

Location **129 The Vale London NW11 8TL**

Reference: **17/2340/FUL** Received: 10th April 2017
Accepted: 12th April 2017

Ward: Childs Hill Expiry 7th June 2017

Applicant: Mr B. Glass

Proposal: Construction of building comprising 3no. self-contained units to replace previous dwellinghouse on site that has been demolished. The proposed building would reflect the approved extensions to ground floor, first floor and roof level to the previous dwellinghouse on site

Recommendation: Approve subject to s106 and for the Committee to grant delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions and obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

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. 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 of seeking to secure the following:
 - (a) Legal Professional Costs Recovery
Paying the Council's legal and professional costs of preparing the Agreement and any other enabling arrangements.
 - (b) Enforceability
All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority.
 - (c) Amendment to Local Traffic Order
A contribution of £2,000 (index linked) to cover the costs of making an amendment the existing Traffic Management Order to prevent the future

occupiers of the development from being able to obtain parking permits for the Controlled Parking Zone.

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:

RECOMMENDATION III:

- 0 That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 19th September 2017 unless otherwise agreed in writing, the Head of Development Management REFUSE the application under delegated powers for the following reason:

The development does not include a formal undertaking to ensure that the future occupiers of the development are prevented from being able to obtain parking permits for the Controlled Parking Zone and in the absence of sufficient on-site parking to serve the residential units. The proposal would result in an increased demand for on street parking which would lead to increased kerbside parking, resulting in a detrimental impact on highway and pedestrian safety contrary to policy DM17 of the Adopted Barnet Development Management Policies DPD 2012.

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

- Site Location Plan
- 129TV-PP5-02
- 129TV-PP5-03
- 129TV-PP5-04 Rev. A

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 2016 MALP.

- 4 Before the building hereby permitted is first occupied the proposed window(s) in the flank elevations facing the neighbouring properties at No. 127 The Vale and No. 131 The Vale shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

- 5 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 London Plan (2016 MALP).

- 6 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) and policies 5.2 and 5.3 of the London Plan (2016 MALP).

- 7 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 2016 MALP.

- 8 The roof of the single storey rear projection or the roof of the single storey side projection of the property 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).

- 9 No flat within the development shall be occupied until cycle parking and cycle storage facilities have been provided in accordance with the details depicted in Drawing No. 129TV-PP5-04 Rev. A and shall be permanently retained thereafter.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 10 a) Before the development hereby permitted is first occupied, the existing amenity space shall be subdivided in accordance with the details on Drawing No. 129TV-PP5-04 Rev. A and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 11 a) Notwithstanding the details depicted in Drawing No. 129TV-PP5-04 Rev. A, before the development hereby permitted is first occupied, details of boundary treatment around the proposed amenity areas shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the sub-division of the amenity area(s) details as shown on Drawing No. 129TV-PP5-04 Rev. A before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 12 a) Notwithstanding the details shown on Drawing No. 129TV-PP5-04 Rev. A, before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins

or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

- 13 A vehicular sight line of 4.5 metres by 70 metres shall be provided to the either side of the site access with the Public highway, prior to the commencement of any other works on site, and thereafter be maintained free of all obstructions over a height of 0.6 metre above the level of the adjoining highway.

Reason: In the interests of highway and pedestrian safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 14 Before the development hereby permitted is first brought into use the vehicular access shall allow for 2.4 metre by 2.4 metre pedestrian visibility splays to the left and to the right of the access from 2m setback from the back of footway and shall thereafter be maintained free of any visibility obstructions including Fencing of planting of shrubs to provide clear visibility between heights of 0.6 metre and 1 metre above the level of the adjoining highway.

Reason: In the interests of highway and pedestrian safety 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.

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

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;

- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13 , CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

- 16 Before the development is commenced; a scheme showing details of the proposed access points (Vehicular), and footways in accordance with the siting, size, swept path analysis, dimensions and other details shown on the approved drawing shall be submitted to and approved by the Local Planning Authority. The access shall only be constructed in accordance with the approved details.

Reason: To ensure that the access is satisfactory in terms of highway safety and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 17 The development hereby approved shall not be occupied until the existing access has been closed, the highway reinstated and the new access has been constructed in accordance with the plans submitted to and approved by the Local Planning Authority.

