

<b>Location</b>	<b>St Barnabas Church 42 Holden Road Woodside Park London N12 7DN</b>	
<b>Reference:</b>	<b>16/5632/FUL</b>	Received: 25th August 2016 Accepted: 8th September 2016
Ward:	Totteridge	Expiry 8th December 2016
Applicant:	N/A	

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Proposal: Conversion of the existing St Barnabas Church from Use Class D1 (community use) to Use Class C3 (residential) comprising 21 flats and four floors, along with associated external alterations. Demolition of the existing bungalow at 42 Holden Road and construction of a three storey plus lower ground floor building comprising 9 residential flats and car parking, provision of private and shared amenity space, cycle and bin stores and other associated works.

**Recommendation:** That upon completion of the agreement specified in Recommendation 1, the Interim Head of Development Management approve planning application reference 16/7565/FUL subject to the following conditions and any changes to the wording of the conditions considered necessary by the Interim Head of Development Management.

## RECOMMENDATION 1:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Re-provision of existing D1 floorspace (1,015 sqm).
4. Commitment to 3 apprenticeships and 3 progression into work places. Seek that there is a local supply chain target of 30%; local labour target of 30% (and reporting on both); forecasting of job opportunities; and notification of job vacancies
5. Contribution towards affordable Housing £400,000.00
6. Monitoring of legal agreement

## RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Planning Performance and Business Development Manager/Head of Development Management approves the planning application subject to the following conditions and any changes to

the wording of the conditions considered necessary by the Planning Performance and Business Development Manager/Head of Development Management:

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

001 (Site Location Plan)  
002 (Block Plan)  
003 (Existing Plans Ground Floor Level)  
004 (Existing Plans First and Basement Floor Level)  
005 (Existing Sections A-A, C-C & D-D Sheet 1 of 2)  
006 (Existing Sections E-E, F-F & G-G Sheet 2 of 2)  
007 (Existing Elevations Sheet 01 of 02)  
008 (Existing Elevations Sheet 02 of 02)  
200 J (New Build Lower Ground Floor Layout)  
201 K (New Build Upper Ground / Ground Floor Plan)  
202 H (New Build 1st and 2nd Floor Plan)  
203 C (Roof Plans)  
210 A (Church Conversion Proposed Plans Ground Floor Level)  
211 A (Church Conversion Proposed Plans First Floor Level)  
212 (Church Conversion Proposed Plans Second Floor Level)  
213 (Church Conversion Proposed Plans Third Floor Level)  
300 B (New Build Proposed Sections A-A & B-B)  
301 C (New Build Proposed Sections C-C)  
310 (Church Conversion Proposed Sections A-A, C-C & D-D Sheet 01 of 02)  
311 (Church Conversion Proposed Sections E-E, F-F & G-G Sheet 02 of 02)  
400 H (New Build Proposed Elevations Sheet 1 of 3)  
401 H (New Build Proposed Elevations Sheet 2 of 3)  
402 G (New Build Proposed Elevations Sheet 3 of 3)  
410 A (Church Conversion Proposed Elevations Sheet 01 of 02)  
411 A (Church Conversion Proposed Elevations Sheet 02 of 02)  
700 (New Build Area Schedule)\*  
701 (Area Schedule - Church Conversion)

Acoustic Report  
Air Quality Report  
Daylight Sunlight Report  
Design and Access Statement  
Drainage Statement  
Energy and Sustainability Statement  
Phase 1 Habitat Survey  
Planning Statement  
Preliminary Risk Assessment  
Transport Statement  
Tree Report  
Utilities 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) associated with the conversion of the existing church shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels around the existing church site have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved and retained as such thereafter.

b) No development (other than demolition works) associated with the erection of the new building to replace 42 Holden Road shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels around the 42 Holden Road site have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved 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 or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:
- 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.

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 Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 5 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).

- 6 a) (i) No development (other than demolition works) associated with the conversion of the existing church shall take place until a scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping for the area around the existing church, have been submitted to and agreed in writing by the Local Planning Authority before the development.

a) (ii) No development (other than demolition works) associated with the erection of the new building to replace 42 Holden Road shall take place until a scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping for the area around the new building at 42 Holden Road, have been submitted to and agreed in writing by the Local Planning Authority before the development.

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.

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.

- 7 No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the tree protection measures as recommended in the submitted Tree Report (received 25/08/2016) have 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.

- 8 Before the development hereby permitted is occupied the proposed parking spaces within the parking area as shown in drawings 200 Rev J, 201 Rev. K and 008.099 Rev. 06 within the submitted Transport Statement shall be provided and the access to the parking spaces will be maintained at all time. The parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced 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.

- 9 Before the development hereby permitted is occupied details of the 20% active and 20% passive parking spaces to be installed with electric vehicle charging points shall be submitted and approved by the Local Planning Authority. Such spaces shall be provided prior to first occupation and permanently retained and maintained thereafter.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

- 10 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with London Plan Parking Standards. Details shall be submitted to and approved by the Local Planning Authority and such spaces shall be provided prior to first occupation and permanently retained and maintained thereafter.

Reason: In the interests of promoting cycling as a mode of transport 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.

- 11 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).

- 12 Notwithstanding the details shown on the hereby approved drawings, the rooflight(s) to be installed on the church building shall be of a "conservation" type (with central, vertical glazing bar), set flush in the roof.

Reason: To safeguard the character and appearance of the Conservation Area in accordance with policy DM06 of the Development Management Policies DPD (adopted September 2012).

- 13 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).

- 14 The development hereby approved shall not commence (other than demolition works), until a surface water drainage strategy for the site has been submitted to and approved in writing by the local planning authority. All planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development - must use Sustainable Drainage Systems (SUDS) for the management of surface water runoff, unless demonstrated to be inappropriate.

Reason: To ensure that the development manages surface water in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems).

- 15 The development should discharge surface water runoff as high up the discharge hierarchy as possible. Where it is not possible to achieve the first hierarchy, discharge through the ground, applicants must demonstrate in sequence why the subsequent discharge destination was selected. Proposals to dispose of surface water into a sewer, highway drain, surface water body or another drainage system must be accompanied by evidence of the system having spare capacity downstream and acceptance of the surface water by the appropriate authority (ies).

Reason: To ensure that the development discharges surface water from the site in a manner that takes into consideration the statutory duties, legislation and regulatory requirements of authority (ies) receiving surface water and ensures that downstream flood risk is mitigated in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, Approved Document Part H of the Building Regulations 2010) and Paragraph 80 of Planning Practice Guidance.

