

Location **15 Wycombe Gardens London NW11 8AN**

Reference: **16/8061/FUL** Received: 20th December 2016
Accepted: 21st December 2016

Ward: Childs Hill Expiry 15th February 2017

Applicant: MLE PROPERTY LTD

Proposal: Demolition of existing building and erection of 4no dwellings with
rooms at basement level and roofspace

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no. 16GW-EX-Site Plan; Drawing no. WG16-EX-101; Drawing no. WG16-EX-102; Drawing titled Survey Roof Plan; Drawing titled Survey Side elevation west; Drawing titled Survey Rear elevation; Drawing no. Survey Front elevation; Drawing titled Survey Site Plan; Drawing titled Survey Side Elevation East; Drawing no. WG16-PL-A201 Rev D; Drawing no. WG16-PL-A202 Rev D; Drawing no. WG16-PL-A203 Rev D; Drawing no. WG16-PL-A204 Rev D; Drawing no. WG16-PL-A205 rev D; Drawing no. WG16-PL-A207 Rev D; Drawing no. WG16-PL-A208 Rev D; Drawing no. WG16-PL-A209 Rev D; Transport Assessment by Paul Mew Associates dated December 2016; Design and Access Statement by SIAW; Planning Statement by SIAW; Arboricultural Survey Impact Assessment Report dated 14th December 2016 by Marcus Foster Arboricultural Design and Consultancy.

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 The roof of the extension 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).

6 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevations facing no. 13 or no.17 Wycombe Gardens.

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).

7 Before the building hereby permitted is first occupied the proposed first floor rear windows facing no.13 and no.17 Wycombe Gardens and the side dormer facing no. 13 Wycombe Gardens, 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).

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

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

- 9 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 10 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.
- b) The screens shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

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

- 11 The outdoor amenity space for each proposed dwelling shall be implemented in accordance with the details shown on drawing no. WG16-PL-A201 hereby approved 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 (2016).

- 12 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).

- 13 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. Such spaces shall be permanently retained 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.

- 14 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of

highway and pedestrian safety in accordance with policies CS9, CS13 , CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

- 15 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages shown on Drawing no. WG16-PL-A201 Rev D, shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012, Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2016.

- 16 Prior to occupation of the building detailed application shall be submitted to the Highway Authority and approved for new vehicular access from public highway and the access shall only be constructed in accordance with the approved plans.

Reason: To ensure that the access is satisfactory in terms of highway safety and 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.

- 17 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).

- 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 commencement of the development or any works associated with this consent starting on site full details (including details of the existing ground conditions and ground water levels) of the measures that the development would include to prevent the development resulting in unacceptable impacts on drainage and ground and surface water conditions in the area shall be submitted to and approved in writing by the Local Planning Authority. The development hereby consented shall be implemented in full accordance with the details approve under this condition prior to its being occupied or brought into use.

Reason: To ensure that the proposed development does not result in unacceptable impacts on drainage and ground and surface water conditions in the area and to comply with policies CS13, DM01 and DM04 of the Barnet Local Plan.

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

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (2016).

- 21 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 indicated in the hereby approved Arboricultural Impact Assessment Report 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. All works during construction shall be carried out in accordance with the recommendations of this report.

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.

- 22 a) No development shall take place until a scheme of hard and soft landscaping to the front forecourt area and the rear boundary, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, has been submitted to and agreed in writing by the Local Planning Authority.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

- 23 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.

- 24 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.

- 25 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 6% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Polices document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. 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.

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 £22,820 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 £108,325.34 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.

Relief or Exemption from CIL:

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

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

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

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

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

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

- 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 or by telephoning 0208 359 7294.

- 4 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 5 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.
- 6 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 7 The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed vehicular access. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.