Reason: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety on the public highway and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 18 The building shall not be occupied until parking space(s) has/have been laid out within the site in accordance with the approved plans and shall not be used for any other purpose other than the 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.

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.

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 £5,530 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 £21,330 payment under Barnet CIL.

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

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

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

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to

CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

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

Relief or Exemption from CIL:

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

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

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

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

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

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

- 3 If the development is carried out it will be necessary for a vehicular crossover to be constructed over the footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Crossover Team, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 4 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.
- 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.

- 6 Any highway approval as part of the planning process for the reinstatement or alteration to the existing access/crossovers or provision of a new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense including any relocation of street furniture, removal and relocation of trees, lighting columns or amendments to parking bays affected by the proposed works. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 7 The applicant is advised that an application under the Highways Act (1980) will need to be submitted for any works proposed on public highway to facilitate the development. The works on public highway shall either be carried out under S184 or S278 of the Highways Act (1980). As part of the application, the applicant shall submit proposed design and construction details to Development Team for approval. The applicant is also advised that any consequential damage to public highway as a result of the development proposal shall be borne by the applicant.

The applicant is advised that photographic records should be kept of the public highway likely to be affected by the development proposal prior to commencement of any construction or demolition works on site.

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

Officer's Assessment

1. Site Description

The proposal site is on the northern side of the Vale and it previously contained a detached two storey dwellinghouse. The detached two storey dwellinghouse has been mostly demolished. No. 127 the Vale is located to the east of the application site and No. 131 the Vale is located to the west of the application site.

The area surrounding the proposal site is predominantly residential in character.

The application site is not located within a conservation area and nor does it contain a listed building.

2. Site History

Reference: 17/0968/FUL

Address: 129 The Vale, London, NW11 8TL

Proposal: Conversion of the existing single family dwelling into 3no. self-contained units including part single, part two storey side and rear extensions following demolition of existing garage. New bay windows to front elevation and relocation of front entrance. Extension to roof including 1no rear dormer window and 1no dormer window to both sides. Associated works including bin store area at front and cycle storage at rear garden.

Decision: Withdrawn.

Decision Date: 5 April 2017

Reference: 16/7691/FUL

Address: 129 The Vale, London, NW11 8TL

Proposal: Conversion of the existing single family dwelling into 4no. self-contained units including part single, part two storey side and rear extension following demolition of existing garage. New bay windows to front elevation and relocation of front entrance. Extension to roof including 1no rear dormer window and 1no dormer window to both sides. Associated site works including bin store area at front and cycle storage at rear garden.

Decision: Refused.

Decision Date: 27 January 2017

Reasons for the refusal of 16/7691/FUL:

1. The proposed conversion to flats would result in the loss of a single family dwelling house and would be harmful to the character of the locality of this road which is characterised by single family dwellings. This would be contrary to policy DM01 of the Adopted Barnet Development Management Policies 2012.

2. The proposed development does not include a formal undertaking to meet the costs of amending the traffic order to prevent residents from obtaining parking permits. In the absence of this, the proposals would result in increased kerbside parking which would be detrimental to highway and pedestrian safety and the free flow of traffic. The proposal would therefore not address the impacts of the development, contrary to Policy CS9 and CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013) and policy DM17 of the Development Management Policies 2012.

Reference: 16/4086/PNH

Address: 129 The Vale, London, NW11 8TL

Proposal: Single storey rear extension with a proposed depth of 7 metres from original rear wall, eaves height of 3 metres and maximum height of 3 metres, .

Decision: Prior Approval Not Required.

Decision Date: 22 July 2016

Reference: 16/1001/PNH

Address: 129 The Vale, London, NW11 8TL

Proposal: Single storey rear extension with a proposed depth of 6 metres from original rear wall, eaves height of 2.92 metres and maximum height of 3.66 metres.

Decision: Prior Approval Required and Refused.

Decision Date: 17 March 2016

Reference: 16/0215/192

Address: 129 The Vale, London, NW11 8TL

Proposal: Roof extension involving side and rear dormer windows to facilitate a loft conversion.

Decision: Lawful.

Decision Date: 10 March 2016

Reference: 16/0979/192

Address: 129 The Vale, London, NW11 8TL

Proposal: Single storey rear extension.

