

**Location**                                **1 The Ridgeway London NW11 8TD**

**Reference:**                                **16/4084/FUL**

Received: 21st June 2016

Accepted: 21st June 2016

Ward:                                        Childs Hill

Expiry 16th August 2016

Applicant:                                OPULENT PROPERTIES LIMITED

Proposal:                                Demolition of existing dwelling and erection of a two storey detached building including rooms in roofspace and basement level comprising of 9no. self-contained flats. Associated amenity space, landscaping, refuse and cycle storage and basement parking

**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. Highways

The applicant is to enter into a legal agreement under S106 to contribute £3,500 for the alterations to the Traffic Management Order and on-street lining and signing to enable the existing crossover access to be closed and proposed access to be constructed.

#### 4. 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: -

Existing (Received: 18/07/16)

- TR16-PP-101 Rev A

Proposed (Received: 18/07/16).

- TR16-PP-006 Rev B
- TR16-PP-004 Rev B
- TR16-PP-005 Rev B
- TR16-PP-007 Rev B
- TR16-PP-001 Rev B
- TR16-PP-002 Rev B
- TR16-PP-003 Rev B

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

Reason:

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

5 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.

6 No site works or works on this development including demolition or construction work shall commence until a Demolition, Construction and Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13 , CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

7 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)."

8 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).

9 Prior to first occupation, the development hereby approved 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. Such spaces shall be permanently retained thereafter.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

10 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (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).

11 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

12 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).

13 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.

14 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.

15 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages shown on Drawing No. TR16-PP-001 Rev B shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area 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.

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 or doors, other than those expressly authorised by this permission, shall be placed at any time in the flank elevations of either property.

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).

17 Before the building hereby permitted is first occupied the proposed window(s) in the side elevation facing Hodford Road 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) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) 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 temporary tree protection shown on the tree protection plan 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. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees 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 DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015.

19 Before the development commences a drawing showing the details of the gradient for the proposed vehicular ramped access to the basement shall be submitted to and approved by the Local Planning Authority. The gradient shall not exceed 1:10 otherwise the gradient would need to be constructed in accordance with the guidelines in IStructE Design recommendations for multi-storey and underground car parks.

Reason: To ensure highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

20 Before the development commences details of traffic signal controls for ramp access shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

21 Prior to the occupation of the development, a Maintenance Agreement for the operation of the car lifts and the Automated Electronic Access Control Shutter must be submitted to and approval by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

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

Reason:

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

### RECOMMENDATION III:

1 That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 22/11/2016, unless otherwise agreed in writing, the Planning Performance and Business Development Manager Control REFUSE the application under delegated powers for the following reason(s):

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, contrary to policy DM17 of the Development Management Policies DPD and the Planning Obligations SPD.

### Informative(s):

1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals,

focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

- 2 The 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 £24,045.00 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 £92,745.00 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](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 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.

- 4 If the development is carried out it will be necessary for a vehicular crossover to be constructed over the footway by the Highway Authority at the applicant's expense.

You may obtain an estimate for this work from the Crossover Team, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 5 If the development is carried out it will be necessary for the existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Crossover Team, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

## **Officer's Assessment**

### **1. Site Description**

The application site is located at 1 The Ridgeway, NW11 8TD and currently contains a single family dwelling. This site is located close to the junction of The Ridgeway with The Vale, Hodford Road, and Roborough Road. The site is irregularly shaped and is large in comparison with those in the immediately surrounding area. The Ridgeway is predominantly characterised by semi-detached dwellings.

The site is located within an area of special archaeological interest. There are no other specific planning restrictions relating to this site.

### **2. Site History**

No relevant history.

### **3. Proposal**

- Demolition of existing dwelling and erection of a two storey detached building including rooms in roofspace and basement level comprising of 9no. self-contained flats
- Associated amenity space, landscaping, refuse and cycle storage and basement parking

### **4. Public Consultation**

Consultation letters were sent to 51 neighbouring properties.