- 16 The surface water drainage strategy shall use SuDS to manage peak surface water runoff rates in accordance with S2 and S3 of the Non-statutory Technical Standards for Sustainable Drainage Systems. SuDS shall be used to provide volume control in accordance with S4, S5 and S6 of the Non-statutory Technical Standards for Sustainable Drainage Systems.

Reason: To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the development in accordance with in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems) and best practice design guidance (such as the SuDS Manual, C753.)

- 17 The surface water drainage strategy for the site must be accompanied by evidence of an Adopting Authority accepting responsibility for the safe operation and maintenance of SuDS within the development. The Adopting Authority must demonstrate that sufficient funds have been set aside and / or sufficient funds can be raised to cover operation and maintenance costs throughout the lifespan of the development. The Adopting Authority shall be responsible for satisfying themselves of the suitability of the adopted SuDS prior to adoption, and shall keep records of operation and maintenance activities, for possible inspection by the Council.

Reason: To ensure that the surface water drainage system and SuDS are constructed appropriately and are adopted by an Adopting Authority responsible for the safe operation and maintenance of the system throughout the lifetime of the development. Appropriate construction of SuDS should take into consideration S13 of the Non-statutory Technical Standards for Sustainable Drainage Systems. Operation and maintenance of SuDS should take into consideration the Written Ministerial Statement of 18 December 2014 and Planning Practice Guidance Paragraphs 81 and 85.

- 18 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.

- 19 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.

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

- 21 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (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) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. 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.

- 22 a) No site works or works in connection with the development hereby approved shall be commenced until details of the protective measures to be implemented for the wildlife species protected by law and details of any mitigation measures including the timing of development works and special techniques has been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and thereafter maintained in accordance with the approved details.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 23 a) No site works (including any temporary enabling works, site clearance and demolition or any investigative works referred in any other conditions, or development) shall be commenced until further surveys, following on from the Phase 1 Habitat Survey, have been undertaken which details any mitigation strategy that may be necessary and has been submitted to and approved in writing by the Local Planning Authority.

b) The site clearance and any mitigation measures shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 24 a) No development associated with the conversion of the existing church shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved and retained as such thereafter.

1) Samples of the materials to be used for the external surfaces of the building and hard surfaced areas;

2) Details of the new louvres at 2nd floor level in the church building at scale 1:10;

3) Details of secondary glazing and new double glazed units at scale 1:10;

4) Details of the removal and relocation of existing stained glass windows and the war memorial currently housed in the church;

5) Details of all external lighting;

6) Sections of the new windows, rooflights and doors at a scale of 1:10.

b) No development (other than demolition works) associated with the erection of the new building to replace 42 Holden Road shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved and retained as such thereafter.

1) Samples of the materials to be used for the external surfaces of the building and any hard surfaced areas;

2) Details and materials for new balconies and screening;

3) Details of all external lighting.

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

Reason: To safeguard the special architectural or historic interest of the building and wider area, to ensure a satisfactory appearance, to protect the amenities of neighbouring residents 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), Policies DM01, DM02 and DM06 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.

- 25 a) No above-ground works shall take place until details of mitigation measures to show how the development will be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from road and rail, as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

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 mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD, and 7.15 of the London Plan 2015.

- 26 a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to 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 details approved under this condition.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015).

- 27 The development shall not be occupied until such a time as details of window treatment (including obscure glazing) have been submitted, approved and implemented.

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).

### RECOMMENDATION III:

- 1 That if an agreement has not been completed by 31 July 2017, that unless otherwise in writing, the Planning Performance and Business Development Manager should REFUSE the application 16/5632/FUL under delegated powers for the following reasons:

1. The proposed development does not provide a commitment to provide at least equivalent quality or quantity of community space on the site or at a suitable alternative location contrary to policy CS10 of the Adopted Core Strategy and policy DM13 of the Adopted Development Management Policies DPD and the Planning Obligations SPD (2013).

2. The proposed development does not include a formal undertaking to provide a satisfactory review mechanism to secure a post-development review of the ability of the scheme to make a financial contribution for that purpose. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 of the Development Management Policies DPD (adopted September 2012), the Affordable Housing SPD (2009), Enterprise and Training SPD (2014), and the Planning Obligations SPD (2013).

### Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £109,865 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 £423, 765 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 The applicant is advised that any alteration if required to the public highway (including pavement) will require prior consent of the local highways authority. You may obtain an estimate for this work from Environment and Operations Directorate, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 5 Any details submitted in respect of the Demolition Construction and Traffic Management Plan (DCMP) above shall control the hours, routes taken by delivery and construction vehicles, delivery arrangements, means of access and security procedures for construction traffic to and from the site and for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site.

The DCMP will take into account locations of any schools in the proximity of the proposed development that may be affected by the proposed development and the applicant shall ensure that construction related traffic and or deliveries shall be avoided during the school drop off and pickup times. The applicant may need to liaise with the affected school to ensure that measures are in place to ensure pedestrian safety.

- 6 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.

## **Officer's Assessment**

### **1. Site Description**

- 1.1 The application site (named St Barnabas Church) is located on the eastern side of Holden Road, within the ward of Totteridge.
- 1.2 The site has an area of approximately 0.31 hectares and consists of two parts: the southern part of the site consists of an early 20th century church building, while there is a single storey bungalow (42 Holden Road) located within the northern part of the site. There are a number of temporary modular buildings and other single storey structures located within the rear ground area but lie out with the application site. This area of land located to the rear (east) of the church is owned by TfL.
- 1.3 There are separate vehicular accesses into the church and 42 Holden Road with small areas of off-street parking.
- 1.4 The church building is designated as a locally listed building under the Borough's 'Schedule of Buildings of Local Architectural or Historical Interest. The site is not located within a designated conservation area. The site is located approximately 1km from North Finchley Town Centre and Woodside Park Underground Station is located approximately 170m walking distance from the site.
- 1.5 Surrounding the site to the north, is a three storey residential property (44 Holden Road) comprising of flats; to the east is the railway line and land owned by TfL; to the south is Vicarage Court, a three storey building comprising of flats, and Holden Road runs along the western boundary. With the exception of the church building, the surrounding area is predominately residential with a variety of detached, semi-detached and terraced houses as well as a number of modern residential blocks of flats.