Decision: Lawful.

Decision Date: 1 March 2016

Reference: 16/0212/192

Address: 129 The Vale, London, NW11 8TL

Proposal: Single storey side extension.

Decision: Lawful.

Decision Date: 11 February 2016

Reference: 15/07964/PNH

Address: 129 The Vale, London, NW11 8TL

Proposal: Single storey rear extension with a maximum depth of 8metres from the original rear wall. Eaves height of 3 metres and maximum height of 3.30 metres.

Decision: Prior Approval Required and Refused.

Decision Date: 8 February 2016

3. Proposal

Construction of building comprising 3 no. self-contained units to replace previous dwellinghouse on site that has been demolished.

Before the previous dwellinghouse on the application site was demolished, extensions were approved for it. These extensions were for ground floor, first floor and roof level. The proposed building will appear almost exactly the same as the extended pre-existing dwellinghouse with its granted extensions. The difference between the previous approved building and the current proposed building is in the fenestration. The propped building has 1 no. front roof light and 1 no. roof light on the ridge. Both of these are to provide daylight/sunlight to a bedroom.

The proposed building also additional glazing at ground floor level on the property's western side elevation

4. Public Consultation

Consultation letters were sent to 37 neighbouring properties.
A site notice was erected on 20/04/2017.

0 representations were received in response.

Application 16/7691/FUL was refused on 27 January 2017 by the Planning Committee because the principle of the replacement of the dwellinghouse on the application site with flats was considered to be unacceptable. The current application is for the replacement of the dwellinghouse with flats so therefore it has been referred to the Committee.

Internal Consultees

Barnet's Highways officers were consulted on the application and they raised no objections to the proposal to a S106 restriction on residents parking permits and also conditions relating to parking spaces, the vehicle crossover over and a construction method statement.

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 MALP

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 2031. 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, CS14.
- Relevant Development Management Policies: DM01, DM02, DM07, DM08 and DM17.

Supplementary Planning Documents

Residential Design Guidance (October 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 October 2016)

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

The principle of flats in this location:

The National Planning Policy Framework (NPPF) encourages the provision of more housing and states that applications should be considered in the context of the presumption in favour of sustainable development. Local Planning Authorities should encourage the effective use of land by re-using land that has been previously developed provided that it is not of high environmental value.

Policy 3.4 of The London Plan (2016 MALP) promotes the optimisation of housing output within different types of location.

Policy 3.8 of The London Plan also encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Consideration will also be given to the accessibility of the site to services and amenities.

The Borough has an attractive and high quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

The Council recognises that flat developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land. However, they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of car parking and refuse facilities that can have an unacceptable impact on the established character of an area.

In assessing whether flats are appropriate in this location, policy DM01 of Barnet's Development Management Policies states that consideration should be given to the character of the road and where proposals involve the loss of dwellinghouses in roads characterised by dwellinghouses, this will not normally be appropriate.

An application for the conversion of the existing single family dwellinghouse on the application site into 4 no. self-contained units was refused on 27 January 2017 by the Planning Committee (ref: 16/7691/FUL). A reason for the refusal of this application was that "the proposed conversion to flats would result in the loss of a single family dwelling house and would be harmful to the character of the locality of this road which is characterised by single family dwellings".

While the reason for the refusal of 16/7691/FUL is noted, it is considered that the current proposal is acceptable first because more information has been provided relating to the character of the local area and secondly because the nature of the proposed units has changed.

The locality that surrounds the application site contains existing flatted residential development. According to council tax records the following properties contain flats:

183 the Vale, London, NW11 8TL = 2 flats
188 the Vale, London,, NW11 8SR = 6 flats
201 the Vale, London, NW11 8TN = 2 flats
237 the Vale, London, NW11 8TN = 2 flats
239 the Vale, London, NW11 8TN = 2 flats
259 the Vale, London, NW11 8TN = 2 flats

Planning permission has been granted on the following sites for the conversion of existing dwellinghouses into 2 no. flats:

- 76 The Vale, London, NW11 8SJ, ref: F/03390/14, approval date: 12.08.2014
- 92 The Vale, London, NW11 8SJ, ref: F/03603/13, approval date: 11.11.2013

Planning permission has been granted on the following sites for the conversion of existing dwellinghouses into 3 no. flats:

- 73 The Vale, London, NW11 8TJ, ref: 15/07734/FUL, approval date: 11.02.2016

- 83 The Vale, London, NW11 8TJ, ref: 16/2010/FUL, approval date: 31.05.2016
- 85 The Vale, London, NW11 8TJ, ref: 16/5093/FUL, approval date: 11.10.2016
- 107 The Vale, London, NW11 8TJ, ref: 15/04715/FUL, approval date: 28.08.2015

Due to the number of existing flats on the Vale and the number of recently approved flat conversions, it is considered that area surrounding the application site is characterised by flats.

