

Location **Garage Court Hanshaw Drive Edgware HA8**

Reference: **16/5815/FUL** Received: 5th September 2016
Accepted: 15th September 2016

Ward: Burnt Oak Expiry 10th November 2016

Applicant: Ms Christine Coonan

Proposal: Demolition of existing garages. Erection of 5no. two storey terraced houses. Associated amenity space, hard and soft landscaping, refuse/recycling stores and cycle storage. Provision of 12no. parking spaces. Relocation of electric substation. [AMENDED DESCRIPTION]

Recommendation: Approve subject to conditions

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

Drawing No. A_BA2-S17-DR_0001 - Revision B (Existing site location plan)
Drawing No. A_BA2-S17_DR_0100 - Revision C (Proposed site plan)
Drawing No. A_BA1-S17_DR_0101 - Revision A (Proposed first and roof plan)
Drawing No. A_BA2-S17_DR_0200 - Revision A (Existing and proposed street elevations)
Drawing No. A_BA2-S17_DR_0300 - Revision A (2B4P House Type B1 - Unit Plans)
Drawing No. A_BA2-S17_DR_0301 - Revision C (6B10P House Type A1 - Unit Plans)
Drawing No. A_BA2-S17_DR_0400 - Revision B (Proposed block elevations)
Drawing No. A_BA2-S17_DR_0401 - Revision B (Proposed block elevations - side elevations)
Drawing No. A_BA2-S17_DR_0402 (Proposed Block Elevations - Substation)

agb Environmental Arboricultural Impact Assessment dated 16 June 2016
hta Daylight, Sunlight and Overshadowing report dated June 2016
BBS Sustainability Report dated June 2016
Vectos Transport Statement September 2016
hta Design and Access Statement dated September 2016
hta Planning Statement dated August 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 shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

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

- 5 a) No development other than demolition work shall take place until details of the location within the development and specification of the **** units to be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users shall be submitted to and approved in writing by the Local Planning Authority.

The specification provided for those identified units shall provide sufficient particulars to demonstrate how the units will be constructed to be either wheelchair accessible or easily adaptable for residents who are wheelchair users.

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

Reason: To ensure that the development is accessible for all members of the community and to comply with Policy DM02 of the Development Management

Policies DPD (adopted September 2012) and Policies 3.8 and 7.2 of the London Plan 2015.

- 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 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.

- 8 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).

- 9 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 and E of Part 1 of Schedule 2 of that Order shall be carried out within the area of Hanshaw Drive, HA8, 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).

- 10 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).

- 11 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.

- 12 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of any of the new dwellings (Use Class C3) permitted under this consent, Dwelling House Type A1 (as shown on Drawing No. A_BA2-S17_DR_0301 Revision C) shall have been constructed to meet and achieve all the relevant criteria of Part M4(3) 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). All remaining dwellings hereby approved shall 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) prior to the first occupation of any of the new dwellings (Use Class C3) permitted under this consent. 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.

- 13 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 35 % 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), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 14 Before the development hereby permitted is occupied the car parking spaces and ambulance parking bay as shown on Drawing No. A_BA2-S17_DR_0100 Rev. C shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic 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.

- 15 Before the development hereby permitted is occupied cycle parking spaces as per the submitted planning application shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic 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.

- 16 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics 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 Demolition and 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 provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

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

- 17 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 shown on the tree protection plan approved under Condition 1 of this permission 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 permission.

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.

- 18 a) No development shall take place until the implementation of a programme of archaeological evaluation has been secured in accordance with a written scheme which has been submitted by the applicant and approved by the Local Planning Authority in writing and a report on that evaluation has been submitted to the Local Planning Authority.

b) If heritage assets of archaeological interest are identified by the evaluation under a) above, then before development (other than demolition to present ground level) commences the implementation of a programme of archaeological investigation shall be secured in accordance with a Written Scheme of Investigation which has

been submitted by the applicant and approved by the local planning authority in writing.

c) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under b).

d) The development shall not be first occupied or brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under b), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To enable archaeological investigation of the site in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD and Policy 7.8 of the London Plan 2015.

19 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

d) Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that

provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

- 20
- a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and measures to be implemented to address its findings has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations
 - b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015.

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 With regard to surface water drainage it is the responsibility of a developer 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. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames

Water Developer Services will be required. They can be contacted on 0800 009 3921.

- 3 If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
- 4 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.
- 5 Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 6 The applicant is advised that for construction works adjacent or affecting the public highways, the council's First Contact should be contacted on 0208 359 2000 for any necessary Highways Licenses or any highway approvals deemed necessary.
- 7 The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 8 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
- 9 The applicant is advised that any works required on public highway to facilitate the development will require a separate agreement with the Highways Authority under S184 or S278 of the Highways Act 1980.

10 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
- 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
- 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
- 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

In addition, the applicant is advised that the building on site may contain asbestos. Advice on removal is available at: <https://www.barnet.gov.uk/citizen-home/environmental-health/pollution/hazardous-substances/asbestos.html>

Reference should be made to the uncovering and disposing of asbestos in complying with the contaminated land conditions part 1 and 2.

