

Location **8 Poynings Way And Land Adj 8 Poynings Way London N12 7LP**

Reference: **16/3949/FUL** Received: 15th June 2016
Accepted: 24th June 2016
Ward: Totteridge Expiry 19th August 2016

Applicant: IDream Property Uk Ltd

Proposal: Erection of a new two-storey dwelling house with rooms in roof space and basement level. Alterations and extension to the existing dwelling including an increase in ridge height, rear dormer window and 1no roof lights to both sides. Part single, part two-storey rear extension

Recommendation: Approve subject to conditions

- 1 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.

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

Planning Statement (Savills); Design and Access Statement (Scenario); Structural Survey (Scenario); Lighting Assessment (Right of Light C Consulting);

A1.00_EX; A1.02_EX; A1.03_EX; A1.04_EX; A2.01_EX; A2.02_EX; A2.03_EX; A2.04_EX; A2.05_EX; A2.06_EX; A3.01_EX; A4.01_EX; A2.02_EX; A4.03_EX; Site location plan; block plan A1.01_PR rev C; A1.02_PR rev C; A1.03_PR rev C; A1.04_PR rev C; A1.05_PR rev C; A2.01_PR rev C; A2.02_PR rev C; A2.03_PR rev C; A2.04_PR rev C; A2.05_PR rev C; A2.06_PR rev C; A2.07_PR rev C; A2.08_PR rev C; A2.09_PR rev C; A2.10_PR rev C; A3.01_PR rev C; A3.03_PR rev C; A4.01_PR rev C; A4.02_PR rev C; A5.01_PR rev C;

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).

- 3 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced

areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

4 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.

5 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 the Classes of Part 1, of Schedule of that Order shall be carried out within the area 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).

6 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).

7 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).

- 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 6% 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 a) No development shall take place until a scheme of hard and soft landscaping to the front forecourt and rear garden area, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, has been submitted to and agreed in writing by the Local Planning Authority.
- 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.

- 10 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).

- 11 Before the development hereby permitted is first occupied turning the parking spaces shall be provided and marked out within the front forecourt of the property 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.

- 12 a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

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

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

- 13 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).

- 14 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.

- 15 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.

- 16 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.

- 17 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.

- 18 Notwithstanding the Structural Survey submitted and approved within this planning permission, a Basement Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in accordance with this approved detail.

Reason: To ensure that the proposed development is carried out in a manner to protect the residential amenity of adjoining existing occupiers and to ensure that the proposed development can be implemented in accordance with the approved plans in accordance with policy DM01 and DM04 of the Adopted Local Plan Development Management Policies DPD (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 and the Applicant engaged with this prior to the submissions of this application. 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 £17255 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 £66555 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.

- 4 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 5 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.
- 6 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 7 The applicant is advised that legal changes under The Water Industry (Scheme for the Adoption of Private Sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes, we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over/near-to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit www.thameswater.co.uk.

- 8 The applicant is advised that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of a public sewer. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

- 9 The applicant is advised that it is their responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0800 009 3921. The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.

Officer's Assessment

1. Site Description

The site is located on the southern side of Poynings Way at the far western end of the cul-de-sac. Poynings Way is accessed from Walmington Fold. It is one of three similar streets including Saddlescombe Way to the north and Steynings Way to the south. Poynings Way runs uphill from its junction to Walmington Fold, while the land level falls away from north to south. The street is located in a residential area, although there is a local retail parade at the junction of Walmington Fold and Lullington Garth.

The site consists of a detached dwelling within a very large garden to the side and rear of the property. There is a substantial gap between 6 Poynings Way and the only property on the site at 8 Poynings Way although part of this site is occupied by a large garage. Residential properties within the street are predominantly large detached dwellings however at the western end of each cul-de-sac, the plots and the dwellings within them become larger and more spacious as they wrap around the turning circle.

The site as well as the forecourt parking is accessed from the turning circle and because of the deviation in the building line at this point, the rear elevation of the property on the site diverges away from the flank elevation of 9 Poynings Way.

