

Location **Elmshurst Crescent Garages Land Adjacent To 90-100 Elmshurst Crescent And 35 Pulham Avenue London N2 0LR**

Reference: **17/3722/S73**

Received: 12th June 2017

Accepted: 12th June 2017

Ward: East Finchley

Expiry 11th September 2017

Applicant: Barnet Homes

Proposal: Variation/Removal of condition 1 (Plan Numbers) 18 (Car Parking Spaces) and removal of 29 (Construction Working Hours) of planning permission 16/3252/FUL dated 07/02/2017 for Demolition of existing garages and redevelopment to provide a three-storey building comprising of 11no. self-contained flats and 2no two-storey semi-detached dwellinghouses with associated access, amenity space, landscaping, car parking, cycle and refuse storage. Variation to include re-organisation and relocation of car parking spaces perpendicular to the adopted highway and introduction of crossovers to parking areas along the adopted highway and amendments to the wording of Conditions 1 and 18

Recommendation: Approve subject to s106

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a deed of variation to the planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation, agreed in association with 16/3252/FUL, 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 provision of affordable housing for affordable rent at a proportion of 40% of all the units being provided within the development in accordance with the London Borough of Barnet Nominations Statement.
4. Monitoring fee: £500.00

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Planning Performance and Business Development Manager/Head of Development Management approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Planning Performance and Business Development Manager/Head of Development Management:

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

15-290-02 D02-001 Rev A; 15-290-02 D02-002 Rev A; 15-290-02 D02-010 Rev A; 15-290-02 D02- 011 Rev B; 15-290-02 D02-050 Rev B; 15-290-02 D02-051 Rev B; 15-290-02 D02-100 Rev C; 15- 290-02 D02-101 Rev C; 15-290-02 D02-102 Rev C; 15-290-02 D02-103 Rev C; 15-290-02 D02-104 Rev A; 15-290-02 D02-200 Rev A; 15-290-02 D02-201 Rev C; 15-290-02 D02-202 Rev A; 15-290- 02 D01-300 Rev A; 15-290-02 15-290-02 D01-500; Design and access statement (BPTW); Ecological Assessment (AGB Environmental); Land contamination assessment (AGB Environmental); Statement of Community Involvement (BPTW); Sunlight/daylight and overshadowing assessment (HTA); Sustainability Statement with energy statement (BBS Environmental); Transport Statement with parking survey (Campbell Reith); Tree survey /Arboricultural impact assessment method statement (AGB Environmental); Utilities - site investigation report (Premier Energy Services); Drainage Strategy (7 Engineering Consultancy).

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

2 This development must be begun within three years from the date of the original planning permission which was granted on 7 February 2017.

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.

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

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and

measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

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

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy 5.21 of the London Plan (2016).

5 Prior to the commencement of development, details of the proposed fenestration including details of materials, glazing bars and frames and reveal depths shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed with the approved details.

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.

6 Details of rainwater goods, soil and vent pipes, fixtures and fittings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of the development. The development hereby approved shall be carried out in accordance with the approved details.

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.

7 Notwithstanding the approved plans and elevations, prior to the commencement of the relevant phase of the development, a proposed roof plan shall be provided indicating the design and position of the proposed photovoltaic panels to be installed on the roof surface of the proposed development. The development shall be constructed in accordance with these approved details and be retained permanently thereafter.

Reason: To ensure that the proposed development contributes to sustainable development and to ensure that the design and appearance of the proposed PV array does not harm the character and appearance of the building and the wider area to ensure that the development complies with Policy DM02 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.2 and 5.3 of the London Plan (2016).

8 Refuse and recyclables storage shall be provided and made ready for use prior to the first occupation of the proposed development and shall be retained permanently thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

9 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

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

10 a) 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.

11 The development shall be carried out in accordance with the details, recommendations and measures of the submitted Tree Survey/Arboricultural Impact Assessment and Method Statement (AGB Environmental)

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan (2016).

12 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).

13 a) No above ground works (excluding demolition) shall be commenced until details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and new soft landscaping to be planted as part of the approved landscaping scheme.

c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan (2016).

