

**Location** Trojan House 34 Arcadia Avenue London N3 2JU

**Reference:** 17/1086/FUL Received: 22nd February 2017  
Accepted: 23rd February 2017

**Ward:** Finchley Church End Expiry 20th April 2017

**Applicant:** Trojan House Ltd

**Proposal:** Two-storey roof extension to provide 3no. residential units and associated amenity areas

**Recommendation:** Approve subject to s106

#### RECOMMENDATION I:

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. Alteration to Traffic Regulation Order - £2000
4. Monitoring of the Agreement - £100

#### RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Planning Performance and Business Development Manager/Head of Development Management approve 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:

- Block and Site Plans (4839\_11)
- Existing Ground and First Floor (4839\_01)
- Existing Second Floor Plan (4839\_02)
- Existing Front and Side Elevations (4839\_03)
- Existing Rear and Side Elevations (4839\_04)
- Existing Roof Plan and Section (4839\_09)
- Proposed 2nd and 3rd Floor Plans (4839\_21)
- Proposed 4th Floor and Roof Plans (4839\_22 Rev. A)

- Proposed Front and Side Elevations (4839\_23 Rev. A)
- Proposed Rear and Side Elevations (4839\_24 Rev. A)
- Proposed Line Section (4839\_25)
- Proposed Ground Floor and Section (4839\_26 Rev. B)

All of the above, except drawings 22, 23, 24 and 26 were received on 14.03.2017. Drawings 22, 23 and 24 were received on 05.04.2017 and drawing 26 was received on 25.04.2017.

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) Notwithstanding the details submitted with the application and otherwise hereby approved, no development works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of

the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

5 a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

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

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

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

6 The open recessed area adjacent the neighbouring building 'The Gallery', marked as being not accessible to occupants on the third floor plan of Drawing 4839\_21, 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).

7 a) No development shall take place until details of the proposed green roof and living walls and their maintenance plan have been submitted to and approved in writing by the Local Planning Authority.

b) The green roof and living walls shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2015.

8 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed to the front and rear third and fourth floor proposed outdoor terraces 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).

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

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

10 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.

11 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 25% 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.

12 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be 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 the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and 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.

13 a) Before the development hereby permitted is first occupied vehicle parking spaces and storage facilities shall be provided in accordance with a scheme to be 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 the spaces shall be permanently retained thereafter.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

#### RECOMMENDATION III:

1 That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 9 July 2017, unless otherwise agreed in writing, the Head of Planning Performance and Development Management REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet the costs of amending the road traffic order. The proposal would therefore not address the impacts of the development, by causing a significant risk to highway safety and the free flow of traffic in the area due to difficulties in finding a parking space, consequent extended journey times and potentially parking inappropriately, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), Policy DM17 of the Development Management Policies DPD (adopted September 2012) and the Planning Obligations SPD (adopted April 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. 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 £6,895 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 £26,595 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 due to location of the site deliveries during the construction period should not take place between 0800 hrs - 0930 hrs and 1630 hrs - 1800 hrs. Careful consideration must also be given to the optimum route(s) for construction traffic and Development and Regulatory Services should be consulted in this respect.

4 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.

5 Refuse collection points should be located within 10 metres of the Public Highway; otherwise, unobstructed and suitable access needs to be provided to the refuse vehicle on the day of the collection. The development access needs to be designed and constructed to allow refuse vehicles to access the site and turn within the within the development site. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.

## **Officer's Assessment**

### **1. Site Description**

The application site is situated at Trojan House, 34 Arcadia Avenue within the Finchley Church End ward. The application site is occupied by a three storey building, containing B1 office uses. The site has a drive through vehicular access to a parking area at the rear of the existing building. The street is predominantly characterised by office use, although residential uses have been granted at the 14 Dancastle Court, 'Dove House' and 'The Gallery' along Arcadia Avenue. The applicant site also has planning permission for flats via a third floor roof extension. There are two storey residential properties located to the rear of the applicant site. The buildings on either side of the applicant site contain residential (Gallery Court) and office (Elscot House).

The application site is not a listed building and does not lie within a Conservation Area.

### **2. Site History**

Reference: 16/5266/FUL

Address: Trojan House, 34 Arcadia Avenue, London, N3 2JU

Decision: Approved following legal agreement

Decision Date: 6 March 2017

Description: Roof extension to provide 2no self-contained flats at third floor level.

Associated terrace area

This has not been implemented.

