

**Location**                      **Rear Of 70 Hutton Grove London N12 8DR**

**Reference:**                      **16/4772/FUL**                      Received: 19th July 2016  
Accepted: 18th August 2016

Ward:                              West Finchley                      Expiry 13th October 2016

Applicant:                      Mr Billy Kin Pang

Proposal:                      Creation of new single storey dwelling. Associated waste and recycling store, bike storage

**Recommendation:** Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Building Regulations Part L1A SAP Assessment by Barlings kwa Ltd; Design and Access Statement by Ernest Tsui Architects + Partners; Sustainability Statement by Ernest Tsui Architects + Partners; Arboricultural Impact Assessment by AGB Environmental; Drawing no. ETA\_HUT-001 Rev B; Drawing no. ETA\_HUT-002 Rev F; Drawing no. ETA\_HUT-010 Rev F; Drawing no. ETA\_HUT-011 Rev F; Drawing no. ETA\_HUT-014 Rev F; Drawing no. ETA\_HUT-015 Rev A; Drawing no. ETA\_HUT-016 Rev A; Drawing no. ETA\_HUT-017 Rev A.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

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

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

- 4 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

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

- 5 Prior to the commencement of the development hereby approved a Construction Management and Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented and constructed in full accordance with the details approved under this Plan. This Construction Management and Logistics 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 the measures to be implemented to manage the construction of the sunken building and minimise the impact of this process on the amenities of neighbouring occupiers and ground and surface water conditions in the area.
- iv. 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;
- v. 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;
- vi. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vii. 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;
- viii. noise mitigation measures for all plant and processors;
- ix. details of contractors car parking arrangements; and
- x. details of interim car parking management arrangements for the duration of construction.

Reason: To ensure that the construction of the proposed development does not prejudice the amenities of occupiers of neighbouring properties and ground and surface water conditions in the area 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.

6 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

7 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 side elevations facing the rear gardens of no. 73-87 Nether Street.

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).

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

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

9 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).

- 10 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 contained within the hereby approved Arboricultural Impact Assessment 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 hereby approved Arboricultural Impact Assessment.

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.

- 11 a) No development shall take place until 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, has be 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.

- 12 The property shall be used as a self-contained unit as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

- 13 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.

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

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

- 15 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 Polices document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 16 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 March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 17 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 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

**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](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £4,647.30 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 £22,166.55 payment under Barnet CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

#### Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6314/19021101.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the [legislation.gov.uk](http://legislation.gov.uk)

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

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via [street.naming@barnet.gov.uk](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 7294.



## **Officer's Assessment**

### **1. Site Description**

The application site is 70 Hutton Grove and the triangular plot of land to the rear of the site, bordering properties on Nether Street and the Finchley Progressive Synagogue to the east. The existing dwelling, a semi-detached four bedroom house, is located on the northern side of Hutton Grove within the West Finchley Ward. The building is not listed nor does it lie within a conservation area. The site covers an area of 435sqm.

To the north of the site, lies a group of two storey terraced dwellings. To the south of the site, lie two detached bungalows.

### **2. Site History**

None relevant.

### **3. Proposal**

The applicant seeks planning permission for the erection of a single family detached house on the existing garden to the rear of no.70 Hutton Grove.

The building would be sited 2m from the boundary with the rear gardens of no.73-87 Nether Street and approximately 3.4m from the boundary with the synagogue to the west. The building would be L-shaped with a length of approximately 22m and depth of approximately 15m. The building would be sited approximately 1.5m below the existing ground level (measured from section C).

The building would have a staggered pitched roof design flat maximum height of 4.3m measured from the proposed (sunken) ground level boundary.

The proposed dwelling would be a one storey with 2 bedrooms for up 4 occupiers. The entrance to the proposed dwelling would be between the gardens of no.70 and no.72 Hutton Grove.

### **4. Public Consultation**

Consultation letters were sent to 119 neighbouring properties.

6 responses have been received, comprising 6 letters of objection, 0 letters of support and 0 letters of comment. These comments include those received after a re-consultation with neighbours following additional information received.

The objections received can be summarised as follows:

- Opposed to backland development
- Out-of-character
- Loss of trees
- The amendments (sinking the building, reducing the maximum height and internal alterations) do not address original concerns.
- Elongated roofline (22m)
- House not easily accessible from street

- Overdevelopment
- Greater development than original due to retaining wall
- Contrary to London Plan which opposes garden development
- Proximity of building including retaining wall and not in accordance to Council's policies
- Noise and light pollution
- Overlooking
- Poor landscaping/ screening between properties
- Overbearing on neighbours
- Tree works unrealistic
- Parking pressures

A site notice was erected on the 25th August 2016.

## **5. Planning Considerations**

### **5.1 Policy Context**

#### National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

#### The Mayor's London Plan 2016

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

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

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

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS15.

- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM17.

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

#### Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

Residential Design Guidance SPD (adopted October 2016)

- 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.
- Impact on trees
- Whether harm would be caused to the local highway
- Sustainability

### **5.3 Assessment of proposals**

#### Principle of Development and Impact on the character of the area

The proposal seeks to subdivide the garden of the no.70 and this would be reduced to a size similar to the gardens of neighbouring properties; the principle of this is considered to be acceptable.

Policy 3.5 of the London Plan specifies "Boroughs may in their LDFs introduce a presumption against development on back gardens or other private residential gardens where this can be locally justified"; in the case of Barnet, there is no policy against development in existing gardens. Whilst the Council does not have a policy objecting to backland development, this has to be assessed against the impact on the character of the area. The host site is predominantly surrounded by green gardens, where neighbouring occupiers have undisturbed enjoyment of their gardens to the west however consideration has been given to the synagogue and community centre to the east. The principle of a building to the rear of the properties fronting the road has been established and officers have no in principle objection to development on the site. Although the property would be a family dwelling with no vehicular access (solely pedestrian) this alone is not considered to be reason to warrant refusal of the application.