11 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.

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.

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.

- 12 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.

- 13 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.
- 14 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.
- 15 The grant of planning consent confers no rights for any work to be undertaken to a tree on public highway land and you are advised to consult the Council's Principal Arboricultural Officer - Greenspaces and Streets prior to taking any further action.
- 16 The applicant is advised that the garages on site may contain asbestos. Advice on removal is available at: <https://www.barnet.gov.uk/citizen-home/environmental-health/pollution/hazardous-substances/asbestos.html>
- 17 The applicant is advised that written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the Local Planning Authority before any on-site development related activity occurs.
- 18 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 30dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

- 19 Your attention is drawn to the need to provide facilities for the disabled, as set out in Building Regulation Part M Access & Facilities for Disabled Persons. A copy of Part M is available via the Planning Portal at <http://www.planningportal.gov.uk/buildingregulations/>.
- 20 It is recommended that demolition should be carried out by an approved contractor and neighbouring residents notified at least seven days before commencement.

Officer's Assessment

1. Site Description

The application site measures 0.1208 ha and consists of a cul-de-sac containing 44 garages within the close of Hanshaw Drive. It is within the ward of Burnt Oak.

Hanshaw Drive is an un-adopted cul-de-sac, providing vehicular and pedestrian access to the existing garages and the sheltered housing building. Limited parking runs along the western side of Hanshaw Drive. Pedestrian through-access can also be gained from Watling Avenue.

The site is bounded on all sides by existing residential development. Immediately to the west is a part two, part three storey sheltered housing building. To the north, east and south, residential gardens abut the site boundary.

It is located within the Watling Estate Conservation Area.

The surrounding residential buildings are typical of the Watling Estate, and comprise two storey terraced and semi-detached workers' cottages, mostly with front and back gardens, hipped, pitched, tiled roofs, and faced in brick, render or painted weather boards. The sheltered housing scheme is of contrast in design and architecture to the traditional characteristics of the Estate, dating to the 1960s, with lighter facing brick, shallower copper roof and use of cladding.

There are no statutory or locally listed buildings within or adjoining the site. There are no Tree Preservation Orders pertaining to any trees which may constrain the development.

The site is located within a Flood Zone 1, according to the Environment Agency's Flood Zone Maps. As such, there is no significant risk of flooding.

The site is located in a PTAL 3 location (where 1a is low and 6b is high). The site is accessed off Thirleby Road, with bus routes in close proximity and Burnt Oak tube station (Northern Line) within walking distance.

A very small north western corner of the boundary falls within an Area of Special Archaeological Significance, but for the most part the site falls outside this area.

The site is relatively level.

There are no other site specific policy designations or allocations for this site.

2. Site History

No history of relevance for the garages site.

3. Proposal

The application proposes the demolition of all existing garages on site and the construction of a terrace of five new two-storey dwellinghouses running north-south and facing onto Hanshaw Drive, with associated amenity space, landscaping, refuse/recycling storage and cycle storage. The proposed dwellings would utilise the existing access of Hanshaw Drive. The development will provide 12 no. parking spaces.

It will also involve the relocation of an electric substation, whereby there is one on site as existing.

The development would be for the benefit of Barnet Homes.

Four of the terrace dwellings (House Type B1) would of identical floor plates and internal layouts. They would be 2bed/4 person dwellings with two double/twin bedrooms, a separate kitchen, utility/store and living area. These dwellings have the option for a future lift between the two floors, with a knock-out panel provided, as well as knock out panels between Bedroom 1 and the bathroom at first floor, and an optional partition between the living area and separate kitchen at ground floor.

The fifth end-terrace (House Type A1), located to the north east of the site, will be a bespoke 6bed/12 person dwelling spread over two floors of accommodation with an additional ground floor extension to the rear and side. The intention of this dwelling's size and design is to meet a specific demand which has arisen within Barnet Homes' housing list.

All of the proposed homes will meet the M4(2) standard, with the wheelchair unit achieving full M4(3) compliance of the 2015 Building Regulations.

The four identical terrace properties would, according to Officer calculations, measure 79 sqm in gross internal area. These would meet the minimum internal space standards set out in the London Plan (MALP 2016) and Table 2.1 of Barnet's Sustainable Design and Construction SPD (2016). Minimum room dimensions and floor areas for bedrooms would be met, as set out in Table 2.2 of the Barnet's SDC SPD (2016).

The four identical terrace properties would be provided with private amenity space of 40 sqm and above, meeting the minimum London Plan and Barnet standards for outdoor amenity space.

The fifth larger unit would, according to Officer calculations, measure 211 sqm in gross internal area which would exceed a minimum target of 173 sqm, in accordance with the standards set out in the London Plan (MALP 2016). It would be provided with, according to Officer calculations, 115 sqm of private outdoor amenity space, meeting the minimum London Plan and Barnet standards for outdoor amenity space.