The site is not located in a conservation area and the site is not located within the setting of any listed or locally listed buildings. There are no Tree Preservation Orders in effect on or adjoining the site.

2. Site History

Reference: N05640

Address: 8 Poynings Way

Decision: Approved with conditions

Decision Date: 2 December 1977

Description: Single storey front and side extension.

3. Proposal

Planning permission is sought for the demolition of all outbuildings and the erection of a new detached two storey dwelling house with additional basement and roof accommodation adjacent to 6 Poynings Way and the erection of a two storey rear extension to the existing property at 8 Poynings Way. The scheme would result in a new 5 bedroom dwelling house and a larger four bedroom dwelling house within the existing site. The scheme proposes that three car parking spaces would be accommodated within the front forecourt within a shared space insofar as there would not be any division between the properties at the front of the site.

The initial planning application proposed that the new dwelling and the extension to the original property would be predominantly constructed in grey brick with some white render. However, the scheme has been subsequently amended to revert to red brick and white render. The street facing corners of the development would feature wrap around glazing which would be overlaid with solid grey louvres.

The new dwelling would feature a substantial basement area which would have the potential to be accessed separately from the exterior. The new dwelling would also have

roof level accommodation. The proposed dwelling would have a depth of 12.2m adjacent to 6 Poynings Way and a depth of 15m adjacent to the existing dwelling. The property would have a frontage width of 7.5m and a maximum width of 12.4m. There would be a single storey rear projection at the rear of 3.11m depth and 7.9m in width. The ground to ridge height would be 8.56m with total basement level to ridge height of approximately 12.6m. There would be a basement excavation adjacent to 6 Poynings Way. The property would have a rear dormer and a part single storey and part two storey rear extension. There would be a well recessed and shallow depth two storey side extension with a hipped roof. The basement would be alongside the boundary with 6 Poynings Way but 2.0m away from it. It would have a depth of 6.8m and a width of 3.9m. This has been amended through the lifetime of the application to ensure that the impact is reduced to 6 Poynings Way.

The existing dwelling would be extended in its entirety insofar as the existing rear elevation would be extended over both floors. The building would be extended by 4.0m along the boundary. The extension would then set in by a further metre at this point before projecting by a further 0.7m. The extension would have a maximum width of 8.94m. Due to the curvature of the road, the flank elevations diverge and at the rear of 9 Poynings Way, the flank elevation would be 3.5m apart. The projection of the extension would be approximately 3.5m beyond the rear of 9 Poynings Way.

Each property would have 220sq.m of rear garden space which would significantly exceed the requirements set out in both the London Plan and the London Borough of Barnet supplementary planning guidance notes.

4. Public Consultation

Consultation letters were sent to 42 neighbouring properties.

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

The objections received can be summarised as follows:

- The proposed development would appear to be an overdevelopment of the site.
- Sunlight to the neighbouring properties would be significantly reduced.
- The greatest loss of VSC would be 60%.
- The survey also ignores the effect that the proposed development would have on upper floor windows.
- The proposed development would increase the overlooking into the garden.
- The proposal to use grey brick would not be in keeping with the current streetcene.
- Inadequate car parking provided with overpill onto Poynings Way.
- The proposal could potentially aggravate the existing problem of the accumulation of water within the soil.
- The proposed development would detract from the residential amenity and character of the neighbourhood.
- The supporting documents refer to the architectural style and character in the area as limited and unremarkable.
- There is potential for the properties to generate a parking demand for up to three or four cars per dwelling.
- Overspill parking on the street would be obstructive and the minimal width of the street would cause congestion.
- The scheme would result in the loss of trees.
- The proposed development is excessive in density, size and built form.

- Digging a basement could unnecessarily subject other houses on the road to structural complications and this should be avoided at all costs by removing the basement from the scheme.
- The proposed properties should not be developed as properties in multiple occupation.
- Site edge planting acting as natural screening should be sufficiently robust but should also not reduce the space available for off street car parking.
- The number of levels within a proposed development is unusual in this area. The scheme is over development.
- The construction of the dwelling in close proximity to adjoining dwellings would affect the structural integrity of adjoining buildings.
- Fencing to the rear should be raised to ensure the protection of amenity to the rear.