### **2. Site History**

- 2.1 Reference: B/01714/09  
Address: St Barnabas Church, Holden Road, London, N12 7DN  
Decision: Approved subject to conditions  
Decision Date: 27 July 2009  
Description: Temporary retention of portacabin as existing office / youth building, erection of single storey conservatory for temporary use and associated additions to the rear including raised timber decking.
- 2.2 Reference: N12944/01  
Address: 42 Holden Road, London, N12  
Decision: Withdrawn  
Decision Date: 15 February 2002  
Description: Demolition of existing bungalow and the erection of a three storey building to provide five, one bedroom flats and three, two flats and associated parking (outline).
- 2.3 There are a number of further applications dating from 1985 to 2001 relating to erection of office building and temporary classrooms to rear and single-storey side extension to the church building.

### **3. Proposal**

- 3.1 There are two elements to the proposed development: conversion of the existing church and redevelopment of 42 Holden Road.
- 3.2 It is proposed to convert the existing church building to provide 21 self-contained flats. A number of alterations are proposed to the building such as the creation of new doors, windows and rooflights. It is proposed to remove the existing single storey modern extension to the south of the church. The existing church use is proposed to be located to an alternative site at Solar House, 915 High Road, N12 8QJ. A separate planning application (Barnet reference 16/5639/FUL) has been submitted separately to consider the acceptability of a D1 use on that site.
- 3.3 The other part of the application involves the demolition of the existing bungalow at 42 Holden Road and the construction of a 3 storey plus lower ground floor building comprising of 9 self-contained flats. Accommodation is also proposed within the roofspace. The proposed new build would measure approximately 11.8m in width, with a depth of 22.4m along the norther elevation and 27m along the southern elevation and have a total height of approximately 16m.
- 3.4 Between both elements there would be a total of 30 self-contained flats proposed.
- 3.5 The proposal would provide 30 car parking spaces and 43 cycle parking spaces which would be located at the lower ground floor level of the new 42 Holden Road building and at surface level within the forecourt areas. The proposed development will provide new external communal and private amenity space.
- 3.6 A number of amendments have been made to the original proposal. The changes are as follows:
- Reduction in the number of rooflights proposed on the church building;
  - Height of new build at 42 Holden Road has been reduced;
  - Side and rear footprint of the new build has been reduced closest to the northern boundary and has several stepped elements; and
  - Metal balconies on the front elevation of the new build have been replaced with smaller recessed brick balconies.

### **4. Public Consultation**

- 4.1 Consultation letters were sent to 143 neighbouring properties. The application was re-consulted on 9 December 2016 following the submission of amended plans.
- 4.2 6 responses have been received, comprising 4 letters of objection and 1 letter of support. 1 of the 6 representations received, provided no valid planning considerations for their objection.
- 4.3 The objections received can be summarised as follows:
- Street is congested with parking and traffic to a dangerous extent;
  - Proposal does not provide enough on-site parking;
  - Loss of valuable cultural and heritage asset;
  - Considerable loss of amenity;

- Application is totally conditional on approval to 16/5639/FUL; the Council should consider the two together;
- Transfer of existing war memorials and other fittings should be treated with proper care and re-sited appropriately.
- In view of the non-viability of the development for affordable housing provision, the Council should appraise this assertion carefully and should be in accordance with Policy CS4 and London Plan.
- Poor amenity provided to future occupiers of the site in terms of sunlight and daylight.

4.4 The letter of support received can be summarised as follows:

- Nice development that will be of enormous benefit for the residents of Barnet;
- Looks similar to surrounding blocks of flats and is a much more efficient use of space than the current bungalow and underused church;
- Close proximity to tube station.

5. Summary of responses from Internal Consultation

**LBB Urban Design & Heritage** - Expressed concerns that a number of proposed works are harmful to the heritage asset and its setting

**LBB Traffic and Development** - No objection subject to conditions

## 6. Planning Considerations

### 6.1 Policy Context

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

- 6.1.1 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.
- 6.1.2 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.
- 6.1.3 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

- 6.1.4 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.

- 6.1.5 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)

- 6.1.6 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, CS10, CS13, CS14, CS15
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08, DM10, DM13, DM16, DM17

#### Supplementary Planning Documents

- 6.1.7 Affordable Housing (Adopted 08/02/2007)  
Planning Obligations (Adopted 18/04/2013)  
Residential Design Guidance SPD (adopted October 2016)  
Sustainable Design and Construction SPD (adopted October 2016)  
Delivering Skills, Employment, Enterprise and Training (SEET) from development through S106 (Adopted October 2014)

## **7. Assessment of proposal**

### **Principle of loss of D1 community space**

- 7.1 Policy DM13 (Community and education use) of the Barnet Development Management Policies Document relates to the loss of existing community uses and states that *"loss of community use will only be acceptable in exceptional circumstances where:*
- i. new community use of at least equivalent quality or quantity are provided on the site or at a suitable alternative location; or*
  - ii. There is no demand for continued community use, and that the site has been marketed effectively for such use."*
- 7.2 At present, the existing building provides 1,015 sqm of D1 floorspace. The application justifies the proposed loss of community use at this site by proposing to re-provide the existing D1 floorspace at an alternative site at Solar House located at High Road, located approximately 860m to the north-east. As already stated there is a separate application which considers the acceptability of new community space at this site. Therefore Planning Officers will require that the two applications are require to be linked through a Section 106 agreement.
- 7.3 The proposed new site, would be able to accommodate the existing 1,015 sqm of D1 floorspace and once the overall development of that site is complete, there will be an overall increase of D1 floor space. If the alternative site was granted approval

for the change of use, therefore once the church moved into the new building, it would allow for the release of the existing church site to be development.

### Conclusion

- 7.4 Having regard to the above, subject to a Section 106 agreement and application reference 16/5639/FUL being approved, then Planning Officers would consider that the requirements of policy DM13 would be satisfied.

### **Principle of residential development**

- 7.5 With the exception of the church, the predominant character of the street is residential. Within Holden Road there are a variety of detached, semi-detached and terrace properties as well as modern blocks of flats. 44 Holden Road to the north of the site consists of flats and Vicarage Court to the south is a modern flatted development.
- 7.6 Having regard to the character of the street, Planning Officers do not consider that a development on this site consisting of flats would have an adverse impact on the character of the street. The provision of 30 units will help contribute to the Borough's housing supply.