The dwellings would be of contemporary design would have pitched tiled roofs, gable ends and be constructed in brick, reflecting the design and character of the surrounding properties.

It is considered that all dwellings would benefit from adequate daylight, sunlight and outlook.

A shared surface is proposed to the front of the new dwellings. It will also involve the rearrangement of the parking to the front of the sheltered housing scheme. Overall, in front of the proposed dwellings 8 parking spaces will be provided, including 1 x allocated parking space for each of the four two-bedroom houses and 2 x allocated disabled parking spaces for the larger 6-bedrooms, wheelchair unit. There will also be 2 x unallocated general needs spaces to the front of the proposed houses.

In regards to parking in front of the sheltered housing home, there will be 2 x unallocated general needs spaces and 2 x unallocated disabled parking spaces. Existing ambulance parking space and the hatched drop off area will be retained.

The terrace would be sited at a distance of 17.5 metres from the front elevation of the sheltered housing scheme.

The rear elevations of the four 2 bed-terrace dwellings (Housing Type B1) would be sited at a distance of 8 metres from boundary adjacent to the properties facing Gunter Grove.

At its closest point, the rear elevation of the larger 6 bedroom unit (Housing Type A1) would be sited at a distance of 4.2 metres from the boundary adjacent to the properties facing Gunter Grove.

The side elevation of Housing Type A1 would be sited, at its closest point, at a distance of 1.5 metres from the boundary adjacent to the properties facing Watling Avenue.

The side elevation of the end of terrace Housing Type B1 would be sited, at its closest point, at a distance of 1.5 metres from the boundary adjacent to the properties facing Thirleby Road.

4. Public Consultation

Consultation letters were sent to 117 neighbouring properties.

A site notice was erected on 15 September 2016.

A press notice was published on 15 September 2016.

29 responses were received, comprising 29 letters and/or signatures of objections.

- Residents at Hanshaw Sheltered Housing Scheme submitted a petition. The objections were: The Sheltered Housing Scheme already has refuse and recycling so I assume these will be installed for use by the tenants in the new houses. Parking in submission is misleading - the plans read like there will be 12 new parking spaces but I think the plans include 6 parking bays and 2 ambulance bays already marked in Hanshaw Drive, the other parking places will be in front of the new houses. Our opinion has not changed since previous consultation meetings with Barnet Homes. Where will the sub-station be moved to?

- Highways concerns: the roads surrounding Hanshaw Drive are narrow and building work will cause a lot of problems in terms of traffic and would obstruct public's way/pedestrian routes. Development will cause significant traffic and parking issues in Hanshaw Drive and surrounding road - what do you propose to do about the problems I predict are about to happen. I need assurance residents will be helped and not hindered. Lack of clarity throughout objections of parking spaces retained and parking arrangement proposed. Carers will need parking spaces. Parking is in regular use.

- Impact of construction works: Noise, visual and air pollution. Will damage the community. The building works near the old people's home would be damaging because they are very vulnerable, and some are in poor health (mentally/physically). Would not offer residents peace and protection.

- Other matters: submission documents cannot decipher the difference between a residential care home and sheltered housing scheme. Lack of clarity on refuse and recycling arrangement. Garages provide safety from vandalism. Lack of consideration for existing tenants living in Hanshaw Drive.

Internal and External Consultation responses:-

Traffic and Development Team:

The Traffic and Development team assessment is set out in greater detail in the relevant sections of the report below. In summary, they have confirmed that subject to the imposition of suitable conditions they raise no objection to the development and find the proposal to be acceptable.

Environmental Health Department:

The Environmental Health Department have confirmed that subject to the imposition of suitable conditions they raise no objection to the development and find the proposal to be acceptable.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2016

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

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

Barnet's Local Plan (2012)

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

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

The Council's approach to extensions as set out in Policy DM01 is to minimise their 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

Residential Design Guidance SPD (adopted April 2013, updated 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted April 2013, updated 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 the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether harm would be caused to the living conditions of future residents.
- Whether harm would be caused to the health and quality of trees
- Whether the development would impact traffic and highways to an unacceptable level

5.3 Assessment of proposals

Principle of development and redevelopment of the site:

For areas such as the application site policies CS1 and CS3 of the Barnet Core Strategy expect new developments to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

The proposed development would result in the demolition of all existing garages on the site and their replacement with five new homes. These properties would be developed by Barnet Homes. One of the dwellings would also be specifically constructed for wheelchair housing.

It has been advised that occupancy data indicates that 11 of the 44 garages are currently vacant (25%), with the remaining occupiers registered as living across a broad spread from within the immediate area and further away (0.3+ miles). There are 18 registered addresses within 0.2 miles of the site. It is also considered that the garages have limited use for modern-day cars due to their size, and therefore likely used for other uses, such as storage. This is the experience of Barnet Homes as the managers of the garages.