14 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 35% 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)

15 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, one unit at ground floor level only shall all have been constructed to meet and achieve all the relevant criteria of Part M4(3) 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 two semi detached dwelling houses shall have been constructed to meet the relevant criteria of Part M4(2) of Schedule 1 of 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. All other units shall be constructed in accordance with M4(1) of the Building Regulations.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of policies 3.8, 7.2 and 7.6 of the London Plan (2016) and policies DM02 and DM03 of the Barnet Development Management Policies document (2012).

16 Following the approval of details under London Borough of Barnet planning reference 17/2706/CON of the details of required by Part of Condition 16 in planning permission 16/3252/FUL (desk top contamination study of potential site contamination) the following detail as required by Part 2 (d) of that condition shall be provided:

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 5.21 of the London Plan (2016).

17 a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.

b) The details approved by this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy 7.15 of the London Plan (2016).

18 Before the development hereby permitted is occupied, parking spaces shall be provided in accordance with a revised parking layout drawing to be submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with 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.

19 Before the development hereby permitted is occupied cycle parking spaces as per the submitted planning application 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.

20 No site works or works on this development including demolition or construction work shall commence until a revised 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.

21 Details of refuse collection must be submitted to and approved in writing by the Local Planning Authority. Refuse collection points should be located within 10 metres of the Public Highway, at ground floor level, otherwise, the development access needs to be designed and constructed to allow refuse vehicles to access the site and turn around within the site, including access road construction to adoptable standards.

Reason: To ensure that the access is satisfactory in terms of highway safety development and to protect the amenity of the area 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.

22 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B,

C, D and E of Part 1 of Schedule 2 of that Order shall be carried out within the curtilage of the dwelling houses hereby approved.

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

23 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 any elevation at first floor level.

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).

24 The surface water drainage strategy shall use SuDS to manage peak surface water runoff rates in accordance with S2 and S3 of the Non-Statutory Technical Standards for Sustainable Drainage Systems

Reason: To ensure that surface water run off is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost effective to operate and maintain over the design life of the development in accordance with policy CS13 of the Barnet Local Plan Core Strategy, Policies 5.13 and 5.14 of the London Plan, and changes to the SuDS planning policy in force 6 April 2015.

25 The surface water drainage strategy for the site must be accompanied by evidence of an Adopting Authority accepting responsibility for the safe operation and maintenance of SuDS within the development. The Adopting Authority must demonstrate that sufficient funds have been set aside and / or sufficient funds can be raised to cover operation and maintenance costs throughout the lifespan of the development. The Adopting Authority shall be responsible for satisfying themselves of the suitability of the adopted SuDS prior to adoption, and shall keep records of operation and maintenance activities, for possible inspection by the Council.

Reason: To ensure that the surface water drainage system and SuDS are constructed appropriately and are adopted by an Adopting Authority responsible for the safe operation and maintenance of the system throughout the lifetime of the development. Appropriate construction of SuDS should take into consideration S13 of the Non-statutory Technical Standards for Sustainable Drainage Systems.

26 Prior to the commencement of the development, details showing the preparation of the ground for the creation of new soft landscaping, amenity areas and tree planting shall be submitted to and approved in writing to the Local Planning Authority. These details shall indicate how the land levels shall be re-made to ensure that the new grassed areas and replacement tree planting can thrive and mature including root development and penetration to moisture within the soil.

Reason: To ensure that replacement planting and landscaping constitutes a permanent feature within the streetscene and to enhance the character of the area 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 2011.

27 Prior to the commencement of the relevant phase of the development, details of mechanical ventilation, extraction and filtration to be installed within the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall be supported by an acoustic statement to ensure that noise and vibration levels both internally and externally from the development do not exceed background noise levels.

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).

28 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):

Officer's Assessment

1. Site Description

The application site is located at the junction of Elmshurst Crescent and Pulham Avenue, within an established housing estate in East Finchley. The estate is accessed from East End Road to the north. The area is predominantly residential in character however, there is a school situated to the west of the housing estate and there are two care homes for the elderly and the infirm to the north. Land levels change substantially across the site, particularly to the south and east.

The estate is not located in a conservation area and the site is not located within the setting of any listed buildings or locally listed buildings. The character of the area beyond the site consists of a mixture of semi-detached dwellings within generous and mature gardens. There are also a large number of three storey flatted residential blocks along East End Road. Elmshurst Crescent and Pulham Avenue feature a mixture of large, visually dominant three-storey buildings accommodating flats. These are mainly situated along the eastern and southern side of Elmshurst Crescent.

