green Road. The proposals would be contrary to policy DM01 of the Adopted Barnet Development Management Policies and Supplementary Planning Document on Residential Design Guidance.
4. The proposals would appear overbearing and visually dominating as perceived from 30-36 Woodstock Road, resulting in a harmful loss of outlook and visual amenity. The proposals would be contrary to policy DM01 of the Adopted Barnet Development Management Policies.
5. The proposals would result in a visually dominating and obtrusive form of development that would be harmful to the character and appearance of the conservation area and out of scale with neighbouring buildings. The proposals would fail to preserve or enhance the character and appearance of this part of the Golders Green Town Centre conservation area. The proposals would be contrary to policy DM06 of the Adopted Barnet Development Management Policies 2012 and Golders Green Town Centre Conservation Area Character Appraisal Statement.
6. The proposals make inadequate provision for refuse storage within the development. In the absence of suitable refuse storage the proposals would be contrary to policies CS13 and CS14 of the Adopted Barnet Core Strategy.

7. The proposals would make no provision for off street parking and as a result would generate significant parking pressures on surrounding roads which would result in harmful impact on highway and pedestrian safety. The proposals would be contrary to policy DM17 of the Adopted Barnet Development Management Policies 2012.

Reference: F/05491/13

Address: 10 - 14 Accommodation Road, London, NW11 8EP

Decision: Prior Approval Required and Approved

Decision Date: 30 January 2014

Description: Change of use from B1 office to C3 residential (4 units)

Reference: F/00393/13

Address: 10 - 14 Accommodation Road, London, NW11 8EP

Decision: Refused

Decision Date: 20 March 2013

Description: Roof extension with front dormer windows to provide 2nd floor accommodation for existing A2/B1 use. Relocation of air conditioning units, installation of PV panels, raising of brick parapet wall/gutter, extended brick gable, new bike and bin stores and alterations to external fenestration. (Amended description)

3. Proposal

The proposal includes:

The demolition of existing buildings and construction of 8no. two storey, plus rooms in roofspace, mews houses with associated refuse/recycling and cycle storage

4. Public Consultation

183 consultation letters were sent to neighbouring properties.

15 responses have been received, comprising 15 letters of objection.

The objections received can be summarised as follows:

- Overdevelopment
- Out of keeping with the character of the conservation area
- Insufficient water pressure
- Loss of light
- Overlooking
- Noise and disturbance
- Lack of parking
- Loss of privacy
- Environmental impact
- Issues relating to refuse collection
- Impact on services such as water/sewage
- Oversupply of small units
- Overly dense housing
- Poor quality of space for future occupiers

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 July 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, CS13 and CS14
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08 and DM17.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted April 2013)

Sustainable Design and Construction SPD (adopted April 2013)

5.2 Main issues for consideration

A similar application to the current proposal was previously recommended for refusal by planning officers and subsequently dismissed on appeal heard by way of an informal hearing. The Inspector did not dismiss the appeal based on all the reasons for refusal as regarding several they found no issue. These matters are discussed further below.

The main issues for consideration in this case are:

- Whether the loss of the office space is considered acceptable

- Whether harm would be caused to the character and appearance of the conservation area, 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 harm highway and pedestrian safety
- Whether the proposals would comply with sustainability requirements

5.3 Assessment of proposals

Whether the loss of the office space and principle of development is considered acceptable

On this matter the previous Appeal Inspector (APP/N5090/W15/3051158) concluded that:

'Having considered all the submissions carefully and from my own observations I am not persuaded, even if there were a demand for employment floorspace in the locality, that the appeal premises would be attractive to other prospective employment uses. Consequently, any prospect of retaining the premises in employment use would be, at best, very low...having had regard to all the evidence presented in relation to employment land I conclude, given the specific circumstances of the appeal site that the proposal would not conflict with DMP Policy DM14.'

With regard to the loss of office space, the current application is unchanged and considerable weight is given to the Appeal Inspectors comments highlighted above. This element is therefore considered acceptable.

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

Planning offers previously raised concerns that future occupiers of the proposed units would benefit from poor quality outlook and a lack of private outdoor amenity space leading to an unacceptably poor standard of living for future residents.

On this matter the Appeal Inspector (APP/N5090/W15/3051158) concluded the following:

The proposal would provide residential units that are single aspect with all windows facing north east towards the rear of properties on Golders Green Road. The elevations show substantial sized windows, particularly to the 2nd and 3rd floors which is where the living and eating areas would be located. The appellant stated the size of the windows would be well in excess of those required by the Building Regulations although no sunlight or daylight calculations were submitted. Whilst there would be limited sunlight to the rooms given the shallow depth of the building the proposed accommodation would be likely to receive an adequate amount of daylight.

The proposal would occupy the whole site and the only external amenity space would be provided in the front facing terraces to each dwelling at 3rd floor level. The Council's standards set out in the Supplementary Planning Document Sustainable Design and Construction require 40 m² for dwellings up to 4 bedrooms whereas the proposal provides about 3 m² for each proposed dwelling. The standards do allow some flexibility within urban areas, subject to the provision of financial contributions to improve existing public open space. Although the proposal falls well short of the required external amenity provision and no financial contributions are offered I am however, not persuaded given the

inner city location of the site that the proposal would provide inadequate living conditions for the proposed occupants.'