Reference: C17160/07

Address: Trojan House, 34 Arcadia Avenue, London, N3 2JU

Decision: Approved subject to conditions

Decision Date: 10 August 2007

Description: Retention of Installation of 7 no. air conditioning units

### **3. Proposal**

The application proposes a two storey roof extension to provide 3.no self-contained flats at the third and fourth floor level. This also includes associated amenity areas for each self-contained flat and 1.no additional onsite parking space.

The third floor extension including 2.no self-contained flats already benefits from planning permission (16/5266/FUL dated 02.11.2016). No additional units or alterations have been proposed on the third floor.

Proposed Flat 1 on the third floor is a 2 bedroom and 3 person flat comprising:

- A gross internal floor area of 62 square metres.
- A double bedroom of 12 square metres.
- A single bedroom of 8 square metres.
- A combined kitchen/living space of 32 square metres; and
- A terrace of 13 square metres.

Proposed Flat 2 on the third floor is a 2 bedroom and 3 person flat comprising:

- A gross internal floor area of 62 square metres.
- A double bedroom of 16 square metres.



- A single bedroom of 9 square metres.
- A combined kitchen/living space of 25 square metres; and
- A terrace of 13 square metres.

Proposed Flat 3 on the fourth floor is a 2 bedroom and 4 person flat comprising:

- A gross internal floor area of 73 square metres.
- A double bedroom of 15 square metres.
- A double bedroom of 12 square metres.
- A combined kitchen/living space of 33 square metres; and
- A terrace of 10 square metres.

The proposed third floor extension measures:

- 3m in height.
- 14m in depth.
- Between 11 - 13m in width when factoring in building shape; and
- Green roof measures 9.4m by 3.1m.

The proposed fourth floor roof extension will incorporate a flat roof, hipped on each side except for the lift shaft which has vertical walls. It measures:

- 1.2m from front elevation.
- 4.4m deep on the left side, with a width of 4.7m and a maximum height from ground level of 15.8m. This includes a 3.99m set-back from the neighbouring residential properties at Gallery Court to the proposed lift shaft and an 8.6m set-back from the neighbouring residential properties at Gallery Court to the recessed left flank wall. The proposed roof extension is 1.8m higher than the adjacent Gallery Court building.
- 10m deep on the right side, with a width of 8.2m and a maximum height from ground level of 15.8m. The proposed roof extension is 0.8m higher than Elscot House.
- Rear terraced area with screening measuring 0.9m in height.
- Living Wall along the lift shaft; and
- Green roof on 1:10 slope.

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

Consultation letters were sent to 79 neighbouring properties.

6 responses have been received comprising 6 letters of objection.

The public response can be summarised as:

- Potential overlooking on Elscot House caused by high level windows to the side elevation;
- High level windows may affect future development of Elscot house;
- Objection would be withdrawn if side elevation windows are removed;
- Extension would block light and view and impact residential privacy;
- Trojan house is very close to adjacent residential balcony and extension will impact enjoyment of residential property;
- Arcadia Avenue is fast becoming totally untenable from a traffic perspective;
- The extra floor is an overdevelopment which is unnecessary;
- Significant disturbance caused by construction;
- Additional strain on limited parking provision both during construction and after;
- The size, height and mass of this proposed development is an extremely un-neighbourly form of development which would have an adverse impact on the top-floor flats of Gallery Court;

- The proposal will be visually overbearing and intrusive;
- The rooms and balconies facing Trojan House will suffer substantial shading and loss of daylight;
- Loss of privacy;
- The proposal represents a 30% increase in floor space and 40% increase in height;
- Significant and unrealistic stress on existing onsite parking provision;
- Concerns about the maintenance of the green roof and living walls;
- Significant flow of construction, delivery, office and residential traffic during and after construction is not viable.

## **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 document. Both were adopted in September 2012. The following policy documents were consulted:

##### Core Strategy Policies:

- National Planning Policy Framework (NPPF) (2012)
- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS14.
- Relevant Development Management Policies: DM01, DM02, DM08 and DM17.

## Supplementary Planning Documents

### Residential Design Guidance SPD (Adopted 2016)

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

### Sustainable Design and Construction SPD (Adopted 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:

- i. The principle of flats in this location
- ii. Whether the proposal provides satisfactory living accommodation for future occupiers
- iii. The Impact on the appearance and character of the area
- iv. The impact on the amenities of neighbouring occupiers
- v. Parking and highways
- vi. Refuse and recycling storage

## **5.3 Assessment of proposals**

### The principle of flats in this location

The street is predominantly characterised by office use, although residential uses have been granted at the 14 Dancastle Court, 'Dove House' and 'The Gallery' along Arcadia Avenue. The applicant site also has planning permission for 2.no self-contained flats via the addition of a third floor roof extension (16/5266/FUL dated 02.11.2016). Consequently, it is considered that the principle of residential in this location has been established and therefore, the addition of 2.no self-contained flats on the third floor and 1.no self-contained flat on the fourth floor would be acceptable in principle subject to the proposal meeting character and amenity requirements.

