

<b>Location</b>	<b>Land Adjacent To 23 Hampden Road London N10 2HP</b>	
<b>Reference:</b>	<b>17/0562/FUL</b>	Received: 31st January 2017 Accepted: 10th February 2017
<b>Ward:</b>	Coppetts	Expiry 7th April 2017
<b>Applicant:</b>	Mrs Carolyn Thompson	
<b>Proposal:</b>	Demolition of existing buildings and the erection of a single storey dwelling	

**Recommendation:** Approve subject to conditions

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

372.(1).0.101 Rev B (Existing Plan and Demolitions), 372.(1).0.102 Rev A (Existing Front Elevation and Section AA), 372.(1).0.103 Rev A (OS Map), 372.(1).1.101 Rev C (Proposed Ground Floor Plan), 372.(1).1.102 Rev D (Proposed Roof Plan), 372.(1).1.103 Rev B (Existing and Proposed Roof Plan Superimposed), 372.(1).2.101 Rev K (Proposed Elevations, Front and Rear), 372.(1).3.101 Rev G (Proposed Sections. Section AA and BB), 372.(1).2.102 Rev I (Proposed Side Elevations. Elevations BB and CC), 372.(1).2.103 Rev D (Proposed Elevations. Front Elevation), 372.(1).3.101 ( Proposed Sections), 372-HAM-018-Design and Access\_Rev B (Design and Access Statement prepared by Lipton Plan Architects. Janaury 2017), Sustainability Statement prepared by Lipton Plan Architects. February 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 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.

- 4 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.

- 5 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 of 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.

- 6 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).

- 7 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.

- 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, C, D, E or F of Part 1 to Schedule 2 of that Order shall be carried out within the area of the curtilage hereby approved.

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

- 9 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.

- 10 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 flank walls.

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).

- 11 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.

- 12 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.

- 13 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which complies 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.

- 14 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).

#### **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 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.

- 3 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.
- 4 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>.
- 5 Any alteration if required to the existing crossovers or provision of new crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for crossover under Highways Act 1980. Reinstatement of any redundant crossovers, removal or relocation of any existing street furniture or alteration to road markings would be done at the applicant's expense, under a rechargeable works agreement, by the Council's term contractor for Highway Works. You may obtain an estimate for this work from the Crossover Team in Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 6 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. 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 lies within a predominantly residential area which consists of a range of building styles and designs. The site sits next to a row of locally listed terraced properties. The adjoining side boundary abuts the rear garden boundaries of a row of terraced houses in Pembroke Road. These terraced houses sit at right angles to the site. The site is long and narrow and it currently accommodates one small storage building previously used as a builder's yard. The site is currently derelict and vacant.

The site is not located in a conservation area and is not Statutory or locally listed.

### **2. Site History**

N14513/05: Erection of two-storey detached house with hardstanding for one car. Refused March 2005.

N14513A/05: Construction of two-storey detached house with hardstanding for one car. Refused September 2005.

N14513B/06: Construction of a two-storey detached house with hardstanding for one car. Refused March 2006.

N14513D/07: Formation of new dwelling house. Refused December 2008.

B/03659/10: Part single, part two-storey building fronting Hampden Way to be used in conjunction with existing builders yard. Refused November 2010. Appeal Dismissed September 2011.

B/04477/11: Demolition of existing building and erection of two storey detached dwelling at land adjoining 23 Hampden Road. Refused January 2012. Appeal Dismissed October 2012.

B/04360/13: Demolition of existing storage buildings and erection of 1no. two storey family dwelling including 1no. off street parking, refuse/cycle store and hard and soft landscaping. Refused 18 November 2013, dismissed at appeal on 2 April 2014.

B/00442/14/ENQ: Proposal for a single storey new build dwelling including change of use from builders yard to residential use.  
Application type: Pre-application advice

15/08406/ENQ: Proposal for a single storey new build dwelling including change of use from builders yard to residential use.  
Application type: Pre-application advice

16/1753/FUL: Demolition of existing buildings and erection of single storey dwelling.  
Decision: Withdrawn. Decision Date: 1 February 2017

### **3. Proposal**

The applicant seeks planning permission for the demolition of existing structures on site and the erection of a single storey dwelling with one off street car parking space at front with access from Hampden Road. The proposed building would have a width of 3.5m at the front with the entrance to the front door recessed by approximately 2.6m. The width of the entrance is approx. 1.35m. The full width of the property at the rear is approx. 4.3m. The depth of the proposed building is approx. 18.2m along the boundary with No 23 Hampden Road. It would be set back approximately 1.5m from the front building line of this property maintaining a gap of approximately 1m between the flank wall of no23 and the flank wall of the proposed building. Along the rear garden boundaries of properties in Pembroke Road the proposed building would be set to the rear of the large garage and set back approximately 4m from the frontage of this garage for a total depth of 15.58 m. The building would have a pitch roof which is angled off centre, and sunken into the ground.