The western side of Elmshurst Crescent and the northern side of Pulham Avenue features two storey terraced dwelling houses while the southern side of Pulham Avenue comprises a terrace of bungalows. Situated sporadically around the estate are a number of garage blocks although residents' car parking primarily takes place on street. Some terraced properties particularly in Pulham Avenue have front forecourt off street parking.

The application site is situated at the junction of Pulham Avenue and Elmshurst Crescent and the land within this site is currently occupied by a garage block comprising 13 garages. To the southwest of this garage block is a grassed amenity area containing two substantial mature trees. To the immediate south of the red line application site is a three storey block and another garage block accessible from Elmshurst Crescent.

The site has a PTAL 1a rating which constitutes very poor access to passenger transport.

2. Site History

Reference: 16/3252/FUL

Decision: Approved

Decision Date: 8 February 2017

Description: Demolition of existing garages and redevelopment to provide a 3-storey building comprising of 11no. self-contained flats and 2no. two-storey semi-detached dwellinghouses with associated access, amenity space, landscaping, car parking, cycle and refuse storage

Reference: 17/1322/CON

Decision: Pending Consideration

Description: Submission of details of condition 3 (Materials), 10 (Landscaping), 13 (Landscape Management Plan) and 26 (Levels) pursuant to planning permission 16/3252/FULL dated 8 February 2017.

Reference: 17/2086/NMA

Decision: Withdrawn

Decision Date: 30 June 2017

Description: Non material amendment to planning permission 16/3252/FUL dated 07/02/17 for 'Demolition of existing garages and redevelopment to provide a 3-storey building comprising of 11 no. self-contained flats and 2 no. two-storey semidetached dwelling houses with associated access, amenity space, landscaping, car parking, cycle and refuse storage.' Amendment to include reorganisation and relocation of car parking spaces perpendicular to the adopted highway, introduction of crossovers to parking area along the adopted highway and removal of condition 29.

Reference: 17/2703/CON

Decision: Approved

Decision Date: 12 June 2017

Description: Submission of details of condition 4 and 20 (Demolition and Construction Method Statement) and 20 (Demolition and Construction Management and Logistics Plan) pursuant to planning permission 16/3252/FUL.

Reference: 17/2706/CON

Decision: Approved

Decision Date: 1 June 2017

Description: Submission of details of condition 16 (Desk top contamination study, Part 1) pursuant to planning permission 16/3252/FUL.

3. Proposal

This application seeks material amendments to the recent planning permission, ref. 16/3252/FUL, which is noted above. The amendments are sought through variation of conditions 1 (approved plans), 18 (the car parking layout to be completed prior to occupation) and removal of condition 29 (hours of work). Like the extant permission, the proposal is for the demolition of the existing garages block and construction of a three storey flat block comprising 11 flats fronting on to Elmhurst Crescent and 2no. two bedroom-houses fronting onto Pulham Avenue, along with the laying out of new surface car parking with 31 spaces. The new car parking layout results in a conventional placing of footpaths at the edge of the public highway, whereas the approved layout reversed the arrangement of car parks and footpaths to place the footpath closer to the road carriageway than the footpaths. The amended layout also arranges the car parking spaces in pairs which are separated by 1.8m wide strips that include scope for tree planting. As this takes up more space than in the approved layout, some of the existing amenity space for the existing flats would be included in the new car parking area.

As with the extant permission, the principal building with the development would comprise 11 self contained flats, to be constructed from red / brown bricks. These would address the street through street-facing gable ends on the north and west elevations. A street-facing gable end would bookend each end of the development as it turns the corner from Pulham Avenue into Elmhurst Crescent. While a ridge roof would be present and visible from Pulham Avenue, a flat roof would separate the gable ends in Elmhurst Crescent. External amenity space will be provided by way of recessed balconies at the corners of the building and within the Elmhurst Crescent facade. At ground floor, units would have private enclosed terraces with a communal garden to the rear. Each property would be a two bedroom, four person flat, with the exception of one 2 bedroom three person wheelchair unit on the ground floor.

The application drawings include one minor amendment to the design of the flat roofed section that would link the higher gabled elements in the flats building. In the approved drawings, a projecting portion of the flat roofed three storey element, which in this part of the building would have accommodated part of the stairs and the service core of the building. An accompanying internal rearrangement of the stairs has allowed this element to be fully incorporated into the main structure of the building alongside the stairwell. The impacts of these design changes is discussed in Section 5.3 below.

