

**Location**                    **31A The Park, London NW11 7ST**

**Reference:**                **16/2895/FUL**                    Received: 3rd May 2016

Accepted: 3rd May 2016

Ward:                        Childs Hill

Expiry 28th June 2016

Applicant:                 Simat Properties Limited

Proposal:                    Demolition of the existing dwelling and detached garage and erection of 5no two-storey detached and semi detached dwellings with rooms in roof space including hard and soft landscaping, off street parking spaces and refuse stores

**Recommendation:** Approve subject to conditions

- 1     The development hereby permitted shall be carried out in accordance with the following approved plans: Design and Access Statement 1032-AP3-D+A Part One; Design and Access Statement 1032-AP3-D+A Part Two; Daylight and Sunlight Report by GIA reference 8610; Arboricultural Impact Assessment Report and Outline Method Statement by Landmark Trees reference BKL/31aTPK/AIM/01b; Letter from Landmark Trees dated 21st April 2016 reference BKL/31aTPK/AIM/02a/Lttr; Planning Statement by First Plan; Site Location Plan; Visualisations; Parking Assessment by i-Transport reference NM/MD/DJ/ITL12040-001A TN; Drawing no. 1032-S01; Drawing no. 1032-S02; Drawing no. 1032-S03; Drawing no. 1032-S04; Drawing no. 1032-S05; Drawing no. 1032-S06; Drawing no. 1032-S07; Drawing no. 1032-S08; Drawing no. 1032-S09; Drawing no. 1032-A93-01A; Drawing no. 1032-A93-02A; Drawing no. 1032-A93-03A; Drawing no. 1032-A93-04A; Drawing no. 1032-A93-05A; Drawing no. 1032-A93-06A; Drawing no. 1032-A93-07A; Drawing no. 1032-A93-08A; Drawing no. 1032-A93-09A; Drawing no. 1032-A93-10A; Drawing no. 1032-A93-11A.

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 shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

4 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.

5 a) No development or site works, including demolition or construction work, shall take place on site until a 'Demolition, Construction and Traffic Management Plan' has been submitted to for each phase of the development and approved in writing by, the Local Planning Authority.

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 Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, 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 (2011).

6 a) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until details of temporary tree protection have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the scheme of temporary tree protection as approved under this condition has been erected around existing trees

on site. 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 at any time.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2015.

- 7 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, B, C, D, E, F of Part 1 of Schedule 2 of that Order shall be carried out within the area of 31A The Park 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).

- 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 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 Policies document (2012).

- 10 Prior to the first occupation of the new dwellinghouse(s) (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 that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. 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 9% 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 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.

- 13 a) No development other than demolition work shall take place unless and until a Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme has been submitted to and approved in writing by the Local Planning Authority.

b) The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features approved under this condition have been implemented in their entirety.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policies 5.13 and 5.14 of the London Plan 2015.

- 14 Before the development hereby permitted is first occupied turning space and parking spaces shall be provided and marked out within the site in accordance with

a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that parking and associated works are provided in accordance with the Council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policy CS9 of the Local Plan Core Strategy (adopted September 2012), Policy DM17 of the Local Plan Development Management Policies DPD (adopted September 2012) and 6.1, 6.2 and 6.3 of the London Plan 2015.

- 15 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.

b) The screens shall be installed 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), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

- 16 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).

- 17 Before the building hereby permitted is first occupied the proposed window(s) in the first floor flank elevations 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).

- 18 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).

### **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](http://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 £37,660.00 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 £117,644.57 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](mailto: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](http://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](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](http://legislation.gov.uk)

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

3 If the proposal is carried out it will be necessary for the existing crossover to be amended by the highways Authority and for new crossovers to be constructed. Any new crossovers or amendments to existing crossovers will be subject to detailed survey assessment as part of the application for crossover under the Highways Act 1980 and would be carried out at the applicant's expense. Any associated works on the public highways including reinstatement of redundant crossovers will be carried out at the applicant's expense. Any street furniture

including lamp columns, affected by the proposed crossover would be relocated at the applicant's expense. Relocation of lamp columns may not just relate to the lighting column directly in front of the applicants property. Amendments may also be required to other lighting columns along the road to ensure adequate street lighting coverage is maintained.