81 letters of objection have been received (summarised below):

- Harm the character of the area
- Loss of Privacy
- Noise and disturbance from use
- Noise and disturbance from construction works
- Loss of light
- Insufficient refuse storage
- Highways safety
- Insufficient off street parking
- Issue relating to water pressure
- Harm to wildlife
- Issues relating to the comings and goings of lorries during construction
- Issues relating to structural integrity
- Overlooking
- Overshadowing
- Reduce family housing

2 letters of support were also received.

### **5.1 Policy Context**

National Planning Policy Framework:

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 document 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. 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. The Mayor's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

Barnet Local Plan (2012) Policies:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Barnet Core Strategy Policies:- CS NPPF, CS1, CS3, CS4, CS5, CS9, CS12, CS13, CS14 and CS15

Barnet Development Management Policies Document Policies:- DM01, DM02, DM03, DM04, DM08, DM17.

Local Supplementary Planning Documents:

The Council has adopted two supplementary planning documents (SPD's), the Residential Design Guidance SPD (2013) and Sustainable Design and Construction SPD (2013).

## **5.2 Main issues for consideration**

The main issues are considered to be:

- Impact on the character and appearance of the street scene and general locality
- Impact on the amenities of neighbouring occupiers
- Standard of accommodation for future occupiers
- Impact on highway safety
- Impact on trees

## **5.3 Assessment of proposals**

### Impact on the character of the area

#### Policy Context

Local Plan policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The London Plan also contains a number of relevant policies on character, design and landscaping matters. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

In this instance the Council would not object to the principle of flatted development on this site. It is acknowledged that The Ridgeway is predominately characterised by single family dwellings, however, the application site is located within an area which has had similar developments approved, such as Woodstock Road. Furthermore, it is considered that the site is well suited to this type of development given its close proximity to the Golders Green Town Centre and transport hubs.

The proposed siting, design or scale of the proposed structure would not cause harm to the character or appearance of the application site, the street or the wider area. As mentioned previously, the area in the vicinity of the application site is predominately characterised by large, two storey semi-detached dwellings. It is considered that the form or the proposed structure at its principal elevation would not depart from this character significantly. It would be two storeys in height with rooms in the roofspace. Furthermore, the building would incorporate bay windows and the roof form would not be significantly at odds with other buildings in this area.

Although the building would be set back from the front building line and sit behind the rear building line along The Ridgeway, it is not considered that the siting of the proposed building would be detrimental to the character of the street in this instance. This determination is based on the nature of the plot and the existing building. In particular, it is noted that the site is located at the end of the street and is the last building along The Ridgeway. As such, any departure from the established building line will not be detrimental in this instance.

#### Conclusion

In conclusion the proposed building, in terms of scale, siting and external appearance would complement the character of The Ridgeway. It would accord with Policy CS5 of Barnet's Local Plan (Core Strategy) Development Plan Document (2012) (CS), Policy DM01 of Barnet's Local Plan (Development Management Policies) Development Plan

Document (2012) (DMP) and the thrust of Barnet London Borough Local Plan Supplementary Planning Document: Residential Design Guidance (2013). These, together, seek to protect and enhance Barnet's character to create high quality places.

### Impact on neighbouring amenity

#### Noise and disturbance

In terms of use of the site as flatted development, it is considered unlikely that general noise and disturbance resulting from 9 additional households would be such that it would disturb adjoining occupiers. It is noted that the site would be set back from the adjoining dwellings located to the east and west of the application site on account of the large size of the plot.

#### Overlooking and loss of privacy

Windows located within the side elevations of the building above ground floor level will be obscure glazed (secured through condition) in order to avoid potential overlooking and a loss of privacy. It is also noted that the building would not incorporate any intrusive balconies or terrace features at the rear or side elevations.

#### Daylight, sunlight, Outlook and overshadowing

Rear Gardens of Hodford Road:

With regard to light and overshadowing, the rear gardens serving these properties are north facing and therefore unlikely to be affected thus preserving the living conditions of existing users.

To safeguard outlook from neighbouring rear facing gardens and windows the applicant made several changes to the buildings silhouette during pre-application discussions. The two storey element towards the rear was set in from the boundary by 2.5m and, as a result, would not be significantly dissimilar from the existing side elevation.