There have also been five speaking requests for Committee.

Irrespective of the number of objections to the planning application, the application has been called into Committee by Councillor Caroline Stock.

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 2015

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

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 neighbouring residents.

5.3 Assessment of proposals

Land use

Planning permission is sought for the erection of a new dwelling on garden land between 6 and 8 Poynings Way and the extension of the existing dwelling at 8 Poynings Way.

The National Planning Policy Framework (NPPF) encourages the provision of more housing and states that applications should be considered in the context of the presumption in favour of sustainable development. Local Planning Authorities should encourage the effective use of land by re-using land that has been previously developed provided that it is not of high environmental value.

Policy 3.4 of The London Plan (2011) promotes the optimisation of housing output within different types of location. Policy 3.8 of the London Plan also encourages the Council to provide a range of housing choices in order to take account of the various different groups who required different types of housing. Consideration will also be given to the accessibility of the site to services and amenities. Having regard to the London Plan (2011) and the Council's policies and guidelines, it is considered that the proposal would provide an increase in housing stock within the Borough.

The application site is located within an existing residential area, where Policy DM01 directs new development to. The principle of residential development is therefore acceptable in terms of criteria set out in Policy DM01 subject to an assessment of the scheme against policies and the parameters governing residential development.

Design, character and appearance of the proposed development on the surrounding area

The NPPF attaches great importance to the design of the built environment, stating that, 'good design is a key aspect of sustainable development and should contribute positively to making better places better for people'.

It stresses the need to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings and smaller developments like the proposed development. While it states that local authorities should not impose architectural styles or particular tastes, it reinforces that it is also important to consider local character and distinctiveness. In addition, it states that 'permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way that it functions.

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.

These objectives are broadly consistent with a core principle of the NPPF that planning should seek to secure high quality design.

Poynings Way is a small cul-de-sac which is largely representative of the character of the wider area in which the site is located. The site is located close to the upper end of the street. The street as a whole consists of large properties within large gardens. At the upper end of the road, the properties are set in more spacious plots with wider frontages. However, atypical for the area which consists of three similar culs-de-sac, Poynings Way features a gap between properties, which in this case accommodates a garage and garden area. Taking into account the removal of the garage, the distance between 6 and 8 Poynings Way is over 12m which is sufficient distance on the site frontage to accommodate a dwelling. The infilling of this original gap between properties with a detached dwelling house would be acceptable. The new dwelling would reflect the proportions and spacing between units that currently exist within Poynings Way. Streetscene analysis provided with the application demonstrate that the development would permit gaps between properties to reflect the detached dwelling character in the street and would retain a roof form and massing consistent with the street.

The new dwelling would feature a two storey bay window projection to the front elevation. It would be constructed from red brick with a white rendered two storey side element wrapping around the rear elevation and set back a considerable distance from the front elevation which would respond to the material palette in the street. Timber louvers would be installed over some non habitable room windows on the front and side elevation which would not detract from the character or appearance of the streetscene.

At the rear of the site the white rendered, two storey extension would contrast with the red brick. The fenestration style and pattern of the rear extension would also present as a contrast. However, it is considered that this would not harm the character and appearance of either building or the wider area.

The dwelling proposes a basement construction under part of the proposed footprint. This will have a visual manifestation towards the rear with a sunken patio accessed by way of a staircase from the rear garden of this property. The Adopted Supplementary Planning Document: Residential Design Guidance provides direction in relation to basements. For new residential development, basements should generally be limited to the proposed footprint and volume of the house or buildings. Although the Design Guidance seeks to resist sunken terraces or open lightwells, it is considered that as the basement will not be visible from the street, would not harm the character of the area and would not be situated within a Conservation Area and the harm that would arise would not be significant as to warrant the refusal of planning permission in this case.