The proposal will require alterations to on street parking bays which will be subject to a statutory consultation. The tree section will be consulted regarding the highways tree in close proximity of the proposed crossovers.

The applicant should submit a vehicle crossover application to London Borough of Barnet, 11th Floor Barnet House, London, N20 0EJ.

The applicant is advised that following the outcome of the detailed crossover inspection the position of the proposed crossovers (and parking layout) may need to be amended.

- 4 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](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 7294.



## **Officer's Assessment**

Officers withdrew the application from the agenda of the May Committee so that residents could be reconsulted on the Highways Assessment and Revised Plan, which were received after the committee report was written. Additional comments have been received and have been incorporated in the summary of objections section in the report.

### **1. Site Description**

The site is located on the south side of The Park. The site is approximately 0.2 hectares in area. The surrounding area is residential in character consisting of detached and semi-detached houses. The site forms part of an attractive suburban area, and backs onto Golders Hill Park.

The buildings in the area are mixed but are generally traditional in design with one or two exceptions. Many of them incorporate features such as render and timber cladding, with notable variations in shape.

### **2. Site History**

C16008/04 - 3 x Horse Chesnut - Crown thin by 15% Reduce overhang by 20% Reshape. Standing in Group G1 of Tree Preservation Order - Approved - 19/11/2004

C16008A/06 -Alterations to roof including dormer to rear. Provision of terrace at second floor level. - Refused - Dismissed at Appeal - 24/07/2006

C16008B/06 - Alterations to roof including dormer to rear. Provision of terrace at second floor level and privacy screens. - Refused - Allowed at Appeal - 11/01/2008

14/08087/FUL- Demolition of existing dwelling and detached garage and erection of 6no. two storey semidetached houses including rooms in roof space and associated hard/soft landscaping, off-street parking spaces and refuse store.

Refused by the Finchley and Golders Green Planning Committee (overturned from an officer recommendation to approve.

Decision Date: 1 April 2015.

Reasons for refusal:

1. The proposed development, by reason of its size, bulk, siting and design would be detrimental to the character and appearance of the street-scene and general locality.
2. The proposed development would result in the loss of existing on street residents parking bays in order to provide access to off street parking to serve the development.

15/03044/FUL- Demolition of the existing dwelling and detached garage and erection of 4no. two storey detached dwellings with rooms in roof space including hard and soft landscaping, off street parking spaces and refuse stores

Approved subject to conditions (delegated decision)

Decision Date: 25 June 2016

### **3. Proposal**

The applicant seeks planning consent for the demolition of the existing dwelling and detached garage and the erection of a total of 5no. (4 x semis and 1 x detached) two storey houses including rooms in roof space and associated hard/soft landscaping, off-street parking spaces and refuse store.

The application follows on from a refused scheme on the same site for 6no dwellings under planning reference 14/08087/FUL and an approved scheme for 4 detached dwellings under planning reference 15/03044/FUL.

### **4. Public Consultation**

Consultation letters were sent to 27 neighbouring properties.  
37 responses have been received, comprising 37 letters of objection.

The objections received can be summarised as follows:

- Even stronger grounds to refuse 5 house scheme compared to previously refused 6 scheme due to new school opening.
- Parking congestion would be made worse
- Loss of Victorian property with extensive green frontage and resultant damage to streetscene due to hardstanding.
- Out of character with surrounding houses/ Adverse impact on appearance of area
- Will result in a material change to neighbourhood which has remained untouched in 50 years
- Eyesore
- Site is too small to support 5 houses
- Crammed houses on plot
- Set precedent
- Could then be turned into 6
- Will look like an overdeveloped car park
- New gardens will not have the space to replace
- Loss of outlook onto greenery and replacement with hideous houses
- Overly dense development
- Bulky
- Incongruous design with Arts and Crafts style of road
- Impact on environmental by removal of trees
- Neighbours feel a sense of betrayal of trust by developers
- Proposal closer to refused scheme rather than approved 4 dwellings
- Assumed peak hours of parking in the Parking Assessment do not reflect the truth; peak congestion in the area is during drop off and collecting school times
- No reliance should be made on the Parking Assessment in the report

A site notice was erected on the 12th May 2016.