The applicant has advised that garages are let to individuals on rolling contracts and are not allocated to particular properties. Car parking appears to be accommodated for within the front of the Sheltered Housing Scheme and also on the surrounding streets. As such, there is no objection to the redevelopment of this parking area.

The application site has not been identified for any specific use in development plan planning policies, is previously developed land and is situated in an area characterised by residential housing. The land is located within walking distance of a number of bus stops, is close to local amenities and utilises existing access of Thirleby Road.

The site is located within the conservation area, however, this itself does not preclude redevelopment of the garages.

In such circumstances, Planning Officers find that there is nothing to specifically preclude the redevelopment of the site in the broadest sense, subject to the scheme proposed being compliant with the relevant development plan policies.

As such the principle of redevelopment of the site is deemed acceptable.

Design, appearance and character matters and impact on character and appearance of conservation area and wider area:

The National Planning Policy Framework (published in 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development.

Policy CS1 of Barnet's Core Strategy (2012) states that will seek the highest standards of urban design in order to generate development proposals of landmark quality. Policy CS5 of the Core Strategy states that the Council 'will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design'.

Policy DM01 of the Council's Development Management Policies (2012) 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' development (should) 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'.

Policy DM06 of the adopted Development Management Documents DPD (2012) states that development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet.

The site falls within the Watling Estate conservation area, which has a proud artisan / arts and crafts history, as well as a tradition of social housing since 1890 and the passing of the Housing of the Working Classes Act.

The applicant's submission has explained how the character studies helped inform the design proposals through the use of brick detailing and angle of the roof pitch on the proposed homes.

There are two key character areas of the interwar housing of short linear terraces, two storeys in height, with multi-stock brick, painted render, hipped roofs, brick detailing and porch entrance doors, as seen in the surrounding roads of Watling Avenue, Thirleby Road and Gunter Grove. The other is the post war architecture (as seen in the Sheltered Housing Scheme), dating to the 1960s/70s, of a semi-formal block arrangement and use of multi-stock brick, shallow roofs, and timber cladding.

The scheme has been designed to reflect and integrate with its immediate surrounding by reason of the regular repeated rhythm of housing type, design of pitched tiled roofs and gable ends, and brick-facing façades.

Although it is noted that Housing Type A1 is of larger size than the other proposed units, and those existing properties in the surrounding area, the general design of the property is in keeping with the terrace, with additional subordinate ground floor extensions. The Planning Officer received comments from a representative at Barnet Homes, via email dated 27th October 2016, which explained:

"The household makeup comprises of the parents (mother and father) and four children (4 sons and two daughters). The household had been residing in long term temporary from 20 January 2009. A traffic accident in April 2014 left the mother and one of the daughters severely disabled resulting from spinal cord injuries. The accommodation the family were previously residing in were not suitable for their needs and the mother and her daughter have been temporarily rehoused in a spinal unit in Edgware where they currently reside. The father and the remaining children live in a separate temporary accommodation property. No available existing stock within our current stock portfolio is suitable or has the potential to be adapted to suit the complex needs of the household. The design presented in this application has been designed to accommodate the size and complexity of the care and support requirements of the household, which has had input from the household as well as Occupational Therapists. There has been no indication to date that the condition of the two prospective residents will improve and their support needs lessen hence the requirement for this design."

Furthermore there would be limited views of this dwelling from the main street scene. On balance, the larger size of Housing Type A1 is deemed acceptable in this particular instance.

Furthermore, as existing, it is not considered the existing garage court preserves or enhances the character or appearance of the designated conservation area.

It is considered that the proposed dwellings would preserve the character and appearance of the conservation area.

Conditions have been recommended to ensure that the materials used in for the new building are of an appropriate quality. Conditions are also recommended to ensure that a suitable design and quality of materials are used for the areas of hard and soft landscaping around the new building and means of enclosing the site.

Subject to the conditions recommended, the proposal is found to be acceptable and compliant with development plan policies as they relate to design, character, appearance, conservation and landscaping matters.

Quality of accommodation for future occupants:

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.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new residential accommodation. The council also 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 in addition to the Mayors adopted SPG's (entitled Housing).

Dwelling size:

The units proposed would both have gross internal areas which meet the requirements of the London Plan for a dwelling of that type.

Dwelling layout and outlook:-

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.

It is considered that all of the dwellings proposed in this instance have an acceptable degree of outlook.

External amenity space provision:-

All dwellings proposed would have access to their own private external amenity space. All amenity spaces would meet the requirements of the Council's guidance on the provision of private amenity areas for the relevant type of dwelling.

Privacy and overlooking:-

It is noted that Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016) states that in new residential development there should be a minimum distance of 21 m between properties facing windows to habitable rooms to avoid overlooking and 10.5 m to a neighbouring garden.

The recommended distance of 21 metres between properties facing windows to habitable rooms is met for all dwellings at first floor.