## Whether the proposal provides a satisfactory living environment for future occupiers

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that it makes a positive contribution to the borough.

Floor Area:

Three units are proposed with the following gross internal area (gia):

Flat 1: 2 bedroom, 3 person, 1 storey - 62m<sup>2</sup>

Flat 2: 2 bedroom, 3 person, 1 storey - 62m<sup>2</sup>

Flat 3: 2 bedroom, 4 person, 1 storey - 73m<sup>2</sup>

The London Plan (2016) and Barnet's policies and Sustainable Design SPD (Oct 2016) set out the minimum gia requirements for residential units as follows:

2 bedroom, 3 person, 1 storey - 61m<sup>2</sup>

2 bedroom, 4 person, 1 storey - 70m<sup>2</sup>

Each proposed flat meets the minimum residential space standards.

Table 2.2: Internal layout and design requirements of Barnet's Sustainable Design SPD (Oct 2016) states that bedrooms should meet the following requirements.

- Single bedroom: minimum area should be 7.5 m<sup>2</sup> and is at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 m<sup>2</sup> and is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

All of the proposed bedrooms meet these requirements except the single bedroom in flat 2 which is under the 2.15m required width. As this was previously granted permission, no objection is made.

Floor to ceiling height:

Table 3.3 of Policy 3.5 of the London Plan states that a minimum ceiling height of 2.3 metres is required for at least 75% of the gross internal area of a dwelling. The floor to ceiling height for the third and fourth floor is 2.53m and 2.5m respectively and therefore both are in compliance.

Light/outlook:

Barnet's Sustainable Design SPD (Oct 2016) section 2.4 states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room. All habitable rooms within the proposed flats meet this requirement.

Room stacking:

The Residential Design Guidance SPD (October 2016) requires that the vertical stacking of rooms between flats should as far as practical ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. The proposed layout is broadly acceptable.

Sound insulation between units should be incorporated into the scheme which should be in compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission). This is due to its relationship both horizontally and vertically to neighbouring residential units. The applicant should achieve the required sound insulation levels; this will be enforced by an appropriate condition attached to the decision.

#### Amenity Space:

Table 2.3 of Barnet's Sustainable Design SPD (Oct 2016) states that flats should have 5 m<sup>2</sup> of onsite amenity space per habitable room. Each flat has the following private amenity space via outdoor terraces and are compliant with the amenity space standards:

Flat 1: 2 bedrooms (10m<sup>2</sup> amenity space required) - 13m<sup>2</sup> provided

Flat 2: 2 bedrooms (10m<sup>2</sup> amenity space required) - 13m<sup>2</sup> provided

Flat 3: 2 bedrooms (10m<sup>2</sup> amenity space required) - 10m<sup>2</sup> provided

#### The Impact on the appearance and character of the area

It is considered that the proposed roof extension would not harmfully impact the established appearance and character of Arcadia Avenue and its locality. It is considered that the proposed development will be broadly consistent with neighbouring developments situated on the south-western side of Arcadia Avenue in terms of size, bulk, height and appearance. The proposed fourth floor roof extension will bring the height of the applicant building more broadly in line with the height of adjacent buildings which are currently in excess of 3m taller. The height of Trojan House following the proposed roof extensions will be 1.8m higher than Gallery Court and 0.8m higher than Elscot House. The proposed design of the roof extension, including its set-back from the front building line and its hipped roof form helps to reduce the visual bulk of the extension, whilst ensuring appropriate visual alignment with the roof form of Elscot House. The rear of the roof extension is set-back from the rear elevation by more than 5m to ensure visual subordination whilst minimising overlooking and overshadowing to residential properties located to the rear of the applicant site. The staggered rear elevation reflects the design details approved in the previous planning permission and has been set back from the rear building line to protect visual and neighbouring amenity. The proposed addition of green roofs and living walls, particularly along the lift shaft which represents the closest element of the applicant building to the adjacent Gallery Court, would complement the appearance of the applicant building and help to soften the visual outlook from adjacent residential units at Gallery Court. These have a maintenance plan in place which will be conditioned to ensure their continued upkeep. The use of appropriate materials will be conditioned to protect the character and appearance of the building and ensure alignment with the wider streetscene. Whilst the proposed extension will add additional height to the existing building, it is not overbearing to adjacent buildings, but simply brings about greater height parity. Therefore, it is deemed that from a character and appearance perspective, the proposed extensions would not harm or be detrimental to the applicant building, adjacent properties or the wider streetscene and is recommended for approval.

