

**Location**                                **85-87 The Ridgeway London NW11 9RX**

**Reference:**                            **16/7996/FUL**                                Received: 15th December 2016  
Accepted: 22nd December 2016

Ward:                                        Childs Hill                                        Expiry 16th February 2017

Applicant:                                **JUBILEE INVESTMENTS**

Proposal:                                Demolition of existing properties and garage and erection of two storey buildings with rooms in roofspace and basement level with associated lightwell to provide 5no self-contained flats and 1no single family dwelling. Associated parking, refuse and recycling store, amenity space

**Recommendation:** Approve subject to conditions

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

Site Location Plan; LP 01; SE.01; SE.02; SE.03; SE.04; SE.05; GA 201/A; GA 202/A; GA 203/A; GA 204; GA 205; GA 206/A; GA 207/A, GA 208; GA 209; GA 210/A; Boyer - Planning Statement

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

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

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

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF

and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

- 4 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

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

- 5 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

- 6 No 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).

- 7 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).

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 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.

10 a) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until details of temporary tree protection have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the scheme of temporary tree protection as approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with Policy DM01 of the Development Management

Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2015.

- 11 Before the building hereby permitted is first occupied the proposed window(s) in the side elevations facing 83 and 89 The Ridgeway 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).

- 12 a) Before the development hereby permitted is first occupied, details of the subdivision of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented 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) and the Sustainable Design and Construction SPD (adopted April 2013).

- 13 The flat roof of the building hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 14 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.

- 15 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.

- 16 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 40% 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. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](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.

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

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

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

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

- 4 If the proposal is carried out it will be necessary for the existing crossover to be amended by the highways Authority and for new crossovers to be constructed. Any new crossovers or amendments to existing crossovers will be subject to detailed survey assessment as part of the application for crossover under the Highways Act 1980 and would be carried out at the applicant's expense.. Any street furniture including lamp columns, affected by the proposed crossover would be relocated at the applicant's expense. Relocation of lamp columns may not just relate to the lighting column directly in front of the applicants property. Amendments may also be required to other lighting columns along the road to ensure adequate street lighting coverage is maintained. The proposal will require alterations to on street parking bays which will be subject to a statutory consultation. The tree section will be consulted regarding the highways tree in close proximity of the proposed crossovers. The outcome of these consultations cannot be pre judged.

The applicant should submit a vehicle crossover application to London Borough of Barnet, Barnet House, 11th Floor Highways, 1255 High Road Whetstone London N20 0EJ.

The applicant is advised that following the outcome of the detailed crossover inspection the position of the proposed crossovers (and parking layout) may need to be amended.

- 5 For construction works adjacent to the public highways, the applicant must contact the Council on 0208 359 2000 for any necessary Highways Licenses
- 6 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 Barnet House, 11th Floor Highways, 1255 High Road Whetstone London N20 0EJ

- 7 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme ([www.ccscheme.org.uk](http://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.



## **Officer's Assessment**

### **1. Site Description**

The application site is located on the north side of The Ridgeway opposite the junction with Ridge Hill, within the Childs Hill ward. The host buildings are a pair of semi-detached, two-storey residential dwelling houses.

The site holds no specific designation and is not located within a Conservation Area. The surrounding area is residential, characterised predominantly by detached and semidetached single family dwelling houses. Dwellings in the local area show considerable cohesion in age, architectural styling and features; the local area accordingly has a clearly identifiable established character.

The application site is unique in that it has an uncharacteristic gap between 85 and 83 The Ridgeway due to the unused free standing garage and overgrown garden to the east of the application dwellings.

### **2. Site History**

Reference: 16/3807/FUL

Address: 85-87 The Ridgeway, London, NW11 9RX

Decision: Refused

Decision Date: 15 August 2016

Description: Demolition of existing buildings and erection of two-storey building with rooms in roof space to provide 4 no. self-contained flats, and 1 no. single family dwelling including associated off-street refuse storage, 6 no. off-street parking spaces and associated landscaping.

Reference: 15/07835/FUL

Address: 85 The Ridgeway, London, NW11 9RX

Decision: Refused

Decision Date: 29th February 2016

Description: Demolition of the existing semi-detached properties and detached garage to be replaced by two-storey building with rooms in roof space to provide 5no. self-contained flats, and 1no. single family dwelling including associated off-street refuse storage, 6no. off-street parking spaces and associated landscaping

The above application was refused for the following two reasons:

1. The development, by reason of the introduction of self-contained flats, would fail to respect the established character of the area which comprises predominantly single family dwellinghouses, contrary to Policies 3.5, 7.4 and 7.6 of the London Plan (Adopted 2011 and 2013), Policies CS NPPF, CS1 and CS5 of the Barnet Adopted Core Strategy (2012), Policy DM01 of the Adopted Development Management Policies DPD (2012) and the Adopted Residential Design Guidance SPD (2013).