The new dwellings would be sited at a distance of 8 metres to the neighbouring gardens serving the properties facing Gunter Grove, short of the recommended distance of 10.5 metres. However, in this particular instance a dense barrier of foliage both within the site boundary of the properties along Gunter Grove, and in some cases, between the subdivided gardens of these properties, provide sufficient screening not to result in unacceptable levels of overlooking into the proposed dwellings.

As such the above is deemed acceptable.

Daylight and sunlight:-

The submission documents include an assessment of the levels of daylight and sunlight that would be received in the habitable rooms of the dwellings proposed. This was carried out by HTA Design LLP.

The evaluation found that all the rooms within the proposed development see good levels of internal daylight/sunlight; 100% of the 24 rooms tested exceeded the BRE daylight factor (ADF) targets 80%, whilst only 4 rooms fell marginally short of the BRE's Sky View test. All principle kitchen-living spaces met the sunlight analysis tests.

Overall, the performance for daylight in the proposed dwellings was deemed 'excellent'.

Accessibility: -

The applicant has advised that Housing Type A1 would accord with the requirements of M4(3) of 2013 Building Regulations, and all Housing Type B1 would meet building regulation M4(2).

Conclusions on the amenities of future occupiers:-

For the reasons set out above the development, as controlled by the conditions recommended, is found to be compliant with development plan policy.

Impact on amenity of neighbouring occupiers:

Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers and users.

The terrace would be sited at a distance of 17.5 metres from the front elevation of the sheltered housing scheme. The ground floor windows on the front elevation of the sheltered housing scheme appeared to serve communal corridors. It is considered that the front facing windows of the upper floor units of the sheltered housing scheme would continue to be served by acceptable levels of outlook and light due to the distances between the buildings (17.5 metres). Furthermore, the arrangement of front facing

windows to front facing windows is not dissimilar to the established pattern of development in the surrounding area, and by reason of the distances, would not cause undue overlooking or loss of privacy of occupiers of the sheltered housing scheme.

At its closest point, the rear elevation of the larger 6 bedroom unit (Housing Type A1) would be sited at a distance of 4.2 metres from the boundary adjacent to the properties facing Gunter Grove. The rear elevations of the four 2 bed-terrace dwellings (Housing Type B1) would be sited at a distance of 8 metres from boundary adjacent to the properties facing Gunter Grove. The first floor rear windows of the proposed dwellings would be sited at distance of over 30 metres, and thus would not cause undue overlooking or loss of privacy for occupiers along Gunter Grove.

The side elevation of Housing Type A1 would be sited, at its closest point, at a distance of 1.5 metres from the boundary adjacent to the properties facing Watling Avenue. These properties along Watling Avenue benefit from rear gardens of approximate depths of over 20 metres. It is not considered that the proposed dwellings would impact the outlook or light enjoyed by these occupiers. No first floor side windows are proposed in the flank elevation of Housing Type A1, and as such would not result in loss of privacy.

The side elevation of the end of terrace Housing Type B1 would be sited, at its closest point, at a distance of 1.5 metres from the boundary adjacent to the properties facing Thirleby Road. The properties along Thirleby Road benefit from rear gardens of a depth of approximately 14 metres. By reason of this distance it is not considered it would impact the light or outlook enjoyed by these occupiers. There are no first floor side windows proposed in the flank elevation of Housing Type B1 and as such would not result in loss of privacy.

By virtue of the proposed dwelling's design, height, massing and an inset from adjoining boundaries, it is not considered that the dwellings would impact the amenity of neighbouring properties to an unacceptable level.

An accompanying analysis of the Daylight, Sunlight and Overshadowing (DSO) by HTA Design illustrates good VSC results, and concludes that the proposed building does not reduce the good levels of daylight on the existing surrounding dwellings. In terms of overshadowing, the report concludes that the proposals will not negatively impact on adjacent garden amenity.

Officers consider that the occupation and natural surveillance that would come from these proposed dwellings and their private gardens, would provide a greater sense of security for occupiers at the neighbouring properties, compared to the existing garages.

In regards to the relocated substation it is noted that it will be moved closer to the boundary adjacent to No. 144 and No. 146 Watling Avenue. The single storey substation would measure 2.7 metres in height with a flat roof. It would therefore only be 0.7 metres greater in height than a permitted fence. It would be sited at approximately 11 metres from the rear elevation of No. 144 and 25 metres from the rear elevation of No. 146. Taking into the height, size and siting of the substation it is not considered that the structure would impact the outlook or light received by occupiers of No. 144 and No. 146 Watling Avenue. It would not impact neighbouring occupier's privacy. Noise is covered under the relevant environmental health section of this report.

In conclusion, the proposed development is considered to be acceptable and compliant with the relevant development plan policies in regards to the amenities of neighbouring and surrounding occupiers.

Affordable housing:

The National Planning Policy Framework (2012) and the National Planning Policy Guidance states that where small scale development of less than 11 units come forward for determination, they should not need to make a contribution towards either affordable housing or other tariff style obligations.