### **Affordable Housing**

- 7.7 Barnet policy DM10 (Affordable housing contributions) states that there is a borough wide target that 40% of housing provision should be affordable , subject to viability, from all new sites providing 10 or more units gross or covering an area of 0.4 hectares or more. (This has been superseded by recent Court decisions that confirm that affordable housing can be sought only on sites providing 11 or more units or with a floorspace exceeding 1,000 sq m.)
- 7.8 In line with Core Strategy Policy CS4 the tenure mix of affordable housing sought is 60% social rented and 40% intermediate.
- 7.9 The Policy states that in only exception circumstances, as set out in Barnet's Affordable Housing SPD, developments may seek a reduction in the affordable housing contributions or provide payments in lieu. Where it is proposed to provide a reduction of the 40% required affordable housing provision, the Council will require the applicant to submit a Financial Appraisal which would be required to be independently assessment. The costs of this are to be borne by the applicant as it seeks to justify the development business case and planning merits of reduced affordable housing provision.
- 7.10 As the proposed development seeks to provide 30 units, according to policy DM10, a 40% affordable housing contribution would relate to 12 units. The applicant has submitted an appraisal of the financial viability of the proposed development which confirms that the provision of any affordable units as part of the development is unviable.
- 7.11 As required by policy, the applicant agreed to have the submitted financial appraisal independently assessed.

- 7.12 An independent analysis was undertaken of the submitted report and concluded that the proposed scheme is not viable even with nil affordable housing. A reason for this is because of the high construction costs for the development due to high costs for conversion of the church, and low efficiency. The other important factor is the benchmark site value. The site has a high value in its current status and format and therefore, the scheme must generate a higher profit than would normally be required to encourage the landowner to develop for residential rather than selling the site or using it for its current / existing use.

### Conclusion

- 7.13 With regards to the above, Planning Officers consider that the applicant has sufficiently demonstrated that due to viability reasons, no affordable housing provision can be provided on site. Therefore, the proposal would not conflict with policy DM10 of the Barnet Local Plan.
- 7.14 However, while the proposal meets policy requirements, the applicant is proposing a contribution of £400,000 over and above the policy requirements.

### **Design Impact**

- 7.15 Paragraphs 56-58 of the National Planning Performance Framework (NPPF) set out the importance of good design. This is reflected in Policy CS5 and DM01 of the Barnet Local Plan, which seeks to achieve a high quality design in all developments.

### Conversion of existing church

- 7.16 At stated the existing church building is designated as a locally listed building. Policy DM06 (Barnet's heritage and conservation) seeks a presumption in favour of locally listed buildings and against any proposed alterations or other external works which might be harmful to the architectural and historic character and setting of such buildings.
- 7.17 In determining planning applications that affect a locally listed building or its setting, the NPPF requires amongst other things that LPA's should take into account the desirability of sustaining and enhancing the significance of such heritage assets and of putting them to viable uses consistent with their conservation.
- 7.18 In determining its significance, it is necessary to consider the history of the building. The church building dates to 1912 and was completed 2 years later. It is a large building built of red brick with Wealdon limestone bands in a decorated style to design by J.S Alder. During the 1970s there was a modern extension to the south elevation of the building. The form of the building is constructed around a central nave with aisles on either side. On the front elevation, there are two separate entrances, a central bay window and a large gothic window. The setting of the church is quite narrow, as a result of neighbouring development. As you approach along Holden Road, you get glimpses of the front elevation and its height but it's only when you reach directly outside the church that you can view the extent of the church building. At present there is a community/social significance of the site given the number of attendees and visitors to the church.

- 7.19 There are no significant alterations or proposed works to the exterior appearance of the building. The later modern addition to the south elevation is proposed to be removed and it is proposed to install new windows and doors at ground floor level and a series of conservation rooflights. A number of existing windows will be replaced based upon their current condition. It is not proposed to extend or remove any of the original church structure. Planning Officers consider that the overall impact on the designated heritage asset would lead to less than substantial harm.
- 7.20 Paragraphs 126 to 141 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 7.21 In considering other alternative uses, the large scale of the building limits potential uses. The application is seeking to convert the building into residential flats which is considered to be a viable alternative use. Officers consider that by permitting the building to be used for residential the public benefits of the proposed development would ensure that the future conservation of the building is maintained.
- 7.22 The Council's Heritage officers expressed concerns over the loss of existing stained glass and existing lead windows. In securing the building for its optimum use, the retention of stained glass/artwork provides a difficult challenge to allow those areas of the building to be converted and allow for daylight/sunlight to enter those areas of the building. The stained glass is predominately located to the rear of the building where it can only be publically viewed from the railway line. The change of use would ultimately close off the building and the stained glass would be not as readily viewed. By proposing to retain and re-locate the stained glass windows on the alternative site, i.e. the new church location, they are not lost. With regards the other existing windows, the applicant has confirmed that all of the existing windows may not necessarily need replacing and those which are still in good condition will be retained. Where it is necessary to replace windows, these will be done on a like for like basis to ensure the style and appearance of the new windows is appropriate and preserves and enhances the character of the building. A condition will be attached to ensure that further details are provided where replacement is being proposed.
- 7.23 Another area of concern was the addition of a large number of rooflights on the existing upper and lower roof slopes which would introduce uncharacteristic features to the heritage asset. The large rooflight on the rear roof slope has been removed as requested and a few of the lower rooflights have been removed as well. Planning Officers consider that the use of rooflights are required to help provide additional light to a number of residential dwellings. The upper rooflights will be most visible but these are generally to be located towards the rear of the building.
- 7.24 Planning Officers do not consider that the introduction of individual amenity areas around the outside of the church to be detrimental to the setting of the heritage asset. While 1.8m high fencing may not be considered appropriate, there are other methods which would have a less obtrusive visual impact. A condition will be attached to any permission to that the Planning Authority can review this aspect of the proposal.
- 7.25 On the ground floor, Heritage Officers consider that the insertion of new doors and windows is harmful to the heritage asset. However Planning Officers consider that

in securing an alternative optimum use, the addition of new features is considered necessary to allow the building to secure a future use.

- 7.26 Therefore on balance, Planning Officers consider that the proposed external changes would introduce new features to the building, but that the limited impact of these changes on the setting of the building and considering an alternative optimum use of the site, there would not be a significant detrimental impact to the character or setting of the locally listed building.