16/7691/FUL was refused in part due to a concern about the loss of a single family dwellinghouse and its replacement with flats. The refused application proposed 3 x 2 bedroom flats and 1 x 1 bedroom flat. A 1 bedroom unit is not considered to be a family unit. The current proposal is for 3 x 2 bedroom flats. A 2 bedroom unit is considered to be a family unit. The current proposal is considered to continue to provide family sized accommodation and the fact that this accommodation is provided as flats is acceptable due to character of the area.

For these reasons the having flats on the application site is acceptable in principle provided that the proposal meets the requirements described below.

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 development makes a positive contribution to the borough.

Floor Area:

The 3 no. proposed flats have the following gross internal area (gia):

Flat 1	2 bedrooms 4 persons on 2 storeys	80 m2
Flat 2	2 bedrooms 3 persons on 1 storey	72.5 m2
Flat 3	2 bedrooms 4 persons on 2 storeys	110 m2

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

- 2 bedroom unit for 3 persons on a 1 storey requires 58 m2
- 2 bedroom unit for 4 persons on a 2 storey requires 79 m2

It is considered that the 3 no. flats all meet this requirement.

Bedroom size:

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 m2 and is at least 2.15m wide to comply with the nationally described space standard.
- Double/twin bedroom: minimum area should be 11.5 m2 and minimum width should be 2.75 m to comply with the nationally described space standard.

All the bedrooms in the proposed 3 no. flats meet these standards.

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. All of the proposed flats have floor to ceiling heights that meet this requirement.

Light/outlook:

Barnet's Sustainable Design SPD (Oct 2016) states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room and that habitable rooms should receive adequate outlook. It is considered that all the habitable rooms have enough glazing to provide adequate outlook and to receive adequate daylight/sunlight.

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. It is considered provided that sufficient sound insulation is provided that the proposed room stacking is adequate to prevent the future occupiers of the proposed 3 no. flats to suffer a material loss of amenity as a result of noise and disturbance.

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 m² of amenity space per habitable room. Rooms with a with an internal floor space of greater than 20 m² are counted as 2 habitable rooms.

Flat 1 has 4 no. habitable rooms and requires 20 m² of amenity space.

Flat 2 has 4 no. habitable rooms and requires 20 m² of amenity space.

Flat 3 has 4 no. habitable rooms and requires 20 m² of amenity space.

Flat 1 and Flat 2 are both provided with private gardens with areas of 28 m². Flat 3 has access to a communal gardens with a size of 60 m².

For these reasons it considered that the 3 no. flats are provided with adequate on site amenity space.

Accessibility:

The London Plan Housing SPG (March 2016) states that "new build housing should meet building Regulation requirement M4(2)". As the proposal involves the demolition of the

existing building and the construction of a new building it is considered that it is necessary to apply this standard.

In order to comply with part M4(2), the flats would need to provide level access (lifts). The Housing SPG accepts that "in certain specific cases, the provision of a lift where necessary to achieve this aim, may cause practical difficulties, make developments unviable and/or have significant implications for the affordability of service charges for intended residents". If proposals do not include step free access then the Housing SPG (March 2016) requires that the applicant should clearly demonstrate that achieving step free access would make the development unviable or would mean that service charges are not affordable for the intended residents; the Local Planning Authority would assess this accordingly.

The proposal does not contain a lift access and to justify this applicant submitted information concerning the financial viability of the proposal. Barnet's Property Services Team appraised the scheme and it was considered that the provision of a lift would make the scheme financially unviable. For this reason it is considered acceptable for the proposal not to provide lift access.