### **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 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

#### Barnet's Local Plan (2012)

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

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

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

#### Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

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

### **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether 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 future and neighbouring residents.
- Whether harm would be caused to highway and pedestrian safety

- Whether the proposals would have an acceptable impact on trees of special amenity value
- Whether the proposals would be acceptable in sustainability terms

### **5.3 Assessment of proposals**

As mentioned above, planning permission has already been granted for the erection of 4 detached dwellings on the plot under reference 15/03044/FUL.

#### Whether the principle of the development is acceptable

The site is located in a suburban area and is located in an area of PTAL rating 2. The London Plan advises that development should be at 35-95 units/hectare.

The proposals appear to be at 24.04 units/hectare based on the site being 0.208 hectares. The principle of residential development in the form of four detached houses is considered acceptable as this is a characteristic feature of surrounding roads which consist of a mixture of semi-detached and detached houses.

Given the approval at the site for 4 dwellings, the principle of residential development on the site is considered to be acceptable and has already been established.

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

The proposals involve sub-division of the plot to form 5 houses. In terms of plot widths, the site has a width of 46m, which would represent a width of approximately 8.4 m per plot for the semi-detached dwellings and 10.6m for the detached. The plots opposite have widths of approximately 8m, and this is considered to be comparable.

It is considered that the proposed architectural styling of the proposed buildings fits with the character of the street. The proposed dwellings also share gable ends which are featured on some of other properties on the street, and they have been designed to have individual decorative features which can facilitate the differentiation between the properties. The eaves and height of the buildings are sympathetic to the adjacent dwellings.

The application for six houses was refused by virtue of the size, bulk, siting and design of the buildings being considered detrimental to the locality. The approved application for four detached dwellings addressed the objections. With regards to the current scheme for 5 dwellings, by virtue of the reduced number of units from the refused scheme, the suitable gaps between the dwellings and comparable scale and massing to other properties on The Park, the scheme is considered to have addressed the reason for refusal for the 6 dwelling scheme.

The overall depth of the dwelling houses would be comparable to the rear building line of the nearby dwellings.

Bin storage would be provided within internal alcoves.

The view from Golders Hill Park of the site is important to consider. However, given the presence of mature tree screening to the rear of the site, and taking into account the considerate design of the roofs, providing adequate spacing and relatively low height, it is

not considered that the appearance of the buildings, including the crown roof designs, would appear obtrusive as viewed from the rear.

Officers are satisfied that the proposals would not harm the character and appearance of the area.

#### Impact on the amenities of neighbouring occupiers

The applicant has provided a daylight and sunlight report with the application. This advises that there would be no alteration in daylight and sunlight to any habitable rooms at no.31 and that the only rooms affected at no.33 are served by other windows. The report also stated that there would be some impact on the kitchen window of no.33, however this is also served by a glazed doorway to the rear. As part of the previous application, it was not considered that the proposals would cause harmful loss of light or outlook to this window. Given the approved 4 dwelling scheme, it is not considered that the proposal would result in any greater impacts on daylight and sunlight than previously considered to be acceptable.

In terms of the impact on neighbouring outlook, House A which would be closest to no.31 The Park would extend approximately 1 metre at the boundary and a maximum of 3 metres at first floor level beyond the rear wall of no.31; at ground floor it would also extend 4m at the side closest to the same property and a maximum of 5.5m. House E which would be closest to no.33, would extend 0.5m (measured at the boundary) and a maximum of 2.3m at ground floor. Given that there is an existing rear projection of 3m at first floor and 4.5m at ground floor on this boundary it is not considered that any loss of outlook would be materially greater than what exists at present. Furthermore, given the limited projection on the side nearest no.33, it is not considered that there would be any harmful impact on the visual amenities of the occupiers of this property. Furthermore, the projection of the buildings at the rear would be the same when measured at the boundaries with no.31 and no.33 as on the proposal already approved on the site.

A condition is suggested to restrict permitted development rights given the size of the dwellings are comparable to one that has already been extended.

Officers of the Local Planning Authority are satisfied that the proposals would not harm neighbouring visual or residential amenity.

#### Impact on the amenities of future occupiers

Given the large existing plot, the size of the proposed units would comply and exceed with London Plan standards.

The proposals would provide adequate amenity space for the 5 new houses.