Policy CS4 of the Core Strategy DPD (2012) seeks to ensure a mix of housing products in affordable and market sectors to provide choice for all households. Policy DM08 of the Development Management Document DPD 2012 (Ensuring a variety of sizes of new homes to meet housing need) states that development should where appropriate provide a mix of dwelling types and sizes in order to provide choice within the Borough, having regard to the borough wide target of 40% affordable housing provision. Policy DM10 (Affordable housing contributions) seeks the maximum reasonable amount of affordable housing to be provided on all new sites that provide 10 or more units, having regard to the Borough wide target for 40% affordable housing provision.

Policy 3.10 of the Mayor's London Plan (2015) states that affordable rented housing should meet the criteria outlined in Policy 3.10 and be let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

During the pre-application phase, Barnet Homes have advised that the proposed residential accommodation coming forward for all the sites for both the DCLG defined categories of major and minor applications would be delivered as affordable housing. These units would be brought forward as affordable rent with a rent level indicated as being 65% of the market rent. Based on this commitment, the provision of affordable housing constituted a significant material consideration which was dominant in the planning balance evaluation if there were any disbenefits associated with particular schemes.

The applications which have been submitted by Barnet Homes are at present a mixture of small schemes of less than 11 units (so far forming the greater majority) and a small number of major schemes delivering 11 or more units. Nevertheless, all the applications which have been put forward to the Planning and Environment Committees on 14 and 27 July, contained a planning condition which the applicant to enter into a legal agreement to secure affordable housing on an affordable rent basis at 65% of market rent. The planning consultants representing Barnet Homes are firmly of the view that the amendment to the NPPG following the *West Berkshire District Council and Reading Borough Council v Secretary of State for DCLG* means that the Council should not be seeking to secure affordable housing by condition or by legal agreement for the smaller schemes. In addition, the applicant is of the view that the imposition of a requirement to enter into a legal agreement to secure affordable housing would have an impact on the ability of the developer to secure the levels of further funding to provide more homes in the future.

Barnet Homes is a wholly owned subsidiary of Barnet Council, responsible for the management and maintenance of the Council's 15,000 rental properties. Barnet Homes is in the process of setting up a new Registered Housing Provider known as Open Door Homes as a further subsidiary, committed to providing affordable housing. Utilising a loan from Barnet Council, the first programme of homes will be let at affordable rents. This

position will be protected by the terms of the loan agreement and by the transfer of the sites from Barnet Council. Barnet Homes are therefore contractually obliged to provide affordable (rent) housing.

With respect to the larger sites where both Local Plan Policy DM10 supported by the London Plan and the NPPF states that there is a Borough wide target to bring forward 40% of new dwellings in a tenure that meets the definition of affordable housing in the NPPF. Barnet Homes is willing to enter into a legal agreement to secure these units. Barnet Homes and subsequently Opendoor have indicated their willingness to enter into a legal agreement in order to deliver a policy compliant affordable housing level. However, as stated, an onerous legal agreement would reduce the ability of Opendoor to raise future funds to continue the development cycle. Barnet Homes have a programme to deliver 326 affordable homes in order to alleviate homelessness in the borough. However, some sites may not be able to deliver the 100% provision on all sites and the monies raised will enable Barnet Homes to deliver more than the identified 326 units.

Barnet Homes recognises the concern that affordable housing secured outside of a legal agreement under Section 106 of the Planning Act, would be susceptible to disposal through Right to Buy, however the monies raised will be recycled for further investment and further build.

The overarching aim of Opendoor Homes is to build 750 units by 2020. Some dwellings will be delivered on the open market which will not be possible if the land value is based on having to provide affordable housing above policy. However, despite the absence of a legal agreement, Opendoor have every intention to provide affordable housing at affordable rent levels based on a local nominations agreement.

Ultimately, the provision of no affordable housing units on the smaller sites and the provision of at least 40% of units in affordable tenure on the larger sites would be policy compliant in respect of all the relevant tiers of policy. Nevertheless, an interpretation of the NPPF and NPPG would suggest that contributions or provision should not be sought, as opposed to must not be sought. As such, the Council could be entitled to secure affordable housing through a legal agreement on the smaller schemes. Furthermore a Council may be able to seek affordable housing at a proportion greater than 40% just as a developer may choose to deliver housing in affordable housing on a small scheme or at a ratio of greater than 40% on larger schemes.

Undoubtedly, the position promoted by Barnet Homes since their engagement with planning officers in December 2015 has been based entirely on a 100% affordable housing provision. Supporting planning documents including the planning statement and the application form has been clear in stating that it is the intention to provide this. The applications came before Committee carrying a condition seeking a legal agreement.

Nevertheless, there is a clear intention to provide affordable housing through other means and securing this for at least the first occupants under a Barnet Nominations procedure. The schemes, both small and large are policy compliant. Barnet Homes will be providing affordable rented housing on these sites although Members are being asked to consider these schemes purely on the basis of them being new dwellings only. Barnet Homes will be able to secure and raise funding on more advantageous site values allowing them to invest and earn greater sums of money. This would enable Barnet Homes to deliver effectively the stated aim of 326 units in this next phase and 750 in total by 2020. In a holistic view, this is a tangible planning benefit and it is considered that there would be an inherent risk to the programme that could be compromised.

