

**Location**                               **124 Friern Park London N12 9LN**

**Reference:**                           **16/7238/FUL**                               Received: 14th November 2016  
Accepted: 14th November 2016

Ward:                                       Woodhouse                                       Expiry 9th January 2017

Applicant:                               Mr Adrian Bohr

Proposal:                                 Demolition of the existing dwelling and construction of a three storey detached building including a fourth floor within a setback roof level, comprising of 8no. self-contained flats, provision of 9no. off-street parking spaces, associated refuse bin storage, cycle storage and amenity space

**Recommendation:** Approve subject to conditions

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

07787\_BA\_00 Rev P01; 01187\_BA\_01 Rev P01; 01187\_BA\_02 Rev P01;  
01187\_BA\_E\_01 Rev P01; 01187\_BA\_E\_02 Rev P01; 01187\_BA\_E\_03 Rev P01;  
01187\_BA\_E\_04

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 or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

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

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

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

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

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

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

- 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 Before the building hereby permitted is first occupied the proposed window(s) in the side elevations facing 122 and 126 Friern Park shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

- 9 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 10 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.

b) The screens shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

- 11 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).

- 12 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.

- 13 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.

- 14 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.

## 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 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.

- 3 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 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 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.

## **Officer's Assessment**

### **1. Site Description**

The application site consists of a detached dwelling house on the southern side of Friern Park. The street is characterised by a mixture of dwelling types and building types. Adjoining the site to the east is a two storey building which has been converted into flats. The adjoining building to the west is a newly constructed block of flats which has been built to replicate the adjoining dwelling to form a semi-detached pair. Within the street on both sides of the road are substantial purpose built flatted blocks. Architectural styles fluctuate in respect of traditional dwelling house types to rectangular flat roof blocks with large footprints.

The road slopes from west to east downhill and significantly downhill from the street frontage to the site's rear boundary with significant steps down from the ground floor level. There is a front forecourt laid to hardstanding with a garage to the eastern flank of the building. There is substantial mature planting and landscaping particularly to the side and rear gardens of the property.

The site is not in a conservation area. The site is not a listed building and the application property is not within the setting of a listed building. There are no Tree Preservation Orders affecting the site.

### **2. Site History**

Reference: 16/4307/FUL

Address: 124 Friern Park, London, N12 9LN

Decision: Refused

Decision Date: 12 October 2016

Description: Demolition of the existing dwelling and construction of a three storey detached building including a fourth floor within a setback roof level, comprising of 8no. self-contained flats, provision of 9no. off-street parking spaces, associated refuse bin storage, cycle storage and amenity space.

The above application was refused at Committee by Members for the following reasons:

1 The proposed development, by reason of its size, siting, scale, bulk and design and the introduction of car parking within the rear garden, would constitute overdevelopment of the site, would fail to respect, and would detract from, the established character and appearance of the site property and the wider area contrary to policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), policy DM01 of the Adopted Development Management Policies DPD (2012) and the Adopted Residential Design Guidance SPD (2013).

2 The proposed development, by reason of the location of the proposed car parking area and access thereto, would result in the introduction of car movements and associated noise and disturbance into the rear garden area, which would be detrimental to the residential amenity of neighbouring occupiers contrary to Policy CS5 of Barnet's Adopted Core Strategy (2012), Policy DM01 of the Adopted Development Management Policies DPD (2012), the Adopted Residential Design Guidance SPD (2013) and Adopted Sustainable Design and Construction SPD (2013).



The decision is currently being appealed to The Planning Inspectorate.

Reference: 15/06884/FUL

Address: 124 Friern Park, London, N12 9LN

Decision: Refused

Decision Date: 18 February 2016

Description: Demolition of existing dwelling and construction of a new three storey property with 8no self-contained flats with balconies and terraces and patio. Associated parking and cycle storage, landscaping, refuse storage and amenity space.

The above application was refused at Committee by Members for the following reasons:

1. The proposed development, by reason of its size, siting, scale, bulk and design and the introduction of car parking within the rear garden, would constitute overdevelopment of the site, would fail to respect, and would detract from, the established character and appearance of the site property and the wider area contrary to policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), policy DM01 of the Adopted Development Management Policies DPD (2012) and the Adopted Residential Design Guidance SPD (2013).

2. The proposed development, by reason of the location of the proposed car parking area and access thereto, would result in the introduction of car movements and associated noise and disturbance into the rear garden area, which would be detrimental to the residential amenity of neighbouring occupiers contrary to Policy CS5 of Barnet's Adopted Core Strategy (2012), Policy DM01 of the Adopted Development Management Policies DPD (2012), the Adopted Residential Design Guidance SPD (2013) and Adopted Sustainable Design and Construction SPD (2013).