The proposed dwelling would be single storey consisting of 1 bedroom for up to 2 people.

### **4. Public Consultation**

A site notice was erected on the 23 February 2017.

Consultation letters were sent to 104 neighbouring properties.  
14 responses have been received, comprising 14 letters of objection.

The objections received can be summarised as follows:

- o The proposal would look cramped and contrived
- o Overdevelopment of the site
- o Out of keeping with the surrounding area. It fails to reflect the more spacious character of adjacent buildings
- o The proposal doesn't fit the urban context or setting of the Listed Buildings on Hampden Road character and setting.
- o The land is extremely narrow and is not suitable for a dwelling
- o Land should be conserved and made into gardens and returned to the rightful owners on Pembroke Road
- o There are no levels indicated to understand its full impact on the adjoining boundaries
- o Should the proposal be permitted a caveat should be placed to prevent further increase in size
- o Loss of historic open space and biodiversity
- o Poor outlook for future occupiers
- o It will cause disruption to local communities
- o Loss of amenity and intrusive for the Pembroke Road properties
- o The plans are inaccurate
- o overlooking of small rear gardens and kitchens/ living areas
- o light pollution, Loss of privacy and light
- o Noise and disturbance to adjoining neighbours and future occupiers
- o The height of the building would be visually intrusive and overpowering when at the rear of or in the very small garden of 21 Pembroke Road due to its size, position and proximity to the rear boundary of the property.
- o Flood Risk to neighbouring properties.
- o Impracticality of building what is "drawn" - ie (drainage etc) can't be made to work given the lie of the land and can't be built without encroaching on neighbour's land.
- o Digging deep will cause subsidence to houses in the surrounding areas
- o The proposed car parking space would further clutter the existing street scene
- o Increase in traffic, danger to pedestrians, cyclist and motorists. It should be noted that Hollickwood Primary School is less than 100 yards
- o A new road access will have negative effect on local road safety
- o Steep gradient between street and dwelling will make parking off-street difficult and put further pressure on street

A request that the planning department should ensure that this application is :-

- o Compliant with planning guidelines.
- o Mandate that all councillors and other council employees involved with the above planning declare if they have a conflict of interest and voluntarily exclude themselves from this planning process.
- o Mandate that the Council designate the site as "un suitable for residential development" on account of the XII previously failed applications and because the site it sits within a mature "green" space
- o Ensure formally discipline of all employees found to be in breach of the Councils code of conduct.

Representation from Cllr Barry Rawlings

- o The site is too narrow for development
- o The proposed built would be out of character with both the listed buildings on Hamden Road and the homogenous building on Pembroke Road
- o Amenity space is cramped



- o No space for bins
- o Evidence to show that the proposed development can be constructed within building controls and will not interfere with any utilities that may run under the site will be required

Representation from Local MP - Rt Hon Mrs Theresa Villiers MP

- o Opposes the application and stated that objections of neighbour should be taken into account.

The applicant's agent's response to some of the issues raised.

Drainage

- o Rainwater will not be discharged into neighbouring property. A concealed gutter will run internally and connect to mains drain.
- o Slot drains will be provided in the front and rear. These will be specified by a specialist to ensure there is no flood or health and safety risk.

Levels

- o No spot levels shown on neighbouring properties because the survey was only carried out on the client's land.
- o Ridge heights on section AA and BB are correct. These are sections taken through the building as per the section lines on the plans. The drawn heights therefore correspond to the height of the roof at the section line. Section BB accurately shows the correct ridge height which can be seen behind the section line.
- o The fence heights have been drawn in accordance with spot levels from our survey and from site measurements taken by the client. Furthermore, the fences to the rear of the site are as existing heights. As existing, the existing fences are an appropriate height to provide adequate privacy. Our proposed building is substantially lower, therefore the privacy from the existing fences will be enhanced.
- o The fence height shown to the front of the building is new to match the existing.

Health and Safety

- o In accordance with CDM 2015, a Principal Designer will be appointed to manage the Pre-Construction Health and Safety File.

## **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, CS9, CS15.
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, 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 April 2013)

- 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 harm would be caused to the local highway
- Sustainability measures

### **5.3 Assessment of proposals**

#### Principle of building and impact on character of the area

Given the predominant character of the area the principle of residential accommodation in this locality is considered acceptable.

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. However, whilst the NPPF advocates that planning should not attempt to impose architectural styles or particular tastes it is considered proper to seek to promote or reinforce local distinctiveness.

Consideration of design and layout must be informed by the wider context, having regard not just to the immediate neighbouring buildings but the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development.

A number of applications have been made in the past to construct a detached dwelling at this site. The last two applications were refused by the Council and dismissed at appeal. The latest application (B/04360/13) was refused on the grounds that the proposal, by reason of its size, scale, siting and design would result in a cramped form of development, be out of character and keeping with the pattern of development in the surrounding locality. During the most recent appeal regarding a part two, part single storey structure, the Inspector noted:

- With built development across the whole plot width, the proposal would appear cramped and contrived in the existing gap.
- With no space on either side of the proposed dwelling to provide a setting, it would fail to reflect the spacious character of development locally.
- There would be insufficient space around the dwelling to integrate it in views from neighbouring properties.'