#### Redevelopment of 42 Holden Road

- 7.27 It is fully recognised that this part of Holden Road is varied in terms of character of the buildings and spaces which presently exist along it. There are examples of buildings of a significant size and scale in use as flats and smaller scale semi-detached and detached single family dwellinghouses. It is also the case that the buildings in this part of the road use a range of detailed design approaches.
- 7.28 The proposed new build would measure approximately 11.8m in width, with a depth of 22.4m along the norther elevation and 27m along the southern elevation and have a total height of approximately 16m.
- 7.29 In terms of the new build's overall footprint, this has been reduced from what was originally proposed and set back further from the neighbouring northern boundary. The proposed building line would respect that of the existing building to the north and the church building to the south. At the front of the site, there is a wider and larger footprint which steps in firstly before the rear elevation of 44 Holden Road and again within the site. It is considered that this approach is more acceptable than the initial rectangular footprint that was originally proposed. This provides further setting to 44 Holden Road.
- 7.30 In terms of height, this has also been slightly reduced. Overall it is not much larger than the neighbouring building at 44 Holden Road and is considered to provide an appropriate transition between the existing church building and 44 Holden Road.
- 7.31 The design of the building incorporates a more traditional approach with brick detailing and balconies, chimneys and pitched roof.

#### Conclusion

- 7.32 Having regard to the above details, Planning Officers are satisfied that the proposed development in terms of design, siting, bulk, massing and height, does not have a detrimental impact on the character and appearance of the existing church building and site, streetscene and surrounding area.
- 7.33 It is considered that the new building relates acceptably to the adjoining church and maintains sufficient spacing and setting for the church such that less than substantial harm to the heritage asset will be caused.

#### **Impact on residential amenity**

- 7.34 Policy DM01 of the Barnet Local Plan states that development proposals should be designed to allow adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

## Daylight, Sunlight and Overshadowing

- 7.35 A Daylight and Sunlight assessment was carried out by GIA and submitted as part of the application documents. The report confirms that the assessments were carried out in accordance with BRE Report BR209: 2011 Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice. It should be noted that the BRE standards are guidance only.

The following residential properties with windows facing the application site were assessed:

- Woodside Grange
- Brookdene
- Garden Court
- Vicarage Court
- 44 Holden Road

- 7.36 The BRE provides two methodologies for assessing daylight: Vertical Sky Component (VSC) and No Sky Line (NSL). There is also a third daylight methodology which may be utilised to supplement these assessments, known as Average Daylight Factor (ADF).
- 7.37 In terms of sunlight, the BRE guidance recommends that the Annual Probable Sunlight Hours (APSH) is the methodology to use.
- 7.38 The predictions carried out for the first 4 properties illustrate that the daylight and sunlight levels for each of the potential facing windows would all meet BRE criteria. Due to the location of these properties in relation to the application site, it is unlikely that they would be adversely affected by the proposed development.
- 7.39 The property which has the most potential impact is 44 Holden Road to the north. There are 3 windows in the south elevation which face onto the application site. In terms of daylight, of the 13 windows and 11 rooms tested for this property, all but 2 pass the BRE criteria for VSC and NSL. In terms of sunlight, all rooms met the BRE criteria. However this assessment was undertaken against the original proposal which has been amended to remove some of the floorspace and bulk away from the neighbouring boundary, thereby further reducing any impact. At its closest point to the neighbouring windows of 44, there is a separation distance of approximately 8.2m which increases to over 10m as the proposed development steps in.
- 7.40 In terms of overshadowing, it is considered that all of the surrounding properties would receive at least 2 hours of direct sunlight on over 50% of the garden on the 21st March. This is in accordance with BRE guidelines.

## Outlook

- 7.41 In this instance the main potential impact on outlook is related to 44 Holden Road. As stated above there are only 3 windows located on the southern elevation of 44 Holden Road. Having visited the site, it is the Officers assumption that the windows in this elevation are likely to be secondary windows with a greater number of windows which are also larger located on the front and rear elevations. While the proposed development would represent a significant increase in massing, bulk and

height compared to the existing single storey bungalow, Officers do not regard that the outlook of 44 Holden Road would be significantly affected.

#### Privacy and overlooking

- 7.42 Officers consider the main potential impacts for overlooking are related to 44 Holden Road to the north and Vicarage Court to the south. On the northern elevation of the new build, it is proposed to install high level windows, which would remove any potential overlooking issue. On the southern elevation of the church building, again, windows which could overlook Vicarage Court are to be obscure glazed. This is secured by condition.

#### Noise and disturbance

- 7.43 The introduction of 29 additional residential units has the potential to cause harm to the amenities of neighbouring residents due to additional activity on the site and increased comings and goings. However in this particular case, given the existing church and community use, it is considered that the level of activity on the site overall is likely to decrease and would not cause unacceptable harm to the amenities of neighbours.

#### Conclusion

- 7.44 Having regard to the above, Planning Officers consider the development subject to conditions, would not result in an unacceptable impact on the residential amenity of the neighbouring properties.

#### **Impact on amenity for future occupiers**

- 7.45 In terms of the amenity for future occupiers, the Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. Table 3.3 within Policy 3.5 of the London Plan 2016 provides minimum space standards for new dwellings. The proposal would provide:

##### *New build*

- 4 x 1 bedroom units
- 2 x 2 bedroom units
- 3 x 3 bedroom unit

##### *Church conversion*

- 2 x studio units
- 11 x 1 bedroom unit
- 6 x 2 bedroom units
- 2 x 3 bedroom units

- 7.46 Planning Officers have assessed each of the proposed unit floorspaces and each would exceed the minimum spaces as contained within the London Plan and Barnet's Sustainable Design and Construction SPD. Each of the units contained within the new build would have dual aspect outlooks

- 7.47 Barnet's Local Plan expects that sufficient and functional amenity space should be provided for all new houses and flats wherever possible. The Sustainable Design and Construction SPD advises that 5m<sup>2</sup> should provide per habitable room for flats.
- 7.48 Within the new build proposal each of proposed 9 units would have access to a private balcony or terrace area. Within the church conversion, the majority of ground floor units would have private amenity spaces and two flats would be served by internal amenity spaces provided at the second floor level. It is proposed to replace the existing windows in these areas with privacy louvres to avoid overlooking of neighbouring properties. There would be a large communal area of approximately 231sqm provided to the rear of the new build which would be open to the whole development and 411 sqm of private amenity space altogether when taking into account the areas surrounding the church and within the balconies for each unit of the building. Taking into account there are 79 habitable rooms giving a required provision of 395 sqm, the overall development would meet the SPD standard and comply with policy DM02 of Barnet's Local Plan.