In respect of the original dwelling, the application proposes an extension of the building. This would incorporate a wholesale projection rearwards of the existing rear elevation as well as a short single storey rear extension. The projection would be approximately 4.1m at the first floor level and 4.75m at the ground floor level. This is in excess of the standards

set out in the SPD, however, it is considered that given the comprehensive extension form which largely retains the appearance of the existing dwelling and the lack of harm to neighbouring residential amenity, it is considered that the proposed development would be acceptable.

Notwithstanding the above, in order to prevent the dwelling from being substantially extended to the detriment of the area or adjoining dwellings (existing and proposed) it would be reasonable to impose a condition on any planning permission removing permitted development rights relating to Class A (extensions), Class B (roof extensions) and Class E (outbuildings) so that an assessment can be made on any further or future additions to the properties. In addition, in order to ensure that the proposed dwellings would be of a suitable appearance, in keeping with the surrounding area, a condition requiring that sample materials of the external finishes be submitted to and be agreed by the Council prior to any works may be imposed to help ensure that the proposed development would assimilate into the site and its surrounding era.

In terms of design and siting, the development is considered to be of a scale, size, bulk and design that is in keeping with the character and appearance of the adjoining dwellings and within the context of the architectural design and visual appearance of the surrounding area and is not considered to result in any additional or harmful impact on the character and appearance of Poynings Way.

Taking all of the above into account, it is considered that the proposed dwellinghouse and the extension to the existing dwelling house at 8 Poynings Way are in proportion and character with the adjoining and nearby properties and would respect and relate to the spacing and character of the surrounding area. Accordingly, the proposed development, on balance, complies with Policy DM01 and DM02 of the Development Management DPD, policy CS5 of the Barnet Core Strategy and the Supplementary Planning Document: Residential Design Guide (2013).

Impact on the amenity of adjoining properties and the form of accommodation on the future occupiers of the dwelling

The National Planning Policy Framework states, 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'.

Objections were principally received in connection with the impact of the proposed development on existing occupier amenity particularly to 6 and 9 Poynings Way.

In respect of daylight and sunlight, the applicants have submitted an assessment of relevant windows in all neighbouring properties which has determined that in accordance with the guidelines set out in the Building Research Establishment (BRE) Guidelines for Sunlight and Daylight in site layout and planning, there would be no perceptible impact on the amenity of neighbours in this regard.

In respect of privacy, the application does not propose any windows in the flank elevations of either property which would compromise existing levels of privacy. Furthermore, the proposed development would respond to the turn in the road. As such, the building line would create properties that diverge away from each other and also from the neighbouring properties. As such, the overlooking impact into neighbouring gardens would be minimised as much as possible.

In respect of outlook and possible sense of enclosure, the proposed dwelling adjacent to 6 Poynings Way has been amended during the lifetime of the application process and as a result, the extension does not project more than 4.0m beyond the rear elevation of this property. Taking into account the separation between properties at 4.5m, it is considered that the impact of the proposed development on the amenity of 6 Poynings Way would be acceptable, insofar as the proposal would be in accordance with the SPD. For 9 Poynings Way, the proposed dwelling would not run parallel with this property and its rear elevation would be angled away from the boundary with 9 Poynings Way. The proposed development would terminate at a point 4.5m beyond the rear of 9 Poynings Way. However, given the orientation, the impact would be much less. The room that the window serves is a large, generally open plan space with a number of openings within it. As such, it is considered that the impact would be less perceptible at this point.

The new dwelling adjacent to 6 Poynings Way would be constructed with a basement which would open up to a sunken terrace. This has been moved away from the boundary with 6 Poynings Way and would be smaller. The staircases adjoining the boundary have either been removed or relocated and such, the noise impact would be lessened. Ultimately, the sunken patio would be used as a garden just as the rest of the rear garden of the property, however, concern has been raised about the relationship between the patio and the boundary and land at 6 Poynings Way and whether there would be any harm to the stability of the land at this point and the implications for trees and other planting along the boundary.

For the reasons outlined above, the proposal is considered to have a satisfactory relationship to the adjoining properties subject to the attachment of appropriate conditions and is in accordance with the relevant policies outlined above.