3 The Ridgeway:

When designing the proposed scheme care was taken to match the neighbours building line (close to this boundary) leading to the two storey addition being set away from the boundary by over 2m. As result, there are unlikely to be any issues relating to loss of light, outlook or overshadowing.

#### Impact on future amenity

Local Plan policies require high quality design in all new development that creates attractive places which are welcoming, accessible and inviting. Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that development will be expected to meet in relation to a number of matters, including the internal floorspace of new dwellings and outdoor amenity space. Policy DM04 states that buildings should be designed to minimise exposure to air pollutants. The same policy states that proposals to locate noise sensitive development in areas with high levels of noise will not normally be permitted and also that the mitigation of any noise impacts will be expected where appropriate.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new residential accommodation. These include requirements to provide high quality indoor and outdoor spaces and seek accommodation which has an appropriate layout and meets the needs of its occupiers over their lifetime.

The council has adopted SPD's (entitled Sustainable Design and Construction and Residential Design Guidance) providing more detailed guidance on a range of matters related to creating new residential accommodation that has adequate amenities for its future occupiers. The Mayor has also adopted SPG's (entitled Housing) providing detailed guidance on issue related to designing new residential accommodation to achieve acceptable amenities for its future occupiers.

### Dwelling size

The following units are proposed:

#### Ground Floor

Flat 1 2b3p	88.00 m <sup>2</sup>	Shared garden	257 m <sup>2</sup>
Flat 2 2b3p	86.00 m <sup>2</sup>	Shared garden	257 m <sup>2</sup>
Flat 3 2b4p	93.00 m <sup>2</sup>	Private Garden	54.6 m <sup>2</sup>
Flat 4 2b4p	94.00 m <sup>2</sup>	Private Garden	54.6 m <sup>2</sup>

#### First Floor

Flat 5 2b4p	90.00 m <sup>2</sup>	Shared garden	257 m <sup>2</sup>
Flat 6 2b4p	92.00 m <sup>2</sup>	Shared garden	257 m <sup>2</sup>
Flat 7 2b4p	98.00 m <sup>2</sup>	Shared garden	257 m <sup>2</sup>

#### Second Floor

Flat 8 2b3p	69.00 m <sup>2</sup>	Shared garden	257 m <sup>2</sup>
Flat 9 2b4p	116.00 m <sup>2</sup>	Shared garden	257 m <sup>2</sup>

All 9 flats would exceed the relevant minimum unit sizes as set out in the London Plan 2016.

### Density

With regard to the London Plan 2016 and the Density Matrix found in Table 3.2, it is considered that the site can be defined as 'suburban' according to the London Plan definition and has a PTAL score of 6a. The site is approximately 0.0945 hectares in size and the development includes 9 self-contained flats. Calculations show that the proposed scheme's density is approximately 95.24 units per hectare, and this is within the density range for its context and the guidelines in the London Plan (70-130u/ha). All matters considered, the density of the development is considered to be appropriate for the area and therefore the Council has no objections on this matter.

### External amenity space provision

The design, quality and size of the private outdoor amenity space and communal garden are considered to be such that they would provide sufficient external amenity space to meet the requirements of Barnet guidance for the flats proposed. The proposal is therefore considered to be acceptable in this regard.

### Dwelling layout and outlook

Officers find that the proposed dwellings are reasonably proportioned, with rooms that are not excessively deep or narrow. It is also accepted that the design approach proposed makes adequate efforts to maximise the number of dual aspect dwellings within the constraints of this site.

Development plan policy requires that new dwellings are provided with adequate outlook. The design approach proposed maximizes the outlook of occupiers of the new dwellings, while also taking account of the need to prevent unacceptable levels of overlooking at neighbouring properties. An example of a way in which this is achieved is the careful siting an orientation of windows in the proposed buildings. It is considered that each of the dwellings proposed in this instance has an acceptable outlook.

### Daylight and sunlight

While slight concerns are raised over light to the basement bedrooms (Flats 1 and 2), as they are south facing and would not serve as the main living area, the living conditions of future occupiers would be unaffected.