2. In the absence of a legal agreement to restrict future occupiers from obtaining residents parking permits, the development would result in additional pressures on on-street parking to the detriment of the free flow of traffic and highway safety, contrary to policy DM17 of the Adopted Barnet Development Management Policies DPD 2012.

The Planning Inspectorate has allowed the appeal for the following reasons;

#### Character and Appearance

12. The proposed development would appear as two purpose built semi-detached dwellings and a detached dwelling and would be of a similar size and scale to the surrounding properties. It would therefore be in keeping with the predominant character and appearance of the residential area and have no materially harmful effect. Furthermore, whilst the proposal would result in the demolition of two family dwellings, it would create two 3 bedroom dwellings and one 5 bedroom dwelling, equating to an overall increase in the number of family dwellings in the area. As a result, it would contribute towards local housing needs as identified in the London Plan (adopted 2011 and 2013) (the London Plan) and the adopted Barnet Core Strategy 2012 (the Core Strategy).

#### Parking and highway safety

20. Consequently, I conclude that the potential increase in demand for on-street parking would be accommodated by the existing capacity in the area and would not be harmful to highway safety. Furthermore, I conclude that parking in the CPZ would not be so saturated as to result in any material additional pressures on on-street parking which would necessitate a restriction on parking permits for future occupiers. Therefore, the proposal would comply with Policy DM17 of the DMP. Amongst other matters, this policy seeks to ensure that residential development provides sufficient parking to meet its needs and does not have a significant detrimental effect on the safety of all road users.

Reference: 15/05841/FUL

Address: 85 The Ridgeway, London, NW11 9RX

Decision: Approved subject to conditions

Decision Date: 12 November 2015

Description: Demolition of existing semi-detached dwelling and existing garage to form 3no self-contained dwellings with associated gardens and refuse space and parking. Creation of basement to lower level. Roof extension involving 3no rear dormer windows and 2no rooflights to front elevation

Application: C06473B/04 Address: 87 The Ridgeway London NW119RX Dated: 27.09.2004 Decision: Approve subject to conditions Description: Single storey front extension.

Application: C06473A Address: 87 The Ridgeway NW11 Dated: 08/08/1978 Decision: Lawful Description: formation of a rear dormer window

Application: C06473 Address: 87 The Ridgeway NW11 Dated: 30/06/1978 Decision: Lawful Description: dormer windows at rear

### **3. Proposal**

This application seeks consent for the demolition of existing properties and garage and erection of two storey buildings with rooms in roofspace and basement level with associated lightwell to provide 5no self-contained flats and 1no single family dwelling. Associated parking, refuse and recycling store, amenity space.

The application is essentially the same as the appeal scheme.

This current application seeks to include single storey rear extensions measuring approximately 2.3m in height and 1.8m in depth centrally located on the rear elevation,

providing additional space to the ground floor flats. It was originally proposed to provide a rear terrace to the flat roof of the rear extensions but this element of the proposals has been removed from the final scheme and the flat roof is noted as just for maintenance.

The enlargement of the ground floor units is also proposed by providing basement accommodation - the provision of a basement has already been deemed acceptable under application reference 15/05841/FUL dated 12.11.2015.

The number of lightwells serving the proposed basement accommodation has been reduced from 4 to 2 under this application but those 2 remaining are larger than the previously approved lightwells by approximately 400mm.

#### **4. Public Consultation**

43 consultation letters were sent to neighbouring properties.  
7 responses have been received

The views of objectors can be summarised as follows;

- Out of character
- Overlooking
- Concerns regarding parking
- Basement needs construction plans
- Flats unacceptable in this location
- Concerns regarding landscaping
- Impact on parking
- Will set precedent
- Built house appears out of character

#### **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 October 2016)

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

## **5.3 Assessment of proposals**

Extensions and additions

This application seeks consent to add a single storey rear extension to the pair of semi-detached properties; the proposed extension would measure approximately 1.75m in depth, 3m in length (with a total width of 6m across the rear elevation of the pair of semi-detached properties) and have a height of 2.85m with a flat roof, and be centrally located on the rear elevation.

The proposed extension is considered to be an acceptable addition to the development; it is modest and subordinate in size and scale ensuring no visual harm to the resultant flatted development. The position of the extension within the site is not considered to give rise to any loss of amenity to neighbouring occupiers.

It is also proposed to provide basement accommodation to serve the ground floor flatted units; the accommodation will consist of two additional bedrooms with en-suite facilities, with the main habitable rooms remaining above ground. The principle of providing basement accommodation as part of the development has already been established in the granting of planning permission for;

"Demolition of existing semi-detached dwelling and existing garage to form 3no self-contained dwellings with associated gardens and refuse space and parking. Creation of basement to lower level. Roof extension involving 3no rear dormer windows and 2no rooflights to front elevation." Under reference 15/05841/FUL dated 12.11.15.