On balance, the amended approach is considered to be acceptable and it is considered that the proposed development would provide a compelling factor in the consideration of all the relevant matters in the planning balance.

In summary, the unit would provide affordable housing for future occupiers above and beyond affordability levels set out in regional policy, and would contribute to providing a mix of housing products for all households.

Impact on trees:

Policy DM01 identifies that proposals will be required to include hard and soft landscaping and states that trees should be safeguarded.

There are no trees currently on site. No trees on neighbouring sites are subject to a Tree Preservation Order.

There are some adjacent trees over neighbouring boundaries whose root protection areas have been considered under the accompanying Arboricultural Impact Assessment by agb Environmental which confirms that they will not be affected by the proposals.

Conditions have been recommended to ensure that the landscaping finally installed is of an appropriate design and quality and makes a positive contribution to the area. Subject to these conditions, trees and landscaping matters are deemed acceptable.

Impact on refuse and recycling:

Refuse and recycling storage has been provided for each proposed dwelling to the front. Notwithstanding the details on the plans submitted and information clarified by the applicant, a condition has been recommended to secure a satisfactory refuse and recycling strategy and ensure adequate refuse and recycling facilities are provided at the proposed development.

Highways and Parking:

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 (Travel impact and parking standards) of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

Policy DM17 states that 1.5 to 1 car parking spaces will be expected for terrace houses and flats (2 to 3 bedrooms).

The development site is an existing garage court accommodating over 40 garages. Pedestrian and vehicular access to the site is gained from Hanshaw Drive by way of an existing (non-adopted) access road. The Public Transport Accessibility Level (PTAL) for the site is 3 (where 1a is low and 6b is high).

The existing site benefits from 6 car parking spaces, including 2 x allocated disabled parking bays (as observed on site). There are also two hatched areas for parking and drop off, one of which is marked for an ambulance bay only. All these bay are located to the west along the frontage of the sheltered housing building.

Upon revisions, the proposed development will provide a total of 12 parking spaces. These include 8 parking spaces to the front of the proposed dwellings including: 1 x allocated parking space for each of the four two-bedroom houses; 2 x allocated disabled parking spaces for the larger 6-bedroom house; and 2 x unallocated general needs spaces.

In regards to parking in front of the sheltered housing home, there will be 2 x unallocated general needs spaces and 2 x unallocated disabled parking spaces. Both hatched parking areas, including the ambulance only bay, will be retained within the scheme.

The submission documents advise that occupancy data indicates that 11 of the 44 garages are currently vacant (25%), with the remaining occupiers registered as living across a broad spread from within the immediate area and further away (0.3+ miles), the latter indicating unlikely regular car usage and a high probability that the garages are used for the storage of other, household items. There are 18 registered addresses within 0.2 miles of the site.

The applicant has undertaken a parking beat survey which found that there is sufficient on street parking to accommodate a potential increase in vehicles and that the additional vehicle trips as a result of the proposed development would not be deemed to result in a material impact on the highways network.

In addition, evidence shows that over 50% of those rent their home through the Council or a Housing Association (in the ward of Burnt Oak) have no access to a car, which further supports the cases for the proposed parking provision.

On balance, taking into consideration the provision five new dwellings for affordable rent and the evidence submitted by the applicant, the proposed development is found compliant with the requirements of Policy DM17.

In conclusion, subject to the conditions recommended, the proposal is considered to be acceptable and compliant with policy in respect of parking, highways and transport matters.

Impact on archaeology:

Policy DM06 of the Development Management Documents DPD (2012) states that archaeological remains will be protected in particular in the 19 identified Local Areas of Special Archaeological Significance and elsewhere in Barnet.

A very small north western corner of the boundary falls within an Area of Special Archaeological Significance, but for the most part the site falls outside this land designation.

Conditions have been attached to ensure that any potential archaeological remains are protected, in line with Policy DM06.

Environmental Health matters:

Having evaluated the information submitted, the Council's Environmental Health Department have confirmed that any potential concerns they may have regarding contaminated land issues can be overcome by remediation and thus adequately addressed through the relevant conditions.

In regards to the relocated substation, a condition has been recommended to produce a noise report to prevent future and existing occupants being disturbed by noise.

As such, subject to the conditions recommended, the proposal is acceptable and compliant with development plan policy.

Sustainability:

In regards to water usage, a condition has been attached to ensure the proposed dwellings are 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 Regulation.

The agent has confirmed in writing that the proposed development will achieve over 35% carbon dioxide emission reduction when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. A condition has been attached accordingly.

Safety and Security:

The design and layout of the development proposed is considered to be such that it would provide a safe and secure environment for users of the proposed buildings and surrounding properties.