The Impact on the appearance and character of the area:

The proposed property has the same size, height, position, bulk, and design as the extended property that was approved through application 16/4913/HSE. There are differences in the fenestration between the proposed building and the one that was previously approved. The proposed building has 1 no. additional front roof light, 1 no. ridge roof light and additional glazing at ground floor level on the property's western side elevation. Due to their size and position, the proposed 1 no. front roof and the 1 no. ridge roof light are not considered to visually clutter the proposed property. The proposed glazing at ground floor level is the same height and design as the glazing at the rear of the previously approved property.

For these reasons the proposed property is not considered to appear incongruous on the application site or within the streetscene.

Details of enclosures and screened facilities for the bin storage shall be secured through condition in order for the bins not to have a negative visual impact on the character of the streetscene.

The impact on the amenities of neighbouring occupiers

DM01 requires that development proposals should not have a material negative impact on the amenity of the occupiers of neighbouring and adjoining properties

The proposed property has the same size, height, and position as the extended property that was approved through application 16/4913/HSE. The impact of the current proposal on the amenities of the occupiers of neighbouring and adjoining properties in terms of a loss of daylight/sunlight, a loss of outlook or an overbearing impact is considered to be no worse than the impact on the extended building approved through 16/4913/HSE.

The overlooking of neighbouring and adjoining properties from the proposed 1 no. front roof light and the proposed 1 no. ridge roof light is considered to be no worse than the overlooking from the windows that were previously approved through 16/4913/HSE.

To protect the privacy of the occupiers of neighbouring and adjoining properties a condition shall be included in the decision notice requiring that the windows on the eastern elevation facing No. 127 the Vale and the windows on western elevation facing No. 131 the Vale are obscure glazed and permanently fixed shut. Furthermore, a condition shall be included in the decision notice requiring that neither the roof of the single storey rear projection or the roof of the single storey side projection are used as a balcony/sitting out area.

The existing floor plans of the extended peorty16/4913/HSE show the property as providing accommodation for 10 no. people. The 3 no. proposed flats would provide accommodation for 11 no. people. The proposal would only increase the number for occupiers on the application site by 1 no. person and there are other examples of existing flats on the Vale. For these reasons the proposed conversion is not considered to cause the occupiers of neighbouring and adjoining properties to suffer a material loss of amenity as a result of noise and disturbance from people coming and going from the application site and occupying the site.

Parking and Highways

Policy DM17 concerns the parking standards for new developments. It states that flats with 2 to 3 bedrooms are required to have 1.5 to 1 parking space and flats with 1 bedroom are required to 1 to less than 1 space. The application site has PTAL of 2 which is considered poor. For these reasons the proposal is considered to require up between 3 to 4.5 no. parking spaces.

The proposal includes 3 no. onsite parking spaces. Taking into consideration that the site is located within walking distance of a town centre and the site is located within a Controlled Parking Zone, the proposed parking a is considered acceptable subject to a S106 restriction on residents parking permits.

It was commented that the applicant will need to demonstrate that the proposed access form the public highway can be installed without impacting on the pedestrian crossing. Details of how this can be achieved must be submitted to Barnet's Highways Officers after the determination of the application.

8 no. cycle parking spaces are proposed to the rear of the property which is in accordance with the standards defined in the London Plan.

For these reasons the proposal is considered to be acceptable on highways grounds.

Refuse and recycling storage

Barnet's Provision of Household Recycling and Waste Service document (2017) contains the recommended requirement for waste and recycling provision for new developments. Collectively the proposed 3 no. flats require the following onsite bin provision:

- 1 no. 660 Litre house hold refuse bin
- 2 no. 240 Litre blue recycling bins
- 3 no. 240 Litre garden waste bins
- 3 no. 23 Litre brown food waste recycling bins

There is considered to be adequate space within the front amenity space of the property for the required bin storage. The waste and recycling storage area at the front of the

property is located within 10 meters of the public highway so therefore it is easily accessible on collection day.

Details of enclosures and screened facilities for the bins shall be secured through a condition in order for them not to have a negative visual impact on the character of the streetscene.

For these reasons the waste and recycling storage provision is considered to be acceptable.

5.4 Response to Public Consultation

No responses were received during the public notification process.

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 support 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 and it would provide an acceptable standard of amenity for future occupiers. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