#### Noise and disturbance

- 7.49 An Acoustic Report has been submitted with the application to assess the impact upon the development from two principle noise sources, traffic and train noise.
- 7.50 A baseline survey of the existing conditions was undertaken on 13 July 2016 and noted that existing ambient noise levels around the site are generally quiet. Road traffic was the main noise source at the church façade nearest to Holden Road. Tube trains were recorded at 5.27am and generally run every few minutes between 06.00am and 09.30am.
- 7.51 Internal noise levels within potential dwellings have been assessed both with windows open and with windows closed. The external noise levels were generally low and noise levels are expected to meet the internal noise levels with windows closed and exceed the criteria with windows open.

#### Conclusion

- 7.52 Having regard to the above, Planning Officers are satisfied that the proposed development would provide adequate levels of accommodation for future occupiers and is in compliance with Policies CS5 and DM02 of Barnet's Local Plan and the Sustainable Design and Construction SPD.

#### **Transport and Highways**

- 7.53 Policy CS9 of the Barnet Core Strategy (Providing safe, effective and efficient travel) 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 documents sets out the parking standards that the Council will apply when assessing new developments. Other sections of Policies DM17 and CS9 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads, within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

- 7.54 The proposals seeks to provide 30 new flats, comprising of 17 x 1 bedrooms, 8 x 2 bedrooms and 5 x 3 bedroom units.

Parking provision

- 7.55 The proposed development would require parking provision of between 13 and 36.5 parking spaces in accordance with the parking standards as set out in policy DM17. The Council's Traffic and Development team have advised that the proposed 30 parking spaces are acceptable to serve the development. It is noted that the applicant has undertaken a parking survey demonstrating that although there is high parking stress in some road in the vicinity of the development there are spaces available.

Accessibility

- 7.56 At present, there are 3 existing vehicular accesses to the site. It is proposed to revise the existing arrangement to form 2 vehicular crossovers, one at the north side of the side and the other from the south side of the site from Holden Road.

Conclusion

- 7.57 With regards to the above, the council's Traffic and Development team have recommended that subject to conditions, the proposed development would not have a detrimental impact on the surrounding area in highways impact. As such Planning Officers are satisfied that the proposed development complies with policies CS9 and DM17 of the Barnet Local Plan.

**Landscaping**

- 7.58 A report on the impact on trees has been submitted to take into account the conditions of all trees within the application site. The report confirms that the survey was undertaken in accordance with BS 5837: 2012 'Recommendation for trees in relation to construction (BS5837:2012). The associated survey was undertaken on 01 August 2016 and accounted for 21 trees in total. However it is noted that a few of these lie outside of the application site. There are no trees on the site included within a Tree Preservation Order, however one tree in the front garden of 44 Holden Road is protected. Conditions are proposed to ensure this, and other, trees are protected during the development process.
- 7.59 The survey records that there are no Category 'A' trees within the site, there are 3 'B' Category Trees, 16 Category 'C' trees and 2 Category 'U' trees.
- 7.60 The survey states that 10 trees would need to be removed. These are primarily located to the rear of the existing bungalow at 42 Holden Road. 11 trees located are to be retained. These are mostly located in the north-east corner.
- 7.61 There will be a condition attached to ensure that appropriate tree protection measures as detailed within the submitted tree report are fully implemented prior to the commencement of construction works and retained for the full duration of the works.
- 7.62 In terms of new landscaping, it is proposed to plant 2 new trees along the front, western boundary, as well as new shrub planting along all of the boundaries and within the middle of the site between the buildings.

## **Ecology**

- 7.63 A Phase 1 Habitat Survey was undertaken on 13 July 2016 and submitted as part of the application documents. The survey consisted of an inspection for preferred habitat types and signs and evidence of protected species.
- 7.64 With regards bats, three buildings were surveyed; the modern portable cabins, the bungalow and the church building. The cabins and bungalow were considered to have negligible potential for roosting while the report found large enough gaps in the church roof tiles and eaves that would allow for access to bats and provide potential roosting opportunities.
- 7.65 The report also surveyed for signs or evidence of other protected species and concluded that there is a low suitability for protected species such as badgers, hedgehogs, reptiles and amphibians. No protected birds were observed or heard from the site.
- 7.66 The reports conclude that the application site was considered low to moderate in ecological value with potential for roosting bats and nesting birds. Further bat surveys are recommended to be undertaken during the months of March to August to determine the presence or absence of roosting bats and inform mitigation if required. Precautionary measures are also recommended for nesting birds and general ecological value. Proposed work to clear or reduce shrubs and trees and work to the church roof should commence outside of the main bird breeding season (March to end of August).
- 7.67 Having regard to the above, Planning Officers consider that subject to conditions requiring the recommended surveys and mitigation measures are carried out in accordance with the submitted Phase 1 Ecological Survey, the scheme would be acceptable.

## **Refuse and recycling**

- 7.68 Refuse collection will be via Holden Road and two bin stores have been proposed, one for each of the new and existing buildings. These are located toward the front of the development.
- 7.69 The applicant has undertaken discussions with the Council's Collection Services, and the level of both general waste and recycling has been agreed.
- 7.70 Externally, dedicated waste stores are proposed for both the church and the new apartment block. The bins will be clearly labelled and / or colour coded to designate the type of waste they contain. It is anticipated that bins will be allocated as general and recyclables as follows:
- St Barnabas church conversion: 4 no. 1,100L bins (general) - 5 no. 40L bins (recycling)
  - No. 42 Holden Road: 2 no. 1,100L bins (general) - 3 no. 40L bins (recycling)

## **Sustainability**

- 7.71 London Plan policy 5.2 requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
- Be lean: use less energy

- Be clean: supply energy efficiently
- Be green: use renewable energy

- 7.72 London Plan Policy 5.2 'Minimising Carbon Dioxide Emissions' requires all major developments to achieve a 40% reduction in carbon dioxide emissions on 2010 Part L Building Regulations. The London Plan Sustainable Design and Construction SPG 2014 updated this target of 35% on 2013 Part L Building Regulations.
- 7.73 Policy 5.3 of the London Plan goes on to set out the sustainable design and construction measures required in developments. Proposals should achieve the highest standards of sustainable design and construction and demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. The Further London Plan Chapter 5 policies detail specific measures to be considered when designing schemes including decentralised energy generation (Policies 5.5 and 5.6), renewable energy (Policy 5.7), overheating and cooling (Policy 5.9), urban greening (Policy 5.10), flood risk management and sustainable drainage (Policies 5.13 and 5.15).
- 7.74 The application is accompanied by an 'Energy and Sustainability Strategy' which advises that the proposed development will receive an overall on-site reduction of 43% in regulated emissions which meets the London Plan target. The sustainability of the scheme has been assessed by Council Officers against the London Plan Hierarchy and a summary is set out below:

*Be Lean*

- 7.75 The glazed areas in the residential element of the scheme are a key component. The church contains numerous large stained glass windows which are to be retained, but improved thermally with secondary glazing installed. Other windows within the church façade will be replaced with new double glazed units, as will all windows within the new build apartment block.
- 7.76 An improvement in terms of air tightness (air leakage through the fabric of a building) will be achieved within the church refurbishment, given the replacement of external components within the facade. Typical points with high air infiltration rates are joints between window/door frames and the walls, poorly sealed window panes/doors and roof lights, and via electrical sockets and switches. These items will be carefully considered during the refurbishment.
- 7.77 Low energy lighting has become an essential feature of building design. Advances in lamp and ballast design have led to higher efficiency luminaires with control measures having become standard in most new and refurbishment developments. Energy efficient light fittings such as LEDs or CFLs will be provided throughout the development to reduce the electrical load. Daylight sensors and timers will be installed to all external lighting (not including security lighting). High efficiency lamps will be installed in communal areas managed by the landlord and be controlled by infra-red occupancy control (PIRs).
- 7.78 A balanced mechanical ventilation strategy with heat recovery is proposed for the new build apartment block. This will ensure minimum fresh air requirements, moisture and odour removal from the kitchen and toilet areas are provided, with a boost option to allow for a purge ventilation, whilst minimising carbon emissions through the heat recovery mechanism. Given that air tightness levels will be lower

in the church conversion, the controlled ventilation system would be much less effective and therefore is not proposed.

- 7.79 It is proposed that the dwellings are not provided with mechanical cooling and that ventilation would be provided naturally through openable windows.

#### *Be Clean*

- 7.80 The development is located on the margins of an approximate area deemed to have decentralised energy potential. However, the main heating loads are concentrated along North Finchley high street where both residential and commercial buildings are in close proximity. This diversity of heat demand equates to a more suitable location for such a network.
- 7.81 Given the small scale of the proposed development, and distance from North Finchley High Street, the scheme is not considered suitable for connection to a future district heating network.
- 7.82 Connecting to a district heating network was the first option assessed. As this is not considered viable, the next priority in Policy 5.6 of the London Plan 2011 to be assessed is to install a Combined Heat and Power (CHP) unit. As the technology would be installed onsite, the transmission losses associated with larger district networks would be far reduced. Furthermore, for every unit of electricity generated, the heat can be captured and used for 'free' to contribute to a thermal base load.
- 7.83 However, given that the proposed development is not located in an area where firm plans exist for a future heat network, the Greater London Authority's (GLA) Guidance on Preparing Energy Assessments (April 2015, section 10.24) states that CHP is most suitable for developments of approximately 500 dwellings or more. Furthermore, CHP at the scale of the proposed development have lower electrical efficiencies and combined with small landlord electricity demands, can lead to CHP being installed but not operated. Therefore, CHP is not considered suitable for this refurbishment scheme.

#### *Be Green*

- 7.84 A renewable and low carbon technology feasibility study has been carried out to investigate the contribution that on-site generation from renewable energy technologies could make to further reduce the carbon dioxide emissions at the development.
- 7.85 The proposed development has an area of south facing roof on the new apartment block and thus with the appropriate mounting systems could be used for Photovoltaic panels. A PV array will contribute to a proportion of the electrical load of the scheme.
- 7.86 Following the review of renewable energy technologies it is concluded that a PV array system would be the most suited to the proposed development. It is estimated at this stage that up to 9m<sup>2</sup> PV array could be incorporated into the scheme although this is to be reviewed further at Detailed Design.

#### *Water conservation*

- 7.87 Showerheads and taps will be fitted with flow restrictors throughout. Dual flush WCs and white goods such as washing machines and dishwashers will be highly water-efficient.

A rainwater collection system will also be considered within the site's drainage strategy.

### **Air Quality**

- 7.88 The accompanying Air Quality report prepared by PBA provides an assessment of the existing air quality at the Site and considers the impact of the Proposed Development on air quality in the surrounding area. The main air pollutants of concern are associated with road traffic emissions, and are nitrogen dioxide (NO<sub>2</sub>) and fine particulate matter (PM<sub>10</sub>).
- 7.89 Based on on-site pollutant concentrations, construction impacts, and the Proposed Development's impact on traffic levels, the Air Quality report concludes that there are no air quality constraints to the Proposed Development. The report recommends that during the construction phase, mitigation measures corresponding to a low risk site should be applied to reduce the potential for increased dust deposition and elevation. Overall, the report states that the green planting and landscaping within the site is considered appropriate mitigation, and as such the Site is considered suitable for residential use without the need for any further mitigation.
- 7.90 In respect of the above assessment, the Proposed Development is considered to be in accordance with London Plan policy 7.14 (Improving air quality) and Development Management policies DM04 (Environmental considerations for development) and DM17 (Travel impacts and parking standards).

### **Contaminated Land**

- 7.91 The accompanying Preliminary Risk Assessment (PRA) prepared by the Environmental Protection Group Ltd (EPG) provides an assessment of the potential contamination risk on the Site. The assessment involved desk based research and a site visit to identify any harmful risks on site.
- 7.92 The PRA did not identify any potential for significant contamination on site, and as such the risk to human health and controlled waters is considered to be low. With the potential for contamination assessed as low, it is concluded that a watching brief should be maintained during construction work, to identify any potential contaminants as the development progresses.
- 7.93 In respect of the above assessment, the Proposed Development is considered to be in accordance with London Plan policies 5.3 (Sustainable design and construction) and 5.21 (Contaminated land), and Development Management policies DM02 (Development standards) and DM04 (Environmental considerations for development).

### **Flood risk and drainage**

- 7.94 Policy CS13 of the Barnet Core Strategy states that "we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does no cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels".

7.95 Policy 5.13 of the London Plan states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the following drainage hierarchy:

1. store rainwater for later use
2. use infiltration techniques, such as porous surfaces in non-clay areas
3. attenuate rainwater in ponds or open water features for gradual release
4. attenuate rainwater by storing in tanks or sealed water features for gradual release
5. discharge rainwater direct to a watercourse
6. discharge rainwater to a surface water sewer/drain
7. discharge rainwater to the combined sewer.