The application was appealed and allowed by The Planning Inspectorate in February 2016, reference: APP/N5090/W/16/3153155:

The Inspectors comments on the proposals included;

"Character and appearance

6. The proposed building would have a relatively deep plan. I note the Council's point that where existing houses have a deep plan form, roof forms and lower heights of rear additions break up the overall mass. However, I saw on my site visit that there are flat roofed blocks in the immediate vicinity of the appeal site which have comparable depth of plan and that elsewhere in the street there are blocks with very long continuous ridges. Friern Park is not within a conservation area and none of the adjacent buildings are Listed. The architectural diversity of the street is part of the character of the area. Within this context I do not consider that the design, height, and massing of the proposed building would be inconsistent with its surroundings.

8. I saw on my site visit that there are other examples of parking at the rear of flatted developments on Friern Park. Whilst I note the Council's point that these parking areas were created in either larger gardens or as part of the redevelopment of several plots, parking at the rear of developments is nevertheless an established feature in the area and, as previously noted, the Council is not contending that the development would result in an inadequate level of amenity space for the future occupiers. Therefore this would not be inconsistent with other developments in the street.

## Living conditions of adjoining residents

12....The Council's reason for refusal focuses solely on detriment caused by noise and disturbance

13. The appellant has submitted a noise assessment with the appeal which concludes that the noise levels generated by the use for parking cars would only result in minimal increases in noise levels and that the resultant noise levels would be well within the guidelines contained in the British Standard. The noise assessment also recommends the provision of an acoustic fence to further mitigate possible noise from vehicle movements. However, as the noise levels would not exceed the guidelines in the British Standard, it is not necessary to require its installation through a planning condition.

## Other matters

17. The proposed development would provide 8 car parking spaces, which is in line with the Council's car parking standards, and whilst the development would result in additional vehicles movements to and from the site, Friern Park has a wide carriageway and is not heavily trafficked and, consequently, I am satisfied that the development would not cause harm to highway safety in the area. No substantive evidence has been submitted by either party in respect of local housing need, and whilst the proposed development would result in the loss of a family sized house, it would lead to an increase in overall housing supply which would be consistent with the objective of the Framework to boost the supply of housing. I note that the Council have not raised any concerns in respect of these matters."

## 3. Proposal

This application seeks consent for the demolition of the existing dwelling and construction of a three storey detached building including a fourth floor within a setback roof level, comprising of 8no. Self-contained flats, provision of 9no. Off-street parking spaces, associated refuse bin storage, cycle storage and amenity space.

It should be noted that this application proposes the same designed flatted development scheme as was previously refused by Members under reference 16/4307/FUL. The development is sought again as the earlier application for a similar scheme detailed above, reference 15/06884/FUL has been allowed in 2016.

There is no restriction stopping the applicant from submitting this further application.

## 4. Public Consultation

113 consultation letters were sent to neighbouring properties.  
9 objections have been received

The views of objectors can be summarised as follows;

- Noise and pollution
- Out of character
- Lack of privacy
- No affordable housing
- Over-development
- Impact on traffic
- Loss of garden to provide parking unacceptable
- Destruction of historic family home

## **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 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

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

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS15.
- Relevant Development Management Policies: DM01, DM02, 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)

- 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)

- 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:

- The acceptability of the proposed new self-contained f
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

## **5.3 Assessment of proposals**

This application follows the previously refused and allowed at appeal schemes, and shows the same scheme as applied for under the previous application, reference 16/4307/FUL. The applicant has submitted this scheme in the hope that the committee will take a different view in light of the previously allowed appeal.

Principle of development and Impact on character of the area

The Borough has an attractive and high quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

From conducting the site visit it was clear that the character of Friern Park consists of a variety of architectural styles and materials including traditional family dwellings houses, along with a range of detached flatted developments of varying ages. The proposed scheme shows a detached three storey block with a modern design.

The replacement building is noted as taller and deeper than the existing development, however, as the existing street scape sees a variety of building heights and does not benefit from an established front or rear building line, or design characteristic the proposed development is not considered to disrupt any uniformity in the street scene. The proposed depth is considered to be comparable to other developments in the area as shown in the submitted Design and Access statement.

It is therefore considered that the proposed demolition of the existing single dwelling house to provide a three-storey flatted development with set-back penthouse floor, of 8 units would not be detrimental to the established character of the area.

The proposed dwellings would represent an increase to the density of development on the site, however, given the mixed character within the street comprising purpose built flatted blocks and converted units, it is considered that the proposed composition of the development to incorporate eight units within a detached block would not be out of keeping or out of character with any established typology in the street.

The design of the development proposed under this application, as with the last, takes on a modern style showing a mainly brick-built building with projecting brick pattern, with both the roof and entrance will be clad in dark grey.

It is considered that due to range of architectural styles found along Friern Park the proposed development would not appear out of character and the resultant development has been successful in replicating the massing, bulk and form of properties in the local area.

The proposed development is therefore considered to be acceptable in principle. This can be further supported by the appeal decision of last year which gave consent for the demolition of the existing building and erection of new flatted development. Whilst this appealed scheme showed a more traditionally designed building it is considered that the current scheme for more modern designed development would not appear out of character with the existing diverse range of architectural styles found within the road.