Since the previous application the amenity space provided at third floor level has been removed and now situated on the second floor. While this space is slightly smaller than previously proposed, the level of amenity offered to future residents would be similar and considerable weight is therefore given to the Appeal Inspectors comments. Consequently, the proposed houses are likely to provide future occupiers with sufficient light, outlook and amenity, in accordance with Policies DM01 and DM02 of Barnet's Development Management DPD (2012).

Neighbouring Residents

In the previous application officers highlighted several issues relating to overlooking and loss of privacy and outlook for the occupiers of Golders Green Road whose properties back onto Accommodation Road. Due to the proximity of the application site to the rear elevation of these properties the impact of the proposed four storey building was also considered to be overbearing. When commenting on such matters the Appeal Inspector (APP/N5090/W15/3051158) concluded that:

'Many of the properties within the mews have already been converted to residential and, given the approval granted under the provisions of the GPDO for the premises to be converted to residential, the principle of residential use is accepted. Whilst the proposal would fail to provide the minimum distances between the buildings within urban areas it is not uncommon for shorter distances to be acceptable. From my visit I am satisfied that the distance that would be between the front of the proposed dwellings and the rear of the properties on Golders Green Road would be sufficient to afford the residents of both properties a satisfactory level of privacy.'

Other than roof lights in the rear plane of the roof the development would have no windows in the rear elevation that faces towards the properties in Woodstock Road. Interested parties have raised concerns regarding loss of privacy but given the relative positions of the proposed roof lights and nearby properties I am satisfied that any overlooking would be very limited and not to a degree that would justify the dismissal of the appeal.'

I have considered carefully all the evidence put forward by all the parties, including the interested parties, but I conclude that the proposal would not result in an unsatisfactory level of living conditions for either the proposed future residents or the existing occupants of nearby properties. I therefore conclude the proposal would comply with BDMP DM01 and DM02. However, this does not outweigh my concerns regarding the impact of the development on the character of the area.'

The current scheme is similar to the previous application in terms of footprint and, with the removal of the fourth floor, the building is likely to appear less overbearing with fewer opportunities for overlooking. Bearing these points in mind the Appeal Inspectors comments are attributed significant weight and the scheme is found to be acceptable in this regard.

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

With regard to scale and massing, the previous Appeal Inspector (APP/N5090/W15/3051158) found that,

'The proposal would introduce a 4 storey building into the mews. The mews is a continuous row of buildings and whilst there are a number of building styles and heights the predominant form is two storey with some properties having dormers to provide a 3rd floor. However the proposal would result in an additional floor with floor levels and consequently the fenestration for each floor that would bear little relationship to the existing properties in the mews. This together with the overall scale of the proposal would result in a development that would look markedly out of place.'

As highlighted above, the plans have seen several revisions since the previously refused scheme the most noticeable of which is the removal of the fourth storey. The height of the proposed roof would now relate better to the neighbouring property at no. 9, being stepped down by 1.4m from its ridge.

In terms of design and fenestration, the proposed scheme has also been amended since the previous refusal. Where the elevation fronting Accommodation Road previously appeared somewhat confusing and overly fenestrated, the new design is considered an improvement and introduces a certain degree of rhythm to the street. While the design does not exactly mimic other buildings on Accommodation Road, the previous Appeal Inspector concluded that the principle of a modern build block in this location would be considered acceptable. Bearing in mind the revisions highlighted above, the proposed scheme has now addressed previous concerns and would indeed enhance the character of the conservation area in accordance with Policy DM06 of Barnet's Development Management Policies.

Whether the proposals would harm highway and pedestrian safety

Prior to the previous Hearing a signed and dated Unilateral Undertaking was submitted which would provide a financial contribution towards the Council's costs of changing a traffic order that would prevent the future residents from applying for residential parking permits. The Council accepted the Undertaking overcame its concerns regarding highway safety. The revised legal agreement is in the process of being reviewed by Barnet's Highways officers and legal team.

Whether the proposals would comply with sustainability requirements

The previous case officer's report found that the proposals made inadequate provision for refuse storage within the development. In response to these issues, the applicant has since revised the plans to include a recessed refuse area at ground floor level fronting Accommodation Road to meet Barnet's 'Provision of Household Waste & Recycling Service' guidance (July 2015). Not only would this amendment satisfy Policies CS13 and CS14 of Barnet's Core Strategy but the bins would now be shielded from public view thus serving to improve the character of what can be a cluttered street.

5.4 Response to Public Consultation

Overdevelopment: The proposed works are not of a sufficiently large scale to consider them an overdevelopment of the site.

Out of keeping with the character of the conservation area: Addressed within 'assessment of proposals' above.

Insufficient water pressure and issues relating to sewerage: Issues relating to water pressure and sewerage would be addressed through Building Control which is a separate process and in addition to planning. Bearing this in mind, limited weight has been attributed to such objections and not considered as sufficient reason for refusal.