Under this application the external manifestations of the basement accommodation consist of 2 lightwells adjacent to either side of the single storey rear extension. The lightwells have been increased in size by approximately 400mm but reduced in number from four to two. On balance the alteration is considered to be acceptable.

Originally this application proposed a balcony terrace to the flat roof of the proposed rear extension; this has now been removed from the scheme as there were concerns about the potential overlooking to neighbouring gardens as well the introduction of an out of character addition to the application site.

#### Principle of development

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.

Following the decision made by the Appeal Inspector in regard to application reference 15/07835/FUL dated 29th February 2016 whereby it was decided that self-contained units would not be detrimental to the established character and appearance of the area, maintaining plot spacing's and featuring architectural styling's which reflects the local area, it is considered that the principle of self-contained units in this location is acceptable.

#### Amenity of neighbouring occupiers

The form, scale and bulk of the proposals is the same as was given consent under the previously approved scheme for;

"Demolition of existing semi-detached dwelling and existing garage to form 3no self-contained dwellings with associated gardens and refuse space and parking. Creation of basement to lower level. Roof extension involving 3no rear dormer windows and 2no rooflights to front elevation" under reference 15/05841/FUL dated 12 November 2015.

It is therefore considered that the proposed development is acceptable in terms of the impact the scale and appearance of the building will have on the amenity of neighbouring occupiers.

#### 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 2016 and is considered to provide adequate internal space for future occupiers.

The proposed development would provide the following accommodation and amenity space:

#### Internal floor areas

Flat 1 (3b6p) 172m<sup>2</sup>

Flat 2 (3b6p) 172m<sup>2</sup>

Flat 3 (2b3p) 111m<sup>2</sup>

Flat 4 (2b3p) 111m<sup>2</sup>

Flat 5 (2b4p) 165m<sup>2</sup>

85 (single dwelling) 293m<sup>2</sup>

#### Amenity space provision

The gardens for the flats, not including the paths and any front garden area are the following sizes:

Flat 1	76 m <sup>2</sup>	(private)
Flat 2	89 m <sup>2</sup>	(private)
Flat 3	185 m <sup>2</sup>	(communal)
Flat 4	185 m <sup>2</sup>	(communal)
Flat 5	185 m <sup>2</sup>	(communal)

These dwellings would exceed 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 new dwelling houses of up to six habitable rooms, outdoor amenity space should be 70m<sup>2</sup>. Given the amount of land at the rear of the site it is considered that this requirement can be met.

The site has a PTAL rating of 3 and is located within a controlled parking zone. The proposed development offers two parking space for the detached house and four spaces for the 4 flats; this would require alterations to the existing dropped kerbs, the creation of enlarged hard standings to the front of the site, the potential removal of an existing street tree and lamp post as well as alterations to the existing Controlled Parking Zone by way of altering and removing one of the bays at the front of the application site. The decision by the Appeal Inspector noted the following;

"I conclude that the potential increase in demand for on-street parking would be accommodated by the existing capacity in the area and would not be harmful to highway safety. Furthermore, I conclude that parking in the CPZ would not be so saturated as to result in any material additional pressures on on-street parking which would necessitate a restriction on parking permits for future occupiers. Therefore, the proposal would comply with Policy DM17 of the DMP. Amongst other matters, this policy seeks to ensure that residential development provides sufficient parking to meet its needs and does not have a significant detrimental effect on the safety of all road users." It is therefore considered that the proposed development is acceptable on Highways grounds.

The proposed building is not considered to impact upon amenities of any neighbouring resident to a level of detriment even with the introduction of the single storey rear extension and the removal of the proposed balcony further reduces the potential for any loss of amenity to neighbouring occupiers. The building is stepped in at the rear so as to ensure that the outlook of no.83 is not adversely affected with a projection of only 3 metres beyond the recessed rear elevation of this neighbouring property. Similarly, because of the existing single storey car port on the neighbouring property as well as the proposed rear set back and recently constructed extension which was not built when the previous applications were made, the proposed development would not impact upon the amenities of the occupiers of no.89 to a level of detriment.

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

The concerns raised are noted. All planning matters are covered in the above report.

It should be noted that the design and appearance of the proposed development has already been accepted by the Planning department in the approval of application reference 15/05841/FUL dated 12.11.2015.

Concerns relating to the principle of providing flats at this location are noted but was deemed acceptable by the Planning Inspectorate following an allowed appeal under planning application reference 15/07835/FUL dated 29.12.2016.

#### **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.