7.96 The Drainage Strategy confirms that the site is located within Flood Zone 1 which is considered to be an area least susceptible to flooding. Therefore no specific flood management measures are considered necessary to protect the development.

7.97 The Council's Flood Risk and Water Management team have reviewed the submitted information and have considered that the assessments undertaken provide a sufficient assessment of the flood risk at the site and proposed drainage arrangements. They have no objection to the proposed development subject to conditions being attached to any granted planning permission.

## **8. Response to Public Consultation**

8.1 Objections received and Planning Officer's response:

8.2 **Parking and traffic congestion, proposal does not provide enough on-site parking** - Policy DM17 requires a provision of 13.0 to 36.5 car parking spaces. Taking into accounts site's PTAL rating of 3, the proposed 30 spaces is acceptable to the Council's Traffic and Development team

8.3 **Loss of valuable cultural and heritage asset** -The existing church building is to be retained and the asset will still remain.

8.4 **Considerable loss of amenity** - Officers have assessed neighbouring amenity in relation to sunlight, daylight, overshadowing, overlooking, outlook and consider the proposed development would not have an unacceptable impact on the amenity of the surrounding residents.

8.5 **Application is conditional on approval of 16/5639/FUL; the Council should consider the two applications together** - Officers are aware of the other application submitted to provide a re-provision of community use on an alternative site. Applications will be linked through S106 agreement to ensure that there is a re-provision of equal quantity or quality of community floorspace provided.

8.6 **Transfer of existing war memorials and other fittings should be treated with proper care and re-sited appropriately** - Applicants on both applications have stated their intention to treat and transfer the existing historical assets with care and these will remain available for public viewing at the alternative site.

- 8.7 **Non-viability of scheme to provide no affordable housing** - Applicant has submitted a financial appraisal which has been independently assessed. Report concludes that the proposal development with nil affordable housing is unviable and the reduction of affordable housing provision can be accepted. However the applicant has proposed a voluntary contribution of £400,000 towards affordable housing.
- 8.8 **Poor amenity provided for future occupiers in terms of daylight and sunlight received through the large use of obscured glazing** - Applicants have provided further detail on the submitted plans to illustrate how these would appear. Officers are satisfied that these units will receive adequate amenity levels and will have dual aspect outlooks for every unit.

## 9. Equality and Diversity Issues

- 9.1 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.

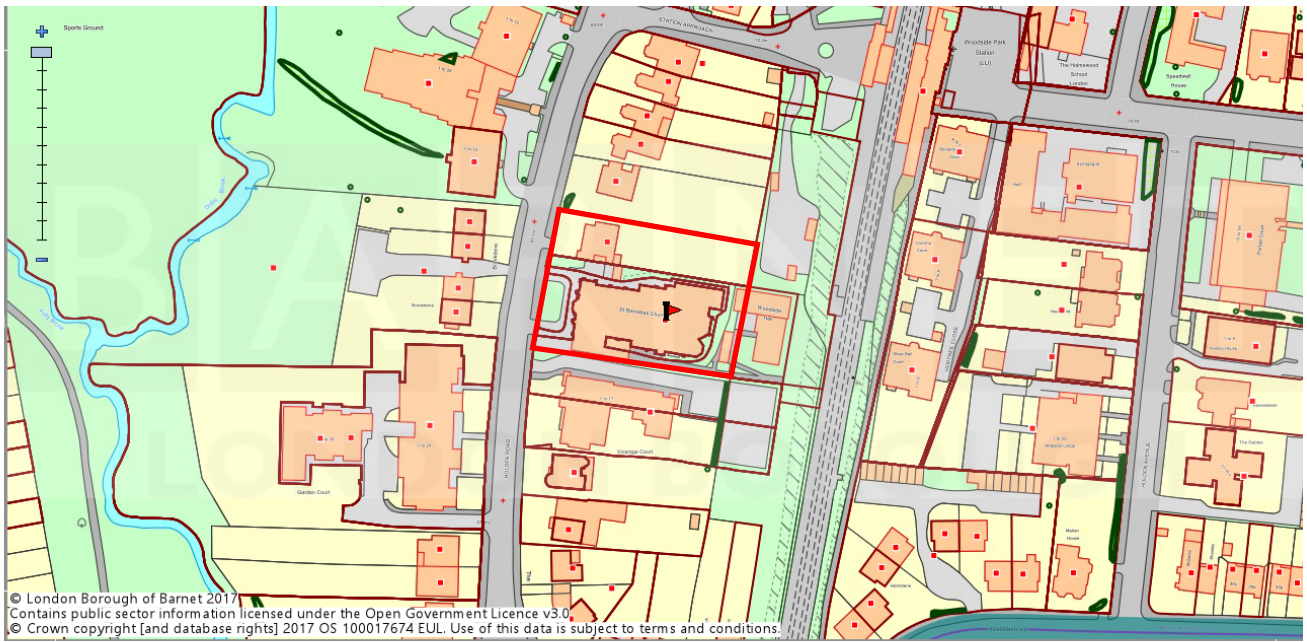
- 9.2 Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.
- 9.3 The proposed development, although resulting in the loss of a church and associated community facility, would be linked to a separate application which will re-provide the space and enhance the provision as part of a phased development of the new site.
- 9.4 In terms of likely negative impacts, the application has attempted to address these through amendments to the scheme. It is suggested that the majority of these can be mitigated through conditions and that any impacts are unlikely to disproportionately affect any one group with a protected characteristic.
- 9.5 With the conditions recommended the proposal is found to accord with development plan policies as they relate to the relevant equalities and diversity matters by

providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development. The development would therefore have a positive effect in terms of equalities and diversity matters.

- 9.6 It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

## **10. Conclusion**

- 10.1 The application seeks permission to convert the existing church building into residential flats with redevelopment of the existing bungalow at 42 Holden Road to provide a total of 30 self-contained flats.
- 10.2 The loss of community space is proposed to be mitigated by seeking the provision of existing floorspace on an alternative site. Officer are satisfied that the floorspace can be accommodated within the proposed alternative site subject to that application being considered acceptable for new community use. A Section 106 agreement would be required to ensure that the re-provision is provided and that the release of this site could not happen until the church had moved.
- 10.3 Having regard to all of the above and making a balanced recommendation, Planning Officers consider that the proposed development is acceptable and as such approval of the application is recommended.
- 10.4 Having taken all material considerations into account, it is considered that subject to the completion of S106 agreement and 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, the locally listed church building and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



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