In order to transition successfully from the three storey massing to the existing single storey bungalows on Pulham Avenue, the scheme also proposes the erection of a pair of two-bedroom four person semi-detached dwellings with private gardens towards the site's Pulham Avenue frontage.

24 garages would be demolished to make way for the proposed development and for the compensatory open space provision. In lieu of this loss of car parking, the proposed development would provide 31 new car parking spaces, and in the amended layout this would be as follows (details of the approved layout are in brackets):

- Three parallel spaces including one marked for disabled users alongside the new flats building, opposite 145, 147 and 149 Elmshurst Crescent (the approved layout provided four spaces including one marked for disabled users along with two street trees in this location).
- Six perpendicular spaces to the south of the new houses, arranged in three pairs (the approved layout has same number of spaces but in a run of six).
- Three spaces to the south of the new flats building and south side of Elmshurst Crescent with changes only to the layout of footpaths and trees (no change in car parking in this location as compared to the approved layout).
- 14 spaces opposite 137B to 141 Elmshurst Crescent (representing a reduction in four spaces as compared to the approved layout), and
- Five additional spaces to the front / west of 18-52 Elmshurst Crescent, comprising an extension of the existing angled car parking here. This would result in four additional spaces on the north side of this area and one additional space on its southern side.

Apart from the minor change to the flats building, the scheme would be identical in appearance to the approved scheme. As with the approved scheme, the proposals would result in the removal of the group of mature trees at the corner of Elmshurst Crescent and Pulham Avenue. A new area of shared amenity space would be provided on the site of the existing garages close to 90-100 Elmshurst Crescent.

4. Public Consultation

Consultation letters were sent to 262 neighbouring properties. One letter objecting to the proposal had been received at the time of writing. The neighbour consultation period remains open until the date of the Committee meeting, and any additional letters that are received up until midday on the day of the meeting will be reported in the Addendum report, while any letters received after that time will be reported verbally to the Committee.

The objection received can be summarised as follows:

- The proposal will constitute overdevelopment.

- Parking on Elmshurst Crescent is already at a premium and the removal of existing parking facilities and the addition of additional dwelling units will make the parking situation untenable and impractical.
- Increased traffic from the additional residents.

Highways - No objection subject to conditions;

Environmental Health - No objection subject to conditions.

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 for the next 20 to 25 years. It forms part of the development plan for Greater London and is recognised in the NPPF as such.

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. The following are relevant to this scheme:

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 2012.

- Relevant Core Strategy DPD Policies: CS NPPF, CS1, CS4, CS5, CS7, CS9, CS10, CS11 and CS15.

Policy CS4 provides for a wide range of housing including the delivery of a minimum of 5,500 new affordable homes by 2025/26 with a boroughwide target of 40% affordable homes on sites capable of accommodating ten or more dwellings.

Policy CS7 seeks to enhance and protect Barnet's open spaces, including improving access to open spaces in North and East Finchley and other areas of public open space deficiency as identified in Core Strategy Map 10.

- Relevant Development Management Policies DPD: 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.

Policy DM04 states that proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted. Mitigation of noise impacts through design, layout, and insulation will be expected where appropriate.

Policy DM10 reiterates the affordable housing target in Policy CS4.

Policy DM17 states that the council will ensure that the safety of all road users is taken into account when considering development proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users. The council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be:

i. 2 to 1.5 spaces per unit for detached and semi detached houses and flats (4 or more bedrooms);

ii. 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and

iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom).

2. Residential development may be acceptable:

i. with limited or no parking outside a Controlled Parking Zone (CPZ) but only where it can be

demonstrated through a survey that there is sufficient on street parking capacity.

ii. with limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the applicant will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

The Mayor of London's Housing SPG

- This sets out a range of Standards for residential development in London.

The Mayor of London's Shaping neighbourhoods: Play and informal recreation SPG

- This sets out standards for play and open space provision in London.

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to assist in the design of new residential development. 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.
- In respect of amenity, development should not be overbearing or unduly obtrusive and care should be taken to ensure that it does 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 SPD approach includes providing building sustainability measures over and above those required by the minimum Building Regulations standards, provision for on-site renewable energy sources, and retention and enhancements of biodiversity within development sites.