No objection has been raised previously with the principle of the use of the site for residential purposes, and since the last refused application, the applicant has engaged in extensive pre-application advice with the Council.

The proposed development would extend to both site boundaries, and would be recessed approximately 1.5m from the front elevation of no.23 Hampden Road. The roof would have a dual pitched roof with a height that is 0.8m lower than the adjacent garage at rear of no.27 Pembroke Road with a maximum height of 2.06m. Furthermore the maximum eaves height adjacent to garage would be 1.3m high and 1.17m along the boundary with no 23 Hampden Road. It is important to note the proposed building would have a subordinate and discrete appearance as viewed from the streetscene given its height and position on the site.

The proposal would be of modern design however this modern design would not detract from the architectural features of the adjacent locally listed buildings, and stand as a bespoke, sympathetic piece within the street which is considered to be a positive feature in the road as opposed to the redundant derelict vacant buildings existing on site which relates more sympathetically to the adjacent listed buildings. Therefore, the resultant building is considered to respect the character of the area and the setting of the Locally Listed terrace located at No's 19-23 Hampden Road.

Paragraph 60 of the NPPF states that "planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness. The proposal is considered to respect the character and appearance of the general area and streetscene, and as such it would be acceptable on character grounds

### 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.

There are no windows to the side elevations of the proposed development, furthermore the building is set lower into the ground and due to the change in ground levels the proposed development would not affect the light or privacy of occupiers of the adjoining properties on Hampden Road and Pembroke Road. The highest part of the pitch of the proposed building would only be 0.75m higher than the height of the 2m high neighbouring boundary fence

On the other side it is proposed to grow a mature hedge to the boundary with No 23 Hampden Road. The hedge would exceed the height of the existing garden fence, providing natural screening.

It is not considered that the siting of the building would be detrimental on the visual amenities of neighbouring occupiers and as such it is considered the proposal would have acceptable impact on these grounds.

The proposed glazed window would not cause overlooking and light pollution as the proposed building is set lower than the adjoining properties and would be approximately 13m away from the nearest habitable window on Pembroke Road. The size of the proposed window would be approx. 2sqm and the potential light source would not cause light spillage nor would cause harm than that of an internal light source from a window or a light in the garden of an adjoining property.

### 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 2016. In addition, all residential units are expected to provide suitable outlook and light to all habitable rooms whilst not compromising the amenities of neighbouring occupiers.

The proposed dwelling would comply with the minimum space standards in this regard and the proposal would provide adequate accommodation for future occupiers. Table 2.2 of the Sustainable Design and Construction SPD specifies that double bedrooms should provide a minimum floor area of 12sqm and single bedrooms a minimum floor area of 8sqm; the bedroom measures approximately 14sqm and would comply with the standards. The unit would offer dual aspect views which would provide adequate levels of outlook from the front and the rear.

Residential development is expected to provide direct access to outdoor amenity. The property would have a suitable size garden (approx. 48sqm) for future occupiers, which would exceed the minimum requirement of 40sqm of outdoor amenity space for a dwelling with up to 4 habitable rooms.

The proposal is considered to provide high quality accommodation for future occupiers and as such approval is recommended accordingly.

### Highways

Officers have consulted with the Council's Highways team, who have assessed the scheme in terms of the impact on highways.

The site benefits from a relatively low PTAL score of 2, however officers consider that given the size of the unit and that this is a single family unit, there would be no additional parking pressures to warrant refusal and as such the proposal would have an acceptable impact on highways.

The applicant is advised that any alterations that may be required to the existing crossover will be subject to consultation with the Crossover Team in Development and Regulatory Services as part of the application for crossover under Highways Act 1980.

The proposed development is acceptable on highways grounds subject to the above comment.

### 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 "emission rate (DER) will meet the targets set out within Building Regulations. To demonstrate

compliance full SAP calculations will be carried out by an accredited SAP assessor prior to construction. The SAP calculations will be approved by an accredited building inspector to ensure they satisfy requirements". This 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.

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

It is considered that all planning related comments have been addressed in the report above. However the following comments can also be made.

The area is not within a flood risk area, and as such the application has not been assessed in terms of potential to cause / increase flooding in the area.

The site is not designated open space or biodiversity area and it is not considered to be of any particular ecological merit.

With regards to objection relating to levels a condition has been added to provide levels prior to construction.

In addition a condition requiring a construction method statement prior to construction in order to restrict the hours of construction and minimise disturbance would be attached to the permission.

Further comments can be made that this application is compliant with local and national policies; the site is privately owned therefore there would be no conflict of interest.

## 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.