The proposals include rear terraces at first floor level. Given the presence of existing features on the existing building this is considered acceptable in principle providing that adequate screening is provided and suitably integrated into the design of the proposed buildings. The previously approved application for 4 dwellings also included balconies, and on the current scheme as with the previous one, the proposed balconies are not considered to be excessive in size.

## Accessibility and Sustainability

The application scheme is required by Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) to meet Building Regulation requirement M4(2). The applicant has confirmed that the proposed development would meet this requirement, and a condition is attached in the recommendation to ensure compliance with these Policies.

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 9% CO2 reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a is attached in the recommendation to ensure compliance with the Policy

In terms of water consumption, a condition is attached in the recommendation to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

The proposed development therefore would meet the necessary sustainability and efficiency requirements of the London Plan.

## Whether harm would be caused to highway and pedestrian safety

The proposal is for demolition of existing house and construction of 1 x 5-bedroom new houses and 4x 6 bedroom house. A total of 8 parking spaces will be provided at the forecourt of the properties; however there is allocation for 2 parking spaces per dwelling (totalling 10). The proposal includes 3 new vehicle accesses in addition to the existing crossover which will be retained.

The parking provision is in accordance with the parking standards in London Borough of Barnet's Local Plan.

The site is located within a one hour controlled parking zone (CPZ), has a public transport accessibility level (PTAL) of 2.

For the refused schemed, the Council's Highway Officer considered that:

"Site visits at times of higher residential parking demand, in the evening and early morning, indicate that there is on street parking availability in the residents' parking bays within walking distance from the site.

There are 54 residents bays available at The Park and 33 parking permits are currently issued to residents of this road. In the adjacent Park Avenue there are 41 residents parking bays and 33 permits are currently issued to residents of this road.

Therefore it is not considered appropriate to impose a restriction on permits for residents of the proposed development, as there would be no justification on permits pressure."

If the proposal is implemented it will be necessary to modify the existing crossover and to construct new crossovers. Any new crossovers or amendments to existing crossovers will be subject to detailed survey assessment as part of the application for crossover under the

Highways Act 1980 and would be carried out at the applicant's expense. The applicant should submit a vehicle crossover application to the Highways Authority. Any street furniture affected by the proposal including lamp columns will be relocated at the applicant's expense. There are highways trees in close proximity to the proposed crossovers, therefore the tree section should be consulted, the outcome of this consultation cannot be prejudged.

The proposed crossovers will involve alterations to the existing on street parking bays. Alterations to on street parking bays will be subject to a statutory consultation as part of the crossover assessment. All costs associated with modifications to on street parking bays including consultation will be borne by the applicant.

The applicant has submitted a parking assessment to clarify the concerns regarding the problems with parking. The report concludes that there would not be material difference in parking congestion from the approved scheme compared to the proposed scheme even considering the additional demand from new schools in the vicinity.

One of the reasons for refusal for the 6 house scheme was the loss of existing street parking, by the development. Although the current scheme would result in some loss of parking, it is no different to the application approved and given the compliance with parking standards, it is not considered that the proposal would heighten existing parking pressures to an unacceptable level to warrant refusal of the application and as such it is acceptable.

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

It is noted that consent has previously been given to remove existing trees on site that are subject to Tree Preservation Order and plant replacements. The scheme has been designed in a way to incorporate three of these replacement trees to the front of the site and one to the rear.

An arboricultural impact assessment was previously submitted and assessed by the Councils Tree officer; a letter accompanies the current application by the same Tree Consultant which confirms that the amended scheme would pose no further impact on the existing and proposed replacement trees, than the approved scheme (for 4 dwellings). Tree officers were previously consulted on the proposals and are satisfied with the scheme subject to conditions; officers have reviewed the amendments and are satisfied with the latest scheme again subject to conditions.

#### Whether the proposals would have an acceptable impact on local ecology

To the south is Golders Hill Park which is a site of Metropolitan interest for Nature Conservation.

The existing site is mostly grassed with some tree screening to the boundary to the rear. It is considered that the existing site is of little biodiversity value and therefore it is unlikely that protected species would be harmed as a result of the works.

#### CIL

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail.

The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sqm.

As the proposal would increase in floorspace of sqm, the development is considered to be liable for £37,660.00 of Mayor's CIL and £117,644.57 of Barnet's CIL.

## 5.4 Response to Public Consultation

It is considered that the comments raised by objectors have been addressed in the report 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

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

