

**Location**                                **236 East Barnet Road Barnet EN4 8TF**

**Reference:**                                **17/1765/FUL**                                Received: 20th March 2017  
Accepted: 21st March 2017

**Ward:**                                        East Barnet                                        Expiry 16th May 2017

**Applicant:**                                Mr Felix Gonzalez

**Proposal:**                                Demolition of existing building and erection of a new building  
comprising of 5no self contained flats including associated car parking,  
bike store, refuse and recycling store and amenity space

**Recommendation:** Approve subject to conditions

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

P/900 (Location Plan), P/901/A (Proposed and Existing Overlaid Site Block Plan), P/902 (Existing Elevations), P/903 (Proposed Plans), P/904 (Proposed Elevations), P/905 (Proposed Elevations), P/906 (Proposed Ground Floor Plan), P/907 (Proposed First Floor Plan), P/908 (Proposed Loft & Roof Plan), P/909/A (Proposed Section Across C/I Front Gable Bay), P/910/A (Proposed Section Across C/I Set Back @ Welbeck Road), P/911/A (Proposed section Across C/I Side Gable Bay @ Welbeck Road), P/912/A (Proposed Elevations), P/913/A (Proposed Axo View at Corner Junction), P/914/A (Proposed Flank Wall Details), P/915 (Comparative Flank Wall Details), 006 Rev A01 (Proposed layout large car tracking manoeuvres), CIV17314/TR001/A01 (Highways Statement prepared by Waterman Infrastructure & Environment Limited dated 17 March 2016), Planning, Design & Access Statement prepared by Magenta Planning dated March 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) 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).

- 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 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.

- 6 Before the development hereby permitted is occupied the car parking spaces as shown on Drawing Nos. 0006 Rev. A01, P/906 shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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.

- 7 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.

- 8 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 policies 5.3, 5.18, 7.14 and 7.15 of the London Plan.

- 9 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.

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

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

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

10 a) 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).

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

12 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).

- 13 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 elevation facing No 238 East Barnet Road.

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).

- 14 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.

- 15 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.

#### **Informative(s):**

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

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £787 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 £3,037 payment under Barnet CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

Relief or Exemption from CIL:

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local

Government at  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6314/19021101.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

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

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

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

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

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

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

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

- 4 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 5 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 6 The applicant must enter a Section 278 Agreement with the Highways Authority, for any works required on the public highways as a result of the proposal.
- 7 The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.

- 8 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.
- 9 Any highway approval as part of the planning process for the alteration to the existing access/crossovers or 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. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway 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.

The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ

If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP

- 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
- 11 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.



## **Officer's Assessment**

### **1. Site Description**

The site is located on the corner with East Barnet Road and Welbeck Road. The side of the property is sited next to Welbeck Road, a small cul-de-sac. The site is currently occupied as a restaurant at ground floor level and residential above. To the rear of the building is a large flue. A garage currently exists at the rear of the site which backs on to the access road off Welbeck Road. The site is located just outside the local centre of East Barnet.

### **2. Site History**

16/7732/FUL:

Demolition of existing building and redevelopment to comprise 5 residential flats, together with associated car parking, bike store, refuse store and amenity space.

Decision: Withdrawn.

Decision Date: 1 March 2017

15/07285/FUL:

Demolition of existing building and redevelopment to comprise 7 residential flats, together with associated car parking, amenity space, refuse and bike store.

Decision: Refused. Decision Date: 1 February 2016

Appeal - APP/N5090/W/16/3147366 - dismissed - 29 June 2016

### **3. Proposal**

The application relates to the demolition of existing building and erection of a new building comprising of 5 no self-contained flats including associated car parking, bike store, refuse and recycling store and amenity space.

### **4. Public Consultation**

Consultation letters were sent to 115 neighbouring properties.

12 responses have been received, comprising 6 letters of objections and 6 letters of support

The objections received can be summarised as follows:

- o Inaccuracies in plans and documents submitted
- o 3 parking spaces not adequate for 5 flats
- o Pressure on parking and traffic in Welbeck Road
- o Maximum development should be 3 flats which would result in less parking requirement and cramped space for future occupier.
- o Heavy vehicles will cause distress for neighbouring properties on Welbeck Road
- o One parking space should be for a disabled person

The support received can be summarised as follows:

- o Will bring much needed housing to the area
- o It is a smart and compact design that will fit into the area
- o Will benefit the local community
- o The corner building is an eyesore and makes East Barnet look scruffy
- o Supports the creation of more housing and generating a well-designed building for village
- o Parking not an issue as there is plenty of parking in adjacent roads
- o There is so much local transport in the immediate area may reduce the need for car ownership

- o The application has provision for parking
- o New Barnet has recently undergone a bit of a regeneration of late and the building on the corner of East Barnet Road and Victoria Road would be a good example.

## **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. 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, CS5, CS9
- Relevant Development Management Policies: DM01, DM02, 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

Residential Design Guidance SPD (adopted October 2016)

Sustainable Design and Construction SPD (adopted October 2016)

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

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether the proposals would have a harmful impact on the character and appearance of the streetscene and general locality
- Whether the proposals would have an acceptable impact on the amenities of neighbouring and future occupiers
- Whether the proposals would have an acceptable impact on highway and pedestrian safety.