To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section - Development and Regulatory Services, London Borough of Barnet, Barnet House, 1255 High Road, Whetstone N20 0EJ

- 8 Any highway approval as part of the planning process for the reinstatement or alteration to the existing access/crossovers or provision of a new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense including any relocation of street furniture, lighting columns or amendments to parking bays affected by the proposed works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 9 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.
- 10 The applicant is advised that for construction works adjacent or affecting the public highways, the council's First Contact should be contacted on 0208 359 2000 for any necessary Highways Licenses or any highway approvals deemed necessary.

Officer's Assessment

1. Site Description

The application site is located on the southern side of Wycombe Gardens close to its junction with Hodford Road which also runs to the rear of the site. The site accommodates a substantial two storey building currently in use as two self-contained flats.

The area is predominantly residential comprising semi-detached and detached single dwelling houses.

The property is unusual for the site in that it accommodates a wide fronted building in a plot substantially larger than others in the street. There is a single storey garage attached to the western flank elevation that also functions as a roof terrace with access from the first floor level and the rear garden via a staircase. The building is situated on sloping land with a downward gradient from north to south through the rear garden and a rising slope from west to east along Wycombe Gardens towards Finchley Road.

There is a large tree located on the north-eastern corner of the site (at the front). In addition, there is a mature tree screen in the rear garden, although at the time of the site visit many had been pruned and there were views into the gardens of properties on Hodford Road. None of the trees are protected by a tree preservation order and the site is not located in a conservation area.

The site is located in a Controlled Parking Zone.

2. Site History

No relevant planning history.

3. Proposal

The applicant seeks planning permission for the demolition of the existing building and erection of 4no dwellings with rooms at basement level and roof space.

The proposal would involve 3 x 4 bedroom dwellings and 1no x 3 bedroom house (Unit D).

The proposed buildings would have a depth of 9.7m measured along the boundary with no. 13 Wycombe Gardens and 6.8m along the boundary with no. 17. All four properties would benefit from a single storey projecting wing with a maximum depth of 2.8m which would be less than half the width of the width of each property and set away from the boundaries with no.13 and no.17.

Unit A would be set 1m away from the flank elevation of no.13 at ground floor (sited at the boundary) and 1m away from the common boundary at first floor level. At the other side, Unit D would be set along the boundary with no.17 at ground floor and set 2.5m away from the same boundary at first floor.

The buildings would follow the camber of the road; the building line of proposed Unit A would be at the same level as the building line of no.13 and properties C and D would be

staggered forward (approximately 1m). Properties B and C would be split by a shared access path at ground floor with a width of 0.9m, with accommodation above.

The plot widths vary for each proposed dwelling and are unusual in their shape to respond to the bend of the road. Plot A would have a maximum width of 7.9m; Plot B would have a maximum width of 6.2m; Plot C would have a maximum width of 6.15m measured at ground floor and 7m at upper floors; Plot D would have a maximum width of 8.7m.

The buildings would be set between 8.9m, measured from the projecting wing, and approximately 12m to the rearmost boundary.

The buildings would be hipped at both sides with two centrally located gables at the front. The buildings would have an eaves height of 5.9m measured at the boundary with no. 13. The ridge of properties C and D would be set 0.6m from the ridge of properties A and B to respond to the change in ground levels.

The proposed dormers at the rear would have width of 4.2 m (serving units A and B) and 4.3m (serving units C and D) and height of 1.7 m (serving units A and B) and 1.5m (serving units C and D).

Although the basement would generally be sited underneath the footprint of the dwellings, it would also project beyond the front building line to provide storage space for dwellings B, C and D, however there would be no manifestations to the front of the site.

The amendments to the original scheme include:

- Reduction in the height of the roof to units C and D adjacent to no.17/ lowering of ridge height
- Reduction in the front building line, particularly to Units A and B
- Reduction in width of rearward projecting wings.
- Reduction to width of Unit D at first floor further away from no.17
- Reduction in basement size
- Changes to fenestration at roof level
- Changes to parking provision from 8 to 6no parking spaces.

4. Public Consultation

Consultation letters were sent to 59 neighbouring properties.