Highways, parking and access

The site is located at the end of a cul-de-sac in a quiet predominantly residential area. The street is very narrow in width which therefore discourages on street parking to avoid blocking other vehicles and pedestrians. All properties therefore have front forecourt parking. The circle at the end of the street is for the purposes of turning for vehicles to go back down the street towards Walmington Fold.

The site is located within 400m of the nearest bus stops on Argyle Road and Chanctonbury Way. Both Woodside Park and West Finchley Stations are situated within 1km of the site. This is reflected by a low PTAL rating of just 1b. Therefore there is an expectation that the site would experience high car ownership and high car usage.

Policy DM17 sets out the parking standards for new dwellings and given that the proposal seeks to provide an additional four (possibly five) bedroom property in addition to the existing four bedroom property, the policy implication is that each property should be provided with the capacity to provide for two bedrooms per unit. The scheme layout has been designed to provide for four formal car parking spaces which would therefore allow the development to accord with this standard although it is possible to accommodate a fifth smaller car within this site without unduly blocking the other property. It is therefore considered that the scheme would accord with this standard. It is acknowledged however, that there would be occasions where the proposed parking demand may exceed the capacity for the site and that there would be overspill parking. Overspill parking would be difficult to achieve within Poynings Way and as a result, it is likely to occur on Walmington Fold where on street capacity exists to a wider extent.

Given the street's narrow width, it is acknowledged that construction may present a particular challenge with respect to delivery of materials and plant. It is highly recommended that a condition is placed on the planning permission which seeks to secure (prior to commencement) a highways logistics plan for the construction phase in addition to a construction method statement to ensure that these works do not have long term impacts on the ability of other residents and visitors to use this street.

Access on to the site for future occupiers has also been carefully considered on the basis that the forecourt is a shared area and any physical division of this space to reflect ownership would render the space impractical for car parking use. In order to ensure that the crossover widths and layouts are acceptable for Barnet Highways it would be possible to utilise the existing crossover to the front of 8 Poynings Way. Vehicles would have to reverse out on to Poynings Way to be able to leave, however, given that this is a cul-de-sac, it is considered that there would not be any danger to other drivers. The front of the site currently consists of trees and other planting and much of this will need to be removed to allow for the parking to be accommodated.

Sustainability

The proposed development has been designed to reduce water consumption to under 96 litres per person which is below the required standard and therefore acceptable. The proposal will also seek to make reductions to Co2 emissions below the 2010 Building Regulations standard.

Accessibility

The submitted design and access statement indicates that the proposed development would satisfy the mandatory requirement to provide residential accommodation satisfying standard M4(2) of the Building Regulations.

Flood risk and ground conditions

Various objectors have advised the Council through their written and verbal objections of the failure of existing rear gardens in Poynings Way and Steynings Way to facilitate natural permeability of groundwater particularly during the summer. Residents have advised that standing water exists from October to April every year. This gives rise to the concern that the proposed development would exacerbate this localised and unique effect, particularly as the proposal would require excavation of part of the site to form a basement. Furthermore, residents are concerned that the proposed construction of a dwelling, including its basement would harm ground stability and ground conditions around the site.

This impact is acknowledged, however it is unclear what the cause or reason for this effect, although the gradient of the slope may be facilitating natural drainage towards Dollis Brook which is situated to the east of Walmington Fold.

In respect of the Basement and its impact on local stability, the proposed development is supported by a Structural Survey which demonstrates (in accordance with relevant standards) that the measures undertaken will secure appropriate protection for both neighbouring dwellings and the application property. This application will be conditioned to ensure that it is constructed and implemented in accordance with the measures and recommendations set out there in.

5.4 Response to Public Consultation

The matters raised within the public consultation exercise have been addressed in the body of the report above.