## **5.3 Assessment of proposals**

The principle of the proposed development

The application site currently features a building with hipped roof used as a restaurant at ground floor and residential above. The area surrounding the application site features a mixture of residential buildings. The principle of C3 residential flats on the site in itself is considered to be acceptable. Furthermore a number of properties along East Barnet Road have been converted into self contained flats. Most notably the neighbouring property no.238 has recently been redeveloped as flats.

In regards to the demolition of the existing building it is not considered that the existing building is of any particular architectural merit to warrant its retention.

The impact on the character and appearance of the property and surrounding area

The 2012 National Planning Policy Framework states that 'the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'.

In addition to the NPPF, Policy CS5 of the Core Strategy states that the Council 'will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design'. In addition to this, Policy DM01 of the Council's Development Management Policies 2012 states that 'development proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets' development (should) demonstrate a good understanding of the local characteristics of an area.

The proposed building has been revised substantially following extensive negotiations with the applicant. The issues raised in the reasons for the previous refusal and appeal decisions have been addressed. The proposed development is a two storey development with accommodation incorporated within the roof space. The architectural design has a traditional approach and would closely reflect the local distinctiveness and character of East Barnet Road and Welbeck Road.

The proposal would extend to the rear at two storeys for a depth of approx. 19m; it would have a width of 7m and be set back from the adjoining property by approx. 1m. In addition the building has been set back from the edge of the pavement on East Barnet Road by at least 2m and from Welbeck Road by approx. 1m. The proposal would be of comparable height to no.238.

The proposal would be an enhancement at the visually prominent corner and would comply with National Planning Policy Framework 2012 and Development Management policy DM01.

The impact on the amenity of future and neighbouring residents

Policy DM02 of the Council's Development Management Policies requires new development to comply with minimum floor space standards. The Council's Sustainable Design and Construction SPD replicates these standards. The proposal will comprise of 1 x 1 bed units and 4 x 2 bed units. Accordingly, the London Plan and the Council's Sustainable Design and Construction SPD require a minimum gross internal floor area of 50sqm and 70sqm respectively. All the flats would meet the minimum space and room standards required.

The outlook from the rooms and accessible daylight to the rooms would comply with Council's Sustainable Design and Construction SPD, and would provide a good level of amenity for the future residents. The units have been designed so rooms are laid out on a 'like above like' basis to ensure that there is no inappropriate stacking between units.

In regards to amenity space, a 60sqm communal space would be provided in addition to private balconies which will provide external outdoor space for the units. It is considered that the proposed development would provide a satisfactory level of amenity for future occupiers.

In terms of the impact of the proposal on the amenity of neighbouring residents, Policy DM01 of the Development Management Policies 2012 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.

The proposal has been designed to splay the rear building line in away from the neighbouring building no.238 East Barnet Road.

Building 238 East Barnet Road, has recently been redeveloped comprising of flats on each floor. Given the proposed splay to the rear building line of the property, it is not considered that the proposal will have a harmful impact on the neighbouring windows as a result of the projection.

The proposal will be set approx. 20m from the side building line of Nos 1 and 3 Welbeck Road separated by the existing access road to the rear. Although there are windows to the flank wall of Nos 1 & 3 Welbeck Road, they are obscure glazed and the insertion of windows and doors at the rear of the proposed development would not result in a loss of amenity to the neighbouring residential occupiers due to the setback between both properties.

The impact on highway safety and whether there would be a sufficient parking allocation

According to the Highways Authority, a parking provision of between 4 and 7 parking spaces would need to be provided for the proposed residential development. The site is located within PTAL rating of 2/3, approximately 6 parking spaces would be required, therefore parking provision of 3 parking spaces will result in a shortfall of 3 parking spaces.

The applicant has therefore undertaken a parking beat survey to assess the existing parking demand on roads in the vicinity of the site. The survey has demonstrated that there are approximately 36 parking spaces available on public highway in the vicinity of the site to accommodate any overspill parking resulting from the proposed development.

Also the consultants Waterman appointed by the applicant has undertaken the car ownership assessment for flats in the local area which indicated that the proposed flats could attract a car ownership ratio of 0.65 cars per household resulting in parking demand of approximately 3 to 4 parking spaces.

Taking the above into consideration on balance the proposed development with 3 parking spaces is acceptable on highway grounds subject to conditions.

5 Cycle parking spaces are proposed as per the drawing No P/906 in accordance with the London Plan Cycle Parking Standards.

There is new vehicular and pedestrian access proposed for the development, any works proposed on public highway to facilitate the development would need to be undertaken under S278 of the Highways Act. A separate application to be made to the Highway Authority for works under S278 of the Highways Act would be required.

#### Other material planning considerations

The proposals would provide covered refuse and recycling storage in accordance with the Council's standards. Conditions have been attached requiring full details of the refuse store to be submitted to and agreed by the local planning authority.

In regards to sustainability, the Agent has set out that "it is the applicant's intention to provide a sustainable and energy efficient new development with a number of features incorporated into the scheme design, such as:- Passive Infrared sensor (PIR) on outside lights; Grade A windows; Grade A boilers; 750L water butt; disabled access; recycle bins; leaflets for each flat listing local services; manuals on all appliances detailing most economical useage; bus & train timetables; and local community centres/libraries; all flats fitted with LED energy saving bulbs; entry timer on communal areas; dual flush on all toilets; bicycle store; and communal landscaping".

The success of any new building on such a prominent corner plot would require high quality materials and appropriate detailing. The planning statement indicates that traditional bricks and tiles responding to the local character of the area will be used. A condition has been attached requesting details.

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

All planning considerations are considered to be covered in the above appraisal.

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