Loss of light: Addressed within 'assessment of proposals' above.

Overlooking: Addressed within 'assessment of proposals' above.

Noise and disturbance: A certain degree of noise and disturbance is to be expected from any building works. The scale of the proposed works are not considered to be of a sufficiently large scale to warrant refusal of the proposed scheme.

Lack of parking: Addressed within 'assessment of proposals' above.

Loss of privacy: Addressed within 'assessment of proposals' above.

Environmental impact: While this is a material planning consideration there is unlikely to be sufficient harm to the environment as result of the proposed works to warrant refusal.

Issues relating to refuse collection: Addressed within 'assessment of proposals' above.

Oversupply of small units: The proposed housing would meet a local demand for housing.

Over dense: The proposed density would meet the London Plan (2015) policy relating to density.

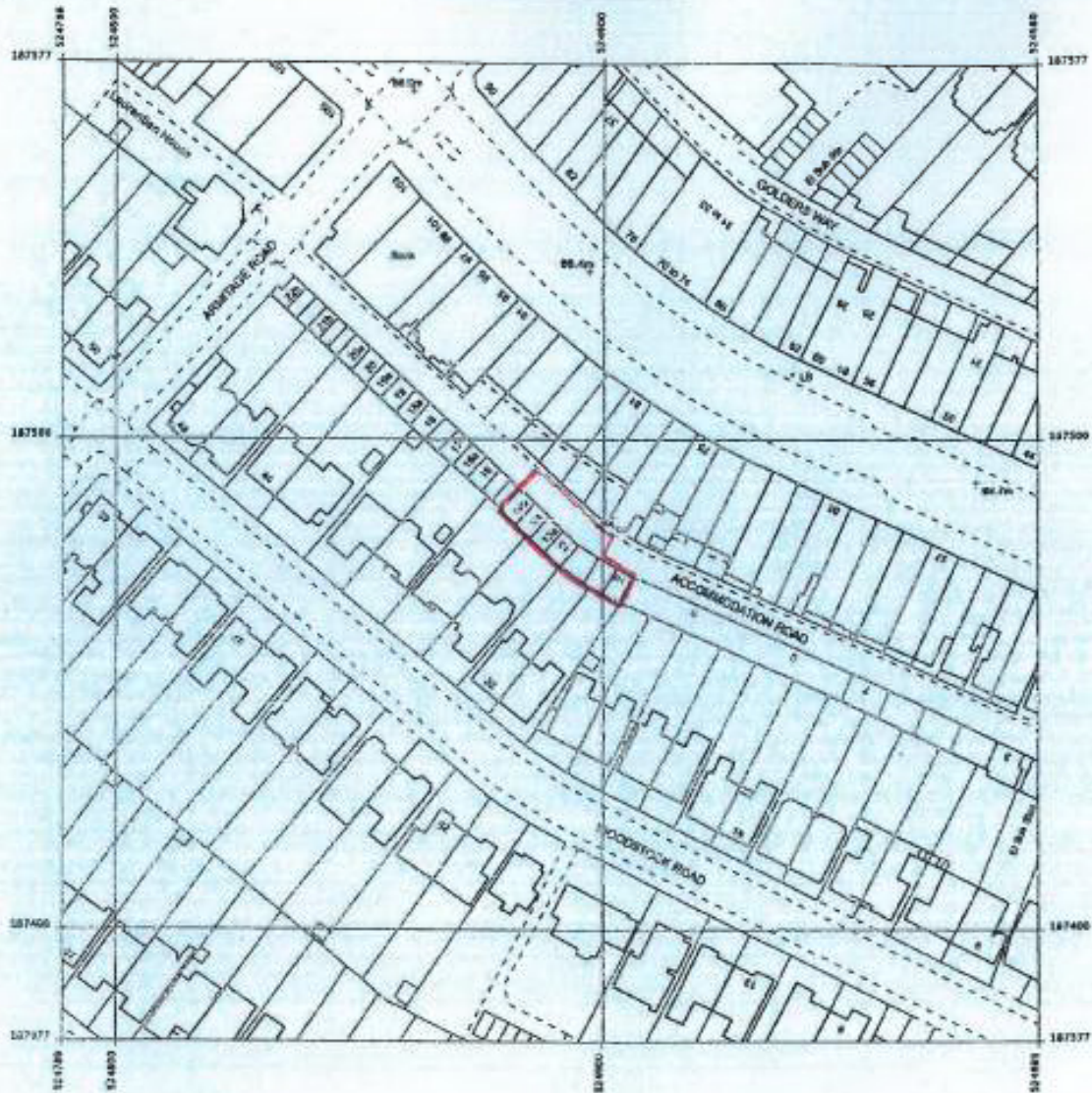
Quality of space for future occupiers: Addressed within 'assessment of proposals' above.

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

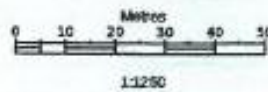
Having taken all material considerations into account, it is recommended that planning permission is recommended for APPROVAL.



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