22 responses have been received, comprising 11 letters of objection, 9 letters of support and 2 letters of comment.

The objections received can be summarised as follows:

- Excessive development on the site
- Coverage of entire frontage with hardstanding and parking spaces
- Increase in parking pressures
- Basement construction is out of character /other properties on Wycombe Gardens do not have basements
- Flooding risk with regards to the basement/ impact on water table
- Loss of outlook and light by rear building line
- Loss of privacy due to side windows facing no.17 Wycombe
- Removal of trees would adversely affect landscape
- Impact on streetscene including materials and design is not clear on plans
- Loss of large family house

- Overdevelopment of the site
- Bulk and massing near no.17 Wycombe where currently a single storey garage
- Intensification of use
- Limited manoeuvring space at the front of the site
- Out-of-character design
- Imposing design
- Noise and disruption to neighbours

In addition, Councillor Jack Cohen raised the following objections:

- Construction of basements
- Overdevelopment
- Committee should examine landscaping

The representations received can be summarised as follows:

- Obscured glazing should be included to prevent overlooking where there isn't at present.

The letters of support received can be summarised as follows:

- Design is in keeping with other properties on the road/ Modern approach is refreshing
- Rear elevation is an improvement on existing
- Transport report indicates that there would be no additional parking pressures
- Will bring benefit to neighbouring properties
- Proposed development an improvement on existing continuous block as introduces gaps between buildings
- Off-street parking provided and the gardens remain of the same size
- Welcome family houses (not flats)
- Neighbours at no.13 raise no objection to the scheme so long as there are suitable safeguarding

Following the receipt of the revised drawings, neighbouring occupiers were reconsulted. 2 objectors withdrew their initial comments, 4 objections were received and 3 letters of support. In addition, the following additional comments were received:

Objections:

- Maintain that scheme represents overdevelopment
- Amendments do not materially address objections on all aspect (parking, basement, overdevelopment)

Support:

- Roof changes are an improvement
- Support by tiles should dark red not dark grey
- Happy with revised plans & replacement resulting in removal of unsightly existing buildings

A site noticed was erected on the 29th December 2016.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must

determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

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

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

The Mayor's London Plan 2016

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

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5 and CS9.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08 and DM17

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

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

- 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.
- Whether adequate amenity would be provided for future occupiers
- Impact on Highways

- Impact on Trees
- Sustainability and Accessibility

5.3 Assessment of proposals

Impact on the character of the area

The application site currently features two flats. The proposal would involve the demolition of the existing building and the erection of four single family dwellings.

The Council would not object to the principle of redeveloping the application site to provide a set of terraced houses. It is noted that the pre-dominate character along Wycombe Gardens is semi-detached single family dwellings. However, the existing structure is quite different to other dwellings located along this street; it is much wider and also sits on a wider plot. Additionally, the site is located towards the end of Wycombe Gardens close to its junction with Hodford Road. Given these circumstances, it is considered that proposal for four terraced dwellings is acceptable in principle. Furthermore, it should be noted that the proposal would see the development of single family dwellings only, which would be in keeping with the characteristic use along this street.

Policy DM08 stipulates that for market housing, the highest priority is for family homes of 4 bedrooms, with 3 bed houses being of medium priority. The proposal including 3 x 4 bed houses and 1 x 3 bed house is in accordance with this policy.

London Plan policy 3.4 seeks to optimise the housing potential of sites with reference to the density matrix contained in Table 3.2 which provides a guide to appropriate density ranges for particular locations, depending on accessibility and character.

