

Location **Land Rear Of 123-131 East End Road London N2 0SZ**

Reference: **16/2025/FUL** Received: 29th March 2016
Accepted: 12th April 2016

Ward: East Finchley Expiry 7th June 2016

Applicant: Neil Burges

Proposal: Erection of 3no two storey dwellinghouses with associated amenity space,
refuse storage and provision of 5no parking spaces

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: -

Proposed (Received: 09/09/16).

- 1978-P01
- 1978-P02 Rev A
- 1978-P03 Rev A

Reports:

Daylight Sunlight Study (dated: January 2016)
Tree Impact Assessment (dated: July 2016)

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 policies 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. 1978-P01 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 rear facing windows above ground floor level facing Sedgemere Avenue shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the 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 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 E 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).

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.

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 £10,080.00 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 £38,880.00 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.

- 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 is a triangular plot situated to the rear of properties along East End Road and Sedgemere Avenue. To its East the site borders Sherwood Hall, a group of four, three storey blocks set within a small estate. The site contains a number of garages and was historically used for commercial purposes. At the time of the site visit it was clear that the site had been vacant for some time, with the remaining garages in very poor state of repair and much of the site overgrown.

2. Site History

Application: C02818E/06

Address: Land Rear Of 123-131 East End Road N2

Dated: 10.10.2006

Decision: Refused

Description: Proposed residential building with three storeys and roof space including dormer windows accommodating 8 flats, each of 3 habitable rooms (Outline Application).

Reasons for refusal:

1) The proposed development would, by reason of its location, size, height and siting be a visually obtrusive form of development which would detract from the character and appearance of the existing area and have an adverse and visually obtrusive impact on the amenity of the occupiers of the adjoining dwellings and is considered an overdevelopment of the site

2) The proposed development does not include a formal undertaking to meet the costs of extra education places and community benefit arising as a result of the development

3. Proposal

- Erection of 3no two storey dwellinghouses
- Associated amenity space, refuse storage and provision of 5no parking spaces

4. Public Consultation

Consultation letters were sent to 153 neighbouring properties.

17 letters have been received.

The objections raised are as follows:

- Out of character with the area
- Loss of outlook
- Loss of trees
- Highway safety
- Overbearing
- Harm wildlife
- Lack of off street parking
- Loss of light

- Odours from refuse storage
- Overlooking/loss of privacy
- Noise and disturbance from use
- Noise and disturbance from construction works
- No reference to the proposed materials

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:

- Whether the principle of the development is acceptable
- 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

Principle of the development is acceptable

Development Management Policy DM01 (Protecting Barnet's character and amenity) states that development proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. In order to protect character Policy DM01 requires development to demonstrate a good understanding of the local characteristics of an area. Proposals which are out of keeping with the character of an area will be refused.

The site is occupied by garges/ storage buildings and as such is classified as brownfield land. It's redevelopment is in principle considered acceptable.

Due to the residential nature of the surrounding properties, the principle of providing residential accommodation on the site is not objectionable. Furthermore, because of the state of disrepair of the site, the loss of the existing storage garages would also not be objected to.

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.

During pre-application discussion planners raised concerns over the proposed bulk and massing and in response, the applicant has made a number of major revisions to successfully address these issues.

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 1b. The site is approximately 0.0484 hectares in size and the development includes 3 houses. Calculations show that the proposed scheme's density is approximately 62 units per hectare, and this is within the density range for its context and the guidelines in the London Plan (35-75u/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.

Scale, Bulk, height and massing

Due to the site's unique location and proximity to neighbouring properties great care was taken during pre-application discussions to limit the proposed bulk and massing, achieved in the following ways:

- The number of proposed houses was reduced from 5 to 3
- The overall height of each house was reduced from two stories (with rooms within the roof slope) to single storey (with rooms located within the roof slope).
- The net ground floor footprint was reduced by over 30%
- The spacing between each house was increased
- Each house was set further away from the neighbouring boundaries

Whilst it is acknowledged that the proposed building would be larger in terms of bulk and massing than the existing dilapidated single storey outbuildings, there are site specific circumstances which render this acceptable. Most importantly the three houses are set back from the street by over 20m and, given the relatively narrow entrance, the houses would be slightly obscured from public view. In addition, the site is surrounded by a mixture of 2 and 3 storey buildings which exceed both the bulk and massing of the proposed houses.

Design

Several objections have been received regarding the limited details relating to materials within the submitted plans and supporting documents. The application form does however state that the principle material's will be a mixture of brick and weather board. These materials would fit in with the character of the area and specific details will be secured through condition.