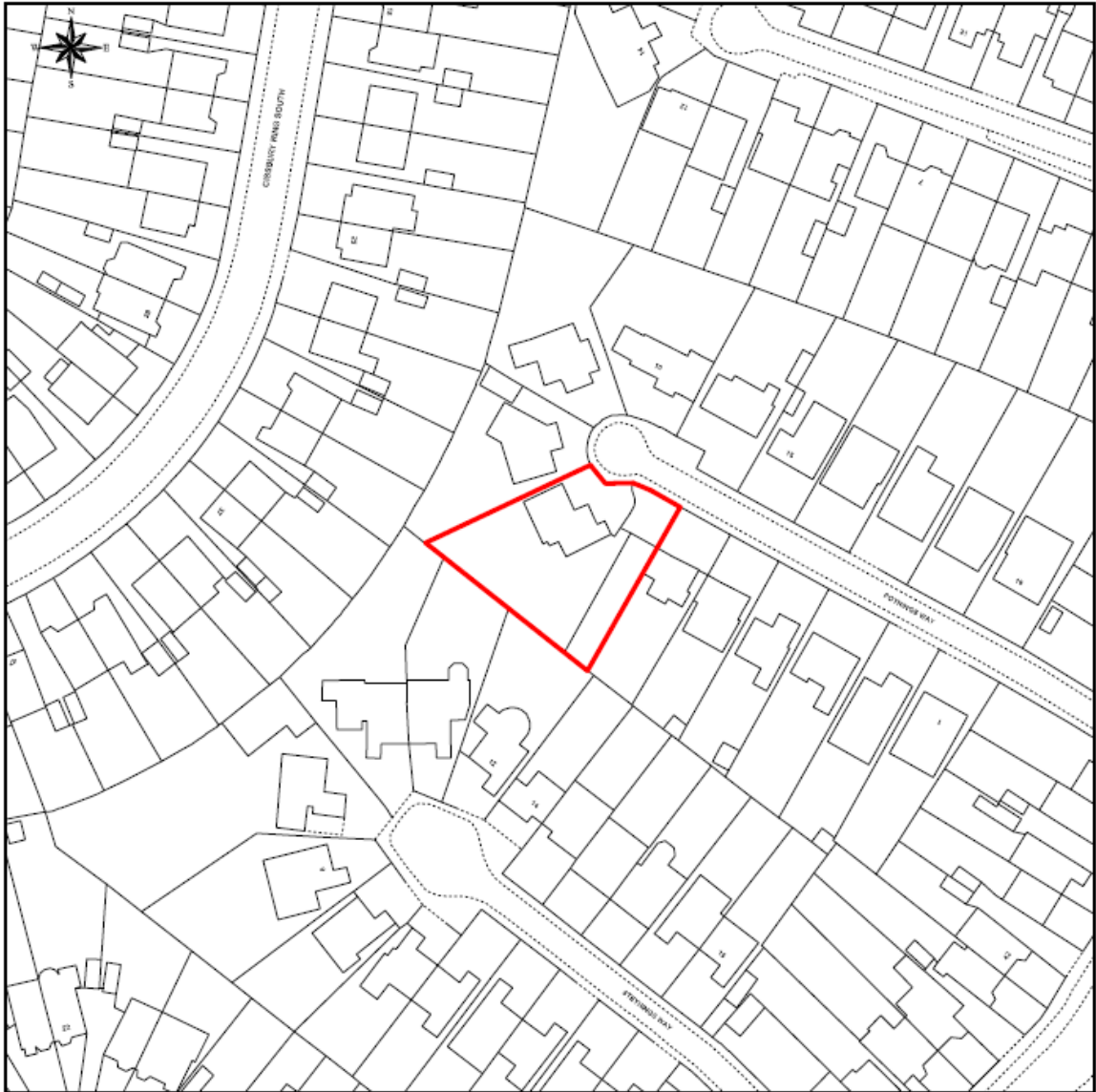
As a result of the consultation exercise, two modifications have been made to the submitted plans. These include a change to the material palette to enable the development to blend in better with the surroundings. This has seen the grey brick changed to red brick consistent with locality. In addition, the depth of the extension to the new dwelling has been reduced and the siting and extent of the basement adjacent to 6 Poynings Way. The parking area to the front of the property has also been increased so as to formally accommodate at least four parking spaces.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

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



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