The application site benefits from a PTAL of 4 and is considered to fall within a suburban setting as defined in the London Plan. The London Plan Density Matrix therefore suggests a range of 45-130 units per hectare (200-350 habitable room per hectare). Taking the site area of 0.07ha, the proposal for 4 dwellings (32 habitable rooms) would equate to a density of 57.14 units per hectare. This is an appropriate density for the site as defined by the London Plan, however it must be noted that this is not the only consideration to determine whether development is suitable. The NPPF stipulates that planning decisions should "optimise the potential of the site to accommodate development" and development should be guided by the numerous factors including overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

Any development on this constrained site should have due regard to the built form and pattern of development of its context, in this case of Wycombe Gardens. Policy CS5 'Protecting and enhancing Barnet's character to create high quality places' seeks to ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design. Policy DM01 states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The NPPF supports this and stipulates that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation but instead development should be guided by the numerous factors including overall scale,

density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

In terms of siting and scale, it is noted that the proposed structure would generally sit within the established front and rear building lines along this side of Wycombe Gardens, apart from the modest projecting wings at ground floor. In addition, the properties would follow the bend of the road and as a result, the buildings appear to sit comfortably within their respective plot and with Wycombe Gardens in general.

In respect of the above, it is noted that the proposed new dwellings generally accord in bulk, scale and massing of neighbouring properties and appear more in keeping with the general character than the existing dwelling itself. Since the original submission, the massing has been reduced including the staggered roof form to reflect the change in ground levels and the context of the site; the stepped roof forms is considered to 'break-down' the massing. The amendments to the buildings are considered to have a sympathetic appearance on the streetscene and have addressed previous concerns raised in discussions with the agent.

The proposed new dwellings notably present modern buildings, with contemporary interpretations of building articulations such as the front gables and bay detailing at the rear. Although the different detailing would be in contrast with the suburban typologies on Wycombe Gardens, the design of the proposed buildings draws from the principles of bulk and massing of neighbouring properties and responds in a contemporary form, which is deemed acceptable. In addition, the indicative materials, although modern in appearance, would be reflective of the materiality composition on a traditional building; details of these have been conditioned.

Given the difference in ground and garden levels, it is considered that the site lends itself to a basement/ lower ground floor accommodation and the principle of this element is considered to be acceptable.

The Residential Design Guidance SPD stipulates that "for new residential development, basements should generally be limited to the proposed footprint and volume of the house or building". Although this is generally the case for the proposed development, the basements would project further to the front of the site. The depth of the basements have been reduced and eliminated for unit A to reduce the impact to the Horse Chestnut tree to the front of the site. There are no street trees affected by the development.

With regards to landscaping at the front, a condition has been added to require details to soften the appearance of the parking at the front.

In conclusion, the proposal would result in four modern dwellings which draw from local characteristics which are in keeping the design of the surrounding properties and of the established building lines of properties on this section of Wycombe Gardens. The Council will actively seek to support additional housing in the borough and this scheme, for the reasons specified is acceptable.

Impact on the amenities of neighbours

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

Any development, particularly in a constrained site should ensure that the amenities of neighbouring occupiers are respected. The Council's guidance advises that new development should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing building and using an appropriate roof form to ensure that the amenities of neighbours are not harmed.

Policy DM01 in Council's Development Management Policies DPD stipulates that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

In this respect it is noted that the proposed new dwellings generally accord with the height and location of development which presently exists on the site, and is generally considered to result in minimal additional impact on neighbouring properties. As per the Council's guidance, the proposed form immediately adjacent to the boundary with no. 17 is single storey in height, and at first floor the building would be set 2.5m away from the common boundary. The amendments result in a greater distance between no.17 and proposed Unit D than originally proposed. This distance, combined with the lower setting of the latter, results in a building which is not considered to be overlooking nor have an overbearing impact on the occupiers of no.17. The existing first floor terrace would also be removed and the flat roof of side wing would be restricted to be used as a terrace; this is considered to be an improvement on the impact to no.17.

On the other side, the applicant has provided evidence that the existing clear glazed dormer serving no.13 Wycombe Gardens does not serve a habitable room. It is therefore considered that the proposed siting of building, increase in height along this boundary and the siting of the side dormer fronting no.13 would not have detrimental impact on the privacy, light or general visual amenities of these neighbouring occupiers. In addition, this dormer would be conditioned to be obscured glazed to prevent mutual overlooking.