#### Living conditions of future occupiers

It is considered that the current application complies with the space standards for new development outlined in Policy 3.5 (table 3.3) of the London Plan 2015 and is considered to provide adequate internal space for future occupiers.

The proposed development would provide the following accommodation:

F1-	2b3p:	61.5sqm
F2-	2b4p:	74.8sqm
F3-	2b4p:	72.6sqm
F4-	2b4p:	74.8sqm
F5-	2b4p:	72.6sqm
F6-	2b4p:	74.8sqm
F7-	1b2p:	50.9sqm
F8-	1b2p:	53.3sqm

These dwellings would meet the minimum gross internal areas as required. The proposed dwellings are also compliant with Part 2.2 part of the Council's Sustainable Design and Construction SPD in regard to the size of bedrooms having a minimum floor area of 8 sq.

Furthermore the proposed development meets the requirement that glazing to all habitable rooms should not normally be less than 20%.

Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats outdoor amenity space should be 5sqm per habitable room. A south-facing communal garden would be provided at the rear of the site providing 146m<sup>2</sup> of amenity space to all units.

In addition to this, flat one would have direct access to the area the the front of the site, whilst this is not considered to be quality amenity space, in addiiton to the private communal space at the rear it offers an extra area for enjoyment and planting for future occupiers. Flat 2 would have direct access to a private garden at the rear of the iste measuring 42m<sup>2</sup>; Flat 4 would have access to a private rear balcony measuring 7m<sup>2</sup>; Flat 6 would have access to a private rear balcony measuring 7m<sup>2</sup>; Flat 7 would have private access to a roof terrace measuring 9m<sup>2</sup> and Flat 8 would have access to a private roof terrace measuring 9m<sup>2</sup>. Where necessary the balconies and roof terraces woud be fitted with obscure glazed privacy screens to prevent any overlooking and potential loss of privacy both to future and nieghbouring occupiers. Further details of the privacy screens are required through condition.

An appropriate area for the storage of recycling and refuse bins has been provided for each new dwelling towards the front of the site. A cycle store is proposed at the rear of the site, whilst the positioning of the store is considered to be acceptable no details have been provided regarding its appearance. This is considered to be acceptable, although further details of the enclosures are required through the imposition of condition.

The site has a PTAL rating of 1. The proposed development offers one car parking spaces per units in line with Highways requirements. The parking facilities would be provided at the rear of the site, accessed via a ramp, in a similar manner to other flatted developments found along Friern Park, thereby reducing the impact on parking within the street. The parking spaces located closest to the development would be covered with a timber pergola to reduce the noise and improve the visual impact to both future and neighbouring occupiers. A disabled bay would be provided at the front of the site.

### Impact on neighbours

In order to further reduce the impact of introducing car parking to the rear of the site, it is proposed to erect a 1.8m high acoustic barrier fence along the sides and rear of the site to absorb noise and mitigate against any potential disturbance and loss of amenity to neighbouring occupiers. Furthermore, the rear planting will be retained to provide a natural landscape barrier which will give extra visual and noise protection.

It should be noted that in regards to the parking provision, which is shown to be sited towards the rear of the site, behind the proposed new block; the current application is the same as the previous applications, including the allowed appealed scheme.

The provision of car parking to the rear of the site has been deemed acceptable by The Planning Inspectorate in relation to the earlier appealed scheme. Indeed the Inspector noted that the proposals would not give rise to any loss of amenity to neighbouring occupiers due to boundary fencing and would not be out of character as other existing sites have similar set-ups and therefore this arrangement can be considered to be an established feature of the area.

The proposals are considered to be acceptable. It is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

#### **5.4 Response to Public Consultation**

Whilst the loss of this attractive family home is regretted, the existing building holds no specific heritage designation and the site is not located within a Conservation Area, and therefore the building holds no protection with which to prevent its demolition.

In regards to the concerns raised regarding the design and appearance of the replacement dwellings, it is considered that that proposed new buildings will respect the varied appearance of the streetscene and not result in any loss of amenity to neighbouring occupiers or the wide vicinity. Details of the proposed materials to be used are required by condition, this will ensure that the development is successfully implemented.

In regards to the parking issues raised, the development offers one car parking space per unit; number of car parking spaces is considered to be sufficient for a development of this type. Other developments along Friern Park benefit from a similar arrangement which see the car parking provided at the rear of the site and therefore the proposed development is not considered to be an out of character development

It should be noted that the scale of the proposed development which proposes 8 new flatted units does not trigger the requirement for affordable housing. Policy DM10 of the Development Management Policies notes that affordable housing must be provided at "all new sites providing 10 or more units gross or covering an area of 0.4ha or more."

To address the concerns regarding noise and disturbance during construction a condition restricting construction working hours is suggested.

#### **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 support the Council in meeting its statutory equality responsibilities.

#### **7. Conclusion**

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