Whilst the building would span across the majority of the site when viewed from the properties on Nether Street, the building's eaves would be sited below the height of a fence considered lawful under permitted development (2m) and the maximum height of the building would be set away from the boundary due to the pitch of the roof. Officers consider that the height of the building when viewed from surrounding properties would be comparable to the existing outbuildings in the vicinity and therefore in this regard the building would not be out-of-character.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making places better for people. However, whilst the NPPF advocates that planning should not attempt to impose architectural styles or particular tastes it is considered proper to seek to promote or reinforce local distinctiveness.

Due to the nature of the site to the rear of existing gardens, the plot is standalone and would not be visible from the streetscene. Given that the site does not lie within a conservation area, the principle of a modern design is considered acceptable. Furthermore, the siting of the building at a lower level ensures that the building does not compete with the surrounding more traditional properties.

The proposal is considered to respect the character and appearance of the general area and streetscene, and as such it would be acceptable on character grounds.

#### Impact on the amenities of neighbours and future occupiers

One of the Councils key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbours amenity is unlikely to be supported. Good neighbourliness is a yardstick against which proposals can be measured.

The proposal including subdivision of the plot would retain a suitable sized garden for the existing occupiers of no.70 Hutton Grove, similar to other properties on Hutton Grove. Given the proposed used for a single family unit, it is not considered that the access between 70 and 72 Hutton Grove would result in acceptable noise and disturbance by the additional activity to warrant refusal of the application. Furthermore, neither 70 or 72 have flank windows fronting the access that would be overlooked. It is not considered that the entry into the site would result in any additional overlooking than to be expected on a typical suburban setting.

Whilst there are windows to the elevation fronting the properties on Nether Street and Hutton Grove, the distance between windows would be more than 21m in accordance with the guidance stipulated within the Residential Design Guidance SPD. The Sustainable Design and Construction SPD stipulates that new development should be sited 10.5m from neighbouring gardens to prevent overlooking; whilst the development would not comply relative to the Nether Street properties in particular, due to the change in ground levels, the building would be sited at a lower level and as such the building would not result in overlooking into the private gardens of neighbouring properties or appear imposing. As such it is not considered that the building would not result in loss of privacy to the occupiers of the properties on Nether Street or Hutton Grove.

Similarly, the retaining wall required for the development would not visible to neighbouring properties and as such would not appear imposing. It is not considered that the siting of the building would be detrimental on the visual amenities of neighbouring occupiers and as such there is no overall objection to the proposal on these grounds.

The applicant has confirmed that, at this stage, the intended method of construction would include the conventional method on site for sub surface construction and possible prefabricated elements to form the building envelope of the house thereby minimising onsite construction disruption. Furthermore, the applicant has confirmed that a mini digger and a conveyor belt system will be used to excavate and transport the excavation to the

loading/unloading point. Construction waste would be removed by grab lorry for a controlled and fixed period of time; the proposed location to be confirmed in the construction method statement. It is considered that subject to the provision of details required by the attached condition, the impact of construction could be mitigated to an acceptable level for the amenity of neighbouring occupiers.

All residential development is expected to comply with the minimum space standards as advocated within the Sustainable Design and Construction SPD and the London Plan 2016. In addition, all residential units are expected to provide suitable outlook and light to all habitable rooms whilst not compromising the amenities of neighbouring occupiers.

The proposed dwelling would comply with the minimum space standards in this regard and the proposal would provide adequate accommodation for future occupiers. Table 2.2 of the Sustainable Design and Construction SPD specifies that double bedrooms should provide a minimum floor area of 12sqm and single bedrooms a minimum floor area of 8sqm; all bedrooms comply with these standards. All rooms would benefit from suitable outlook.

Residential development is expected to provide direct access to outdoor amenity. The property would have a suitable size garden for future occupiers, which would exceed the minimum requirement of 40sqm of outdoor amenity space for a dwelling with up to 4 habitable rooms.

The applicant has confirmed that a fire hydrant point can be found at the front of no.74 Hutton Grove, which would be within 45m diameter from the building.

The proposal is considered to provide high quality accommodation for future occupiers and as such approval is recommended.

#### Impact on trees

The proposal would result in the removal of 5no trees which are not considered to be of high amenity value. Furthermore, whilst the other trees offer suitable level of screening and are proposed to be retained, they are not protected by way of a tree preservation order.

The applicant has provided an Arboricultural Impact Assessment; officers are satisfied that the methodology provided within this report would mitigate harm to the trees to be retained during and following completion and the implementation of these measures have been conditioned.

Officers have also recommended a condition to require landscaping details to be submitted to the Local Planning Authority.

#### Impact on Highways

Officers have consulted with the Council's Highways team, who have assessed the scheme in terms of the impact on highways.

The site benefits from a PTAL score of 3, which is considered to be average, in accordance to Policy DM17, the proposal would require at least 1 parking space.

Notwithstanding this, Highways officers consider that the development would have a minimal impact on local highways given that the scheme would be for a single family unit with up to 4 occupiers and therefore refusal on highways grounds is not justified.

### Accessibility and Sustainability

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

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 6% CO<sub>2</sub> reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition is attached to ensure compliance with the Policy

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

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

### CIL

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail. The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sqm (index related) on all 'chargeable development' in Barnet.

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

The proposal has been calculated to be liable for £22,166.55 of Barnet CIL and £4,647.30 of Mayor's CIL.

## **5.4 Response to Public Consultation**

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

## **6. Equality and Diversity Issues**

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

## **7. Conclusion**

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