The proposed lower ground floor, due to its siting on the site would not result in detrimental levels of overlooking.

The amendments are therefore considered to have addressed previous concerns regarding the impact on neighbouring occupiers and as such the proposal is supported in this regard.

Impact on the amenities of future occupiers

All residential development is expected to comply with the minimum space standards as advocated within the Sustainable Design and Construction SPD and the London Plan (MALP 2016); the minimum standard for a 4 bed house with 6 occupiers is 112sqm; the minimum standard for a 4 bed house with 7 occupiers is 121sqm; and the minimum standard for a 3 bed house with 4 occupiers is 90sqm. The proposed houses would all comply with and exceed the minimum space standards for 3 and 4 bedroom dwellings as indicated below in accordance with the London Plan and supporting Council SPDs:

- Unit A would have an internal floor area of 190sqm (6p)
- Unit B would have an internal floor area of 181sqm (6p)
- Unit C would have an internal floor area of 185.9sqm (7p)
- Unit D would have an internal floor area of 212sqm (4p)

The SPD standard for bedrooms require double bedrooms to provide a minimum floor area of 11.5sqm and single bedrooms a minimum floor area of 7.5sqm. The Sustainable Design and Construction SPD also confirms that habitable floorspace in rooms with sloping ceilings is defined as that with 1.5 m or more of ceiling height. The proposal also complies with these requirements; the room labelled as study for Unit D is 7sqm and therefore not considered as a bedroom.

All proposed residential development should provide suitable outlook and daylight for future units. All units would generally benefit from suitable outlook; bedroom 4 of Unit C would be served by a rooflight only however as this is only one room in this property it is not considered to be sufficient reason to justify refusal.

The Sustainable Design and Construction SPD advocates that suitable outdoor amenity space should be provided for all new residential units. The SPD specifies that for houses, amenity space should be provided in the form of individual rear gardens; for dwellings of 7 or more habitable rooms, a garden with an area of at least 85sqm. The units would benefit from gardens with the following areas:

- Unit A - 75sqm
- Unit B - 67sqm
- Unit C - 68sqm
- Unit D - 86sqm

Whilst the outdoor amenity space provision for three of the units would fall below the standard, the plot depth is relatively shallow compared to other properties on this section of the road. Consideration has also been given to the other benefits of the proposed dwellings for future occupiers including exceeding the minimum standards. In addition, the site is within close proximity to Childs Hill Park. On balance, the shortfall in private garden space to the proposed units, is outweighed by other benefits and this reason alone is not considered acceptable to recommend refusal.

Details are required by way of condition with regards to the privacy screening in between units to prevent mutual overlooking.

The proposed dwellings are considered to provide good quality amenity for future occupiers and the scheme is acceptable in this regard.

Impact on Highways

The Council's Highways department were formally consulted on the scheme and have reviewed the accompanying information.

Public Transport Accessibility Level (PTAL) rating for the site is 4, which is considered as good.

The site is located within walking distance of a town centre location, on the southern end of Finchley Road. The site is located within a one hour Control parking Zone (CPZ). On Finchley Road there are various waiting restrictions but parking is available.

Following amendments, the scheme includes the provision of 6no parking spaces, with the parking bays now complying with the ideal standard of 2.4m by 4.8m.

There is already a vehicle crossover that serves the property. The applicant is proposing the creation of new crossovers to serve the off street parking of each dwelling. The applicant will be required to enter into a section 184 agreement with the Highways team for the construction of the accesses. As there are parking bays to the front of the property there will also be the requirement to alter the Traffic Regulation Order to remove the bays.