#### The impact on the amenities of neighbouring occupiers

Whilst it is not considered that the proposed roof extension including associated amenity space and fenestration would cause significant harm to neighbouring occupant amenity, there nevertheless will be some impact on the penthouse apartment at Gallery Court opposite the lift shaft serving Trojan House. The proposed design has attempted to

address potential amenity impacts via set-backs, green roofs and living walls which all combine to protect access to sunlight / daylight, reduce overlooking and overshadowing and maintain acceptable levels of outlook to neighbouring residential units. The following outlines how the proposed design of the roof extension addresses neighbouring amenity:

#### Gallery House:

The main impact of the proposed roof extension will be felt by the penthouse apartment opposite the proposed lift shaft. While appropriate set-backs of 8.6m have been included along the flank wall facing Gallery Court, this level of set-back has not been possible along the entirety of the flank wall given the fixed location of the lift shaft. The lift shaft and stairwell measure 4.25m in depth (the lift shaft which is the only element to have a vertical roof angle is only 2m in depth) and are 3.99m from and 1.8m above the adjacent residential unit at Gallery Court. Whilst this will cause an increased sense of enclosure to the adjacent residential unit and its associated balcony, it is not considered that outlook from the residential unit would be unacceptably harmed as a whole. Given the 2m depth of the lift shaft and factoring in the north-south orientation of the building, only limited overshadowing and loss of sunlight is expected in the late evening. Given the 8.6m set-back along the rest of the eastern flank wall it is not expected that other penthouse residential apartments will suffer from a loss of sunlight / daylight, overshadowing or overbearing. Given the residential unit most affected by the proximity of the lift shaft has north and west facing windows / balconies, it is considered that outlook on its northern facade will maintain good outlook. No windows have been included in the flank wall thereby protecting the privacy of neighbouring residential units and a living wall has been introduced to the lift shaft to attempt to soften its visual impact when viewed from the adjacent neighbouring unit.

#### Two storey residential units to the rear of Trojan House:

A set-back of 5.25m from the rear wall of the fourth floor roof extension and the rear building line of Trojan House has been included to reduce the visual bulk when viewed from the two storey residential units located 27m from fourth floor roof extension to the rear of Trojan House. This significant setback limits any potential opportunity for overlooking and protects residential privacy. Furthermore, the depth of the proposed rear terrace has been limited to 1.25m and the associated balustrade is to be built to a height of 0.9m. Given the orientation of Trojan House, it is not expected that the proposed extension would result in the reduction of any sunlight / daylight to the residential units to the rear of Trojan House, or cause an increase in overshadowing, overlooking or loss of privacy.

#### Elscot House:

It is deemed that the impact on the offices in Elscot House as a result of the proposed roof extension would be limited. Windows in the fourth floor extension are high level and located within a roof slope which combined reduces the potential for overlooking. The extension would not result in the loss of sunlight / daylight to the principal front and rear facing windows of Elscot House. Rear amenity areas at the third and fourth floor level of the applicant building will have privacy screening reducing any potential for overlooking.

In summary, while it is acknowledged that there will be some impacts on the residential amenity of some neighbouring occupants at Gallery Court, it is deemed that the overall impact of the fourth floor roof extension on Gallery Court, Elscot House and the residential properties to the rear of Trojan House will be limited.

## Parking and Highways

It is acknowledged that parking at Trojan House and along Arcadia Avenue is at capacity and therefore, the impact of any additional development at Trojan House needs to address parking constraints. The highways department have reviewed the application and having taken local infrastructure and parking stresses into account and have recommended that on highways grounds the development be approved subject to an s.106 agreement excluding future residents from obtaining parking permits.

The proposed development includes the replacement of 2.no vehicle storage lifts that accommodate 4.no vehicles total, with 2.no new vehicle storage lifts accommodating 6.no vehicles total. As 1.no existing parking space closest to the lift shaft will be lost to accommodate refuse and cycle storage, this means a net increase of 1.no parking space on the site as a result of this proposal.