### Privacy and overlooking

The distance between directly facing clear glazed windows to habitable rooms in the proposed dwellings would be less than 21m. There are also no rear facing balconies so as to reduce overlooking or privacy. Similarly the distance from a clear glazed habitable room window to a directly facing private external amenity area (balcony, terrace or rear garden) within the development would not be less than 10.5m in the majority of cases.

For the reasons set out above the proposal is considered to comply with the requirement (as set out in the Barnet Residential Design Guidance SPD) that in new residential development there should be a minimum distance of about 21m between properties with facing windows to habitable rooms and 10.5m to a neighbouring garden, subject to the conditions recommended. It is considered that the design and layout of the windows, doors and external amenity areas in the proposal are such that the new residential units would all be provided with an adequate level of privacy and not suffer unacceptable overlooking. The proposal is therefore found to be acceptable in this regard.

### Parking

Barnet's Highways officers made the following comments:

The ramp access to the basement parking is not wide enough for two-way flow and therefore will require traffic signal control. The existing crossover will need to be reinstated back to a footway and a new crossover constructed. Modifications are required to the existing parking controls that will require amendments to the Traffic Management Order and lining and signing works that will require a S106 agreement



The number of off street parking spaces would meet Barnet's requirements (Policy DM17 Development Management Policies DPD 2012) and there is no highway objection to this application subject to a legal agreement being signed.

### Trees

There are 9no trees which have been categorised within the site. 6no trees are categorised as C and 3no as B.

3 Category C trees have been identified for removal to facilitate this development, but due to their relatively low amenity value or poor condition they are not worthy of influencing any layout. Their importance within the overall planning context is limited and their loss should not influence the determination of this planning application. More specifically, the following points are pertinent:

There is however one category B tree which is considered important on site, as it has a high potential to contribute to amenity and is under the control of a third party so any adverse effects upon it should be minimised. Although outside the identified RPA, excavation for the newly proposed structure is in proximity to this tree. Furthermore, construction activity, including post development landscaping will be undertaken within the RPA. The submitted Impact assessment states that this may be retained successfully if appropriate protective measures are correctly specified and implemented (in accordance with the attached conditions).

### Impact on infrastructure

The scheme would be liable to make a contribution under both the Barnet and Mayoral Community Infrastructure Levy schemes. These contributions are considered to adequately address any infrastructure requirements arising from the scheme.

## **5.4 Response to Public Consultation**

Harm the character of the area: Addressed in 'assessment of proposals'.

Loss of Privacy: Addressed in 'assessment of proposals'.

Noise and disturbance from use: Addressed in 'assessment of proposals'.

Noise and disturbance from construction works: A certain degree of noise and disturbance is to be expected from any construction works. A condition has however been included which would require a Construction Management Plan to be submitted and agreed by the local authority prior to works commencing on site, where such concerns would be addressed.

Loss of light: Addressed in 'assessment of proposals'.

Insufficient refuse storage: The refuse storage would be site towards the front of the property, obscured by soft landscaping. Both of these elements would be secured through condition.

Highways safety: Addressed in 'assessment of proposals'.

Insufficient off street parking: Addressed in 'assessment of proposals'.

Issue relating to water pressure: Such concerns would be addressed through building control which is separate to and independent of the planning process.

Harm to wildlife: Much of the existing rear garden would be retained and a landscaping condition has been attached to preserve and enhance wildlife on site.

Issues relating to the comings and goings of lorries during construction: A certain degree of noise and disturbance is to be expected from any construction works. A condition has however been included which would require a Construction Management Plan to be agreed with the local authority prior to works commencing on site, where such concerns would be addressed.

Issues relating to structural integrity: Such concerns would be addressed through the building control process which would be in addition to obtaining planning permission.

Overlooking: Addressed in 'assessment of proposals'.

Overshadowing: Addressed in 'assessment of proposals'.

Reduce family housing: The loss of the family housing is compensated for by the creation of 9 additional units for which there is great demand in Barnet.

## **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 application is recommended for APPROVAL.