The proposed development comprising 4 x 4 bedroom dwellings requires the parking provision of between 6 and 8 parking spaces. The application has been accompanied by a parking survey which indicates that the parking stress is around 45% street parking. The amendments have involved a reduction in the number of parking spaces from the original 8 no proposed to include more landscaping at the front. Highways officers are satisfied that even with the reduction in parking spaces and the existing on-street capacity, the provision of 6 no parking spaces is acceptable. Therefore the scheme is acceptable on highway grounds without a restriction on permits for future occupiers.

In accordance with Policy 6.9 of the London Plan, new development should provide secure, integrated, convenient and accessible cycle parking facilities. Based on table 6.3 of the London Plan, the development would require the provision of a 2 cycle spaces per dwelling. The plan indicates that the cycle store would be in the rear gardens, however a suitable condition will be recommended.

With regards to the refuse arrangements, although the appearance of the bins has not been specified (details will be conditioned), the siting is indicated to the front of the property. This falls within 10m of the public highway and therefore the refuse collection will continue with the same arrangement as the previous dwelling. The proposal is considered to have an acceptable impact on highways grounds, subject to recommended conditions.

Trees

As mentioned, there are no protected trees on the site or on adjacent properties, although it is acknowledged that the Horse Chestnut tree sited at the front of the site is of good amenity value and therefore this is a material consideration in the determination of the application.

The applicant has submitted an Arboricultural Impact Assessment with the application which details suitable protection measures during construction. The report recommends the protection of the Horse Chestnut tree which would be conditioned. The reduction in the front projection of Unit A (the closest unit to this tree) would also reduce the encroachment into the root protection area of this tree than previously assessed and considered acceptable in the Arboricultural Report .

In addition, the report recommends the removal of a birch tree which is in a poor state at the rear of the site; the scheme would also result in the removal of another birch tree located at the front of the site. The removal of both trees is considered acceptable given that these are of poor quality.

The trees at the rear of the site, although mature, have been pruned and have had their crowns lifted therefore there are some views into neighbouring gardens as existing above the existing fence. The proposal does not seek the removal of these trees and therefore it is not considered that there would be any change in circumstances. In addition, the proposed development is outside the RPA of these trees.

Landscaping would be secured by a condition to both the front and rear of the site to mitigate impact to neighbouring gardens and soften the appearance of the building at the front.

On balance, subject to conditions, the proposal is not considered to be harmful to the existing trees on site or the general streetscene, and the proposal is recommended as acceptable in this regard.

Accessibility and Sustainability

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

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 6% CO2 reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition is attached to ensure compliance with the Policy

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

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

Community Infrastructure Levy

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

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

The proposal with a proposed internal floorspace of 952sqm (652sqm chargeable area including the deduction of the demolition of the existing building with an area of 300sqm), would be liable for £108,325.34 of Barnet's CIL and £22,820 of Mayor's CIL.

5.4 Response to Public Consultation

It is considered that the comments raised of neighbours consulted have generally been addressed in the assessment above. The following responses are provided to other comments:

"Basement construction is out of character /other properties on Wycombe Gardens do not have basements"- Whilst there are no other properties on the road which benefit from basement accommodation, this itself is no a reason for refusal and the Local Planning Authority is required to address the harm of this element (as assessed above). There would be no manifestations of the basement visible from the front of the site.

"Flooding risk with regards to the basement/ / impact on water table" - The host does not lie within a Flood Risk zone (of any designation) or in a ground water protection zone in accordance with the Environment Agency maps. As such it is not considered that the development for the basement level would increase the risk of flooding. Furthermore, with regards to the comments regarding subsidence this is not a planning consideration; Building Regulations seek to ensure that any development is structurally sound. In addition, the site lies on London Clay and is therefore not considered to be in an area where the basement could result in structural instability or prone to flooding problems. In accordance with the Council's SPD, the application does not require a hydrological assessment with this soil type.

"Loss of large family house"- The site is currently used as two self-contained flats. The proposal seeks to provide 4no family homes which are in keeping with the character of the area.

6. Equality and Diversity Issues

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

7. Conclusion

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