Cycle parking provision should be in accordance with the London Plan (2016) that requires a minimum of 2 spaces for 2 bed units. This means the two proposed roof extensions would require 6.no cycle spaces. The proposal provides 6 cycle spaces on the ground floor to the rear of the lift shaft via secure wall mounted cycle stackers. A condition will be attached to ensure cycle bays are enclosed and secured.

## Refuse and recycling storage

Refuse and recycling provision has been proposed and will be housed next to the cycle bays located to the side / rear of the building near to the lift shaft. A new door will be incorporated into the lobby next to the lift shaft to allow direct resident access to refuse, cycle and parking provision to the rear of the building. A condition will be attached to ensure final refuse and recycling provision, storage / screening, access and collection is in compliance with Barnet's Waste and Recycling Strategy (2017).

## **5.4 Response to Public Consultation**

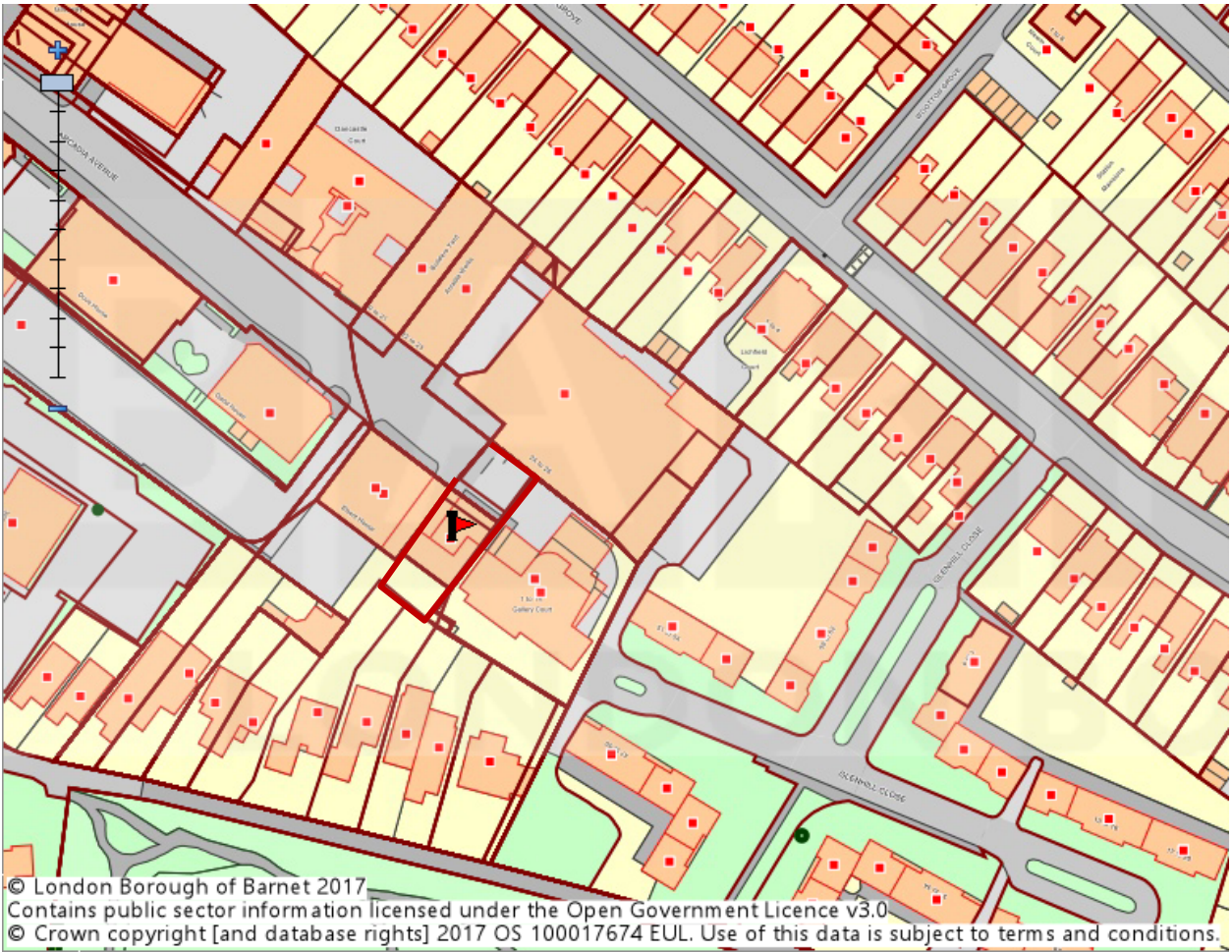
Public comments have been acknowledged and those which are material planning considerations have been addressed in the above report.

## **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**

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



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