Barnet and Mayoral Community Infrastructure Levy:

The proposed development is liable for charge under the Barnet Community Infrastructure Levy (CIL) and is liable for charge under the Mayoral CIL.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sqm on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sqm on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

5.4 Response to Public Consultation

- Residents at Hanshaw Sheltered Housing Scheme submitted a petition. The objections were: The Sheltered Housing Scheme already has refuse and recycling so I assume these will be installed for use by the tenants in the new houses. Parking in submission is misleading - the plans read like there will be 12 new parking spaces but I think the plans include 6 parking bays and 2 ambulance bays already marked in Hanshaw Drive, the other parking places will be in front of the new houses. Our opinion has not changed since previous consultation meetings with Barnet Homes. Where will the substation be moved to?

Plans submitted show that refuse and recycling storage for the proposed dwellings will be located to the front of the respective houses. A condition has been attached to secure

satisfactory details for a refuse strategy and adequate details of refuse and recycling facilities.

As established the proposed development will provide a total of 12 parking spaces. These include 8 parking spaces to the front of the proposed dwellings including: 1 x allocated parking space for each of the four two-bedroom houses; 2 x allocated disabled parking spaces for the larger 6-bedroom house; and 2 x unallocated general needs spaces.

In regards to parking in front of the sheltered housing home, there will be 2 x unallocated general needs spaces and 2 x unallocated disabled parking spaces.

This is compared to the existing situation of 6 parking spaces outside the sheltered accommodation (2 x allocated disabled and 4 x general). Notwithstanding the loss of the garages, there will be no loss of general needs parking spaces for the sheltered housing scheme.

Both hatched parking areas, including the ambulance only bay, will be retained within the proposed scheme.

Plans submitted indicate the position of the relocated substation.

- Highways concerns: the roads surrounding Hanshaw Drive are narrow and building work will cause a lot of problems in terms of traffic and would obstruct public's way/pedestrian routes. Development will cause significant traffic and parking issues in Hanshaw Drive and surrounding road - what do you propose to do about the problems I predict are about to happen. I need assurance residents will be helped and not hindered. Lack of clarity throughout objections of parking spaces retained and parking arrangement proposed. Carers will need parking spaces. Parking is in regular use.

A condition requiring the submission of a Demolition and Construction Management and Logistics Plan has been attached to this recommendation. A degree of temporary disruption is expected with a development of any size. Considering the size of the development proposed it is not deemed that disruption during demolition and construction would constitute a reason for refusal in this instance.

The provision of parking spaces has been explained above.

After careful consideration it is considered that the proposed development is acceptable in terms of highways and parking.

- Impact of construction works: Noise, visual and air pollution. Will damage the community. The building works near the old people's home would be damaging because they are very vulnerable, and some are in poor health (mentally/physically). Would not offer residents peace and protection.

A degree of temporary noise, disturbance and disruption is expected with a new development of any size.

Planning Officers recognise and appreciate the unique needs and circumstances of some occupiers at the Hanshaw Drive sheltered housing scheme.

It is considered that attaching relevant conditions, including the submission of a Demolition and Construction Management and Logistics Plan, and condition stating the hours of construction work on site, would adequately mitigate noise and disturbance.

After careful consideration and balance of all material planning considerations it is not deemed that disruption would be such detrimental harm to constitute a reason for refusal in this particular instance.

- Other matters: submission documents cannot decipher the difference between a residential care home and sheltered housing scheme. Lack of clarity on refuse and recycling arrangement. Garages provide safety from vandalism. Lack of consideration for existing tenants living in Hanshaw Drive.

Planning Officers recognise it is a sheltered housing scheme.

Plans submitted show that refuse and recycling storage for the proposed dwellings will be located to the front of the respective houses. A condition has been attached to secure satisfactory details for a refuse strategy and adequate details of refuse and recycling facilities.

Garages may provide a degree of safety for owners; this however would not constitute a reason for refusal in this instance.

In regards to impact on existing occupiers living on Hanshaw Drive has been addressed above,

6. Equality and Diversity Issues

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- "(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

For the purposes of this obligation the term "protected characteristic" includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation."

Officers have in considering this application and preparing this report had careful regard to the requirements of this Section and have concluded that the proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme.

The proposed development would benefit future occupiers/users with disabilities, who are protected under this act, and therefore would support the Council in meeting its statutory equality responsibilities and is a clear merit of the proposed scheme.

7. Conclusion

The application proposes the redevelopment of an existing group of garages into five high quality dwellings, which meet minimum internal and external space standards. One dwelling will be specifically constructed for wheelchair users.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Council to determine any application in accordance with the statutory development plan unless material considerations indicate otherwise. All relevant policies contained within The Mayor's London Plan and the Barnet Local Plan, as well as other relevant guidance and material considerations, have been carefully considered and taken into account by the Local Planning Authority in their assessment of this application.

For the reasons set out in the previous sections of this report it is concluded that the proposed development generally and taken overall accords with the relevant development plan policies and constitutes a sustainable form of development. Accordingly, APPROVAL subject to conditions is recommended.