In terms of design the proposed double ended gable front projections coupled with a high proportion of glazing does slightly depart from the more traditional architectural features surrounding the application site. However, this is not considered an issue because the site is not located within a conservation area and some evolution of the areas character is to be expected. Moreover, the site is not seen as part of the established streetscene.

Conclusion

In conclusion the proposed buildings, in terms of scale, siting and external appearance would preserve the character of the area. 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

The previous application for a three storey block of flats (C02818E/06) was refused for a number of reasons but the following excerpt from the officers delegated report relates to the impact on to neighbours:

A building of [three storeys] in this location would be overbearing and obtrusive. The site is a small site surrounded by residential developments and it is considered that the proposed development would have a detrimental impact on their amenity."

As described above, the bulk and massing of the revised scheme has been considerably reduced so as to address these issues in the following ways:

Noise and disturbance

In terms of use of the site's use as houses, it is considered unlikely that general noise and disturbance resulting from 3 additional households would be such that it would disturb adjoining occupiers.

Overlooking and loss of privacy

During the pre-application stage case officers were given the opportunity to speak to several neighbours whose main concerns related to overlooking and a loss of privacy. Given the application site is surrounded on all sides by the rear gardens of neighbouring properties such issues were carefully considered and formed the basis of the current design/layout.

In response all the windows located in the rear elevations above ground floor level (facing Sedgemere Avenue) would be obscure glazed and permanently fixed shut as the rooms within are not habitable.

In addition, the distance between directly facing clear glazed windows to habitable rooms in the proposed building would be more than 21m. 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 (see annotated plan no. 1978-P02 Rev A).

Daylight, sunlight and overshadowing

The submission is accompanied by a daylight sunlight study which assesses the potential impact to the following properties:

- 127 to 131a East End Road
- 3 to 17 Sedgemere Avenue
- 31 to 36 & 12 to 24a Sherwood Hall

The report finds that all neighbouring windows pass the BRE diffuse daylight and direct sunlight tests. The development also satisfies the BRE overshadowing to gardens and open spaces requirements. Bearing these points in mind the scheme is found to be acceptable in this regard.

Outlook and visual impact

Sedgmere Avenue:

The proposed rear elevations have been set away from these neighbouring boundaries by a distance of 4-9m. The proposed roofs would also slope away from these gardens to further reduce any impact. The distance and design mean the proposed houses would not appear overbearing or lead to a loss of outlook for these neighbouring occupiers.

East End Road:

The flank wall of the first house (closest to East End Road) would be sited approximately 4m from the rear of these gardens. Bearing in mind the distance separating the two and given only one side elevation would be visible, the proposed relationship is not such that it would affect the living conditions of any users of these spaces.

Sherwood Hall:

The proposed front elevations are set away from these neighbouring boundaries by over 10m which is sufficient distance so as to prevent the living conditions of these occupiers being affected.

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.

Internal space provision

House 1	108 m ²
House 2	108 m ²

House 3

108 m2

All three houses would exceed the minimum unit sizes as set out in the London Plan (2016).

External amenity space provision

Three houses have been provided with individual private gardens which exceed Barnet's requirements (Table 2.3 Sustainable Design and Construction SPD 2013).

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

All habitable rooms would meet Barnet's 20% glazing requirement suggesting the rooms within would benefit from sufficient light.

Parking

Plan no. 1978-P02 Rev A shows 5 off street parking spaces which would meet the requirements of Policy DM17 of Barnet's Development Management Policies (2012).

Trees

The applicant has submitted a tree impact assessment and tree protection plan identifying the loss of five trees on site. Barnet's tree officers have reviewed the document and agree that these trees offer little in terms of amenity value and no objections are raised regarding their loss.

The report goes to point out that part of the third house (furthest from East End Road) is within the root protection area of trees T10, T11, T12 but subject to the correct tree protection measures being implemented (see conditions attached)no specific issues are raised.

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

Out of character with the area: Addressed in 'assessment of proposals'.

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

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

Highway safety: The proposed scheme does not raise any issues relating to highways safety.

Overbearing: Addressed in 'assessment of proposals'.

Harm wildlife: The application site includes a number of disused outbuildings and a number of trees. The loss of the trees has been assessed above but the proposed changes are not considered to harm any wildlife in this area to such an extent that would justify refusal of the application on these grounds alone.

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

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

Odours from refuse storage: A condition relating to refuse has been attached where the siting of the proposed refuse will be confirmed and located a sufficient distance from neighbouring occupiers to address these concerns.

Overlooking/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 but the level of the proposed works are not such that they would warrant refusal of the application on these grounds alone.

No reference to the proposed materials: Addressed in 'assessment of proposals'.

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.