Other relevant planning documents

London Borough of Barnet Characterisation Study (2011)

- This provides a valuable analysis of urban and suburban typologies with detailed descriptions of the main residential types within the Borough.

5.2 Main issues for consideration

The main issues for consideration in this case is whether the changes in the scheme from those approved in planning permission 16/3252/FUL are acceptable, and whether the proposed amendments have any other impacts on the conclusions of the assessment of the scheme under the previous application. These are considered as follows:

- The changes in the car parking layout;
- The loss of amenity space;
- The changes in the external appearance of the building; and
- Whether the proposed amendments would result in any other impacts as compared to those approved in planning permission 16/3252/FUL.

5.3 Assessment of proposals

- The changes in the car parking layout

The changes in the car parking layout result in the rearrangement of the car parking but with the same number provided as in the extant permission. The 1.8m wide spaces provided between each pair of car parking spaces is to comply with the Council's standards with regard to maximum width of vehicle cross-overs for those parts of the development where perpendicular car parking is being provided off the public highway. This provides the opportunity to break up the mass of car parking within the streetscape, providing space for tree planting and any future requirements for street furniture such as

telecoms cabinets. As such this aspect of the amended layout is more workable as compared with the approved layout.

Part of Elmhurst Crescent, in front of numbers 18-52, is not public highway, so the angled layout proposed there is acceptable in that part of the site, as are the three parallel spaces to be provided on the western side of the new flats, opposite number 145, 147 and 149 Elmhurst Crescent.

Highways Officer is generally supportive of the changes which necessitate the amendments to conditions 1 and 18, although some further details design work will be required. The Highways comments also note the following points:

- The parallel parking adopted as public highway cannot be designated as private parking bays and is available for visitors and public at large to use.
- New footways need to be a minimum 2m in width.
- The up stand between the 4.8m wide accesses to car parking from the public highway need to be a minimum of 1.8m in width.
- Any existing or established public or private rights of ways across the development land will need to be stopped up under S247 of the Town and Country Planning Act (TCPA) and may need to be re-provided prior to commencement of any demolition or construction works.
- Although the for Demolition Construction and Traffic Management Plan (DCTMP) has been discharged based on the submission to discharge condition 4 pursuant to planning application 16/3252/FUL, a condition will be placed on the application to resubmit the DCTMP to account for the potential alterations proposed to facilitate the construction traffic and deliveries.

It is noted that conditions 4 and 20 in the extant permission essentially duplicate the requirements for a DCTMP, and the amendments requested by the Highways officer are recommended in place of condition 20, with a new condition 4 which sets out additional requirements in regards to the highways layout in the amended scheme.

- The loss of amenity space

The proposal would result in the loss of an additional 142 sqm of the amenity space located forward of 18-52 Elmhurst Crescent. The extant permission provides for an additional space nearby, between the buildings comprising 54-64 and 90-100 Elmhurst Crescent. While this does not replace the additional space lost in this proposal as compared to the approved layout, it capable of re-providing it in qualitative terms, provided that additional landscape enhancements, which could include play equipment, can be provided in this area.

It is noted that the site is within 200m walking distance of the Elmhurst Open Space; however this is not identified in Policy CS7 as having a children's play area, so provision in this regard is recommended as part of the landscaping scheme. In order to provide qualitative improvements to the amenity space within the development, it is recommended that condition 10, a requirement for hard landscaping in the extant permission, be amended to require hard and soft landscaping including details of how the amenity space would be made more suitable for play by the under-5 and 5-10 year old age groups.

- The changes in the external appearance of the building

As noted in Section 3 above, the application drawings include one minor amendment to the design of the flat roofed section that would link the gabled elements in the flats building. In the approved drawings, by removing a projecting portion of the flat roofed three-storey element the accommodated the stairs in the approved scheme. An accompanying internal rearrangement of the service core of the building in the amended drawings has allowed this element to be incorporated into the main structure of the building. This projecting element would have been visible from the south-west, and this change will result in a cleaner appearance to this part of the building and an improvement in the design. As such, it is fully acceptable.

- Whether the proposed amendments would result in any other impacts as compared to those approved in planning permission 16/3250/FUL.

There is no objection to the removal of condition 29, as this duplicated condition 28 in the extant permission. The approved conditions set out the hours of work for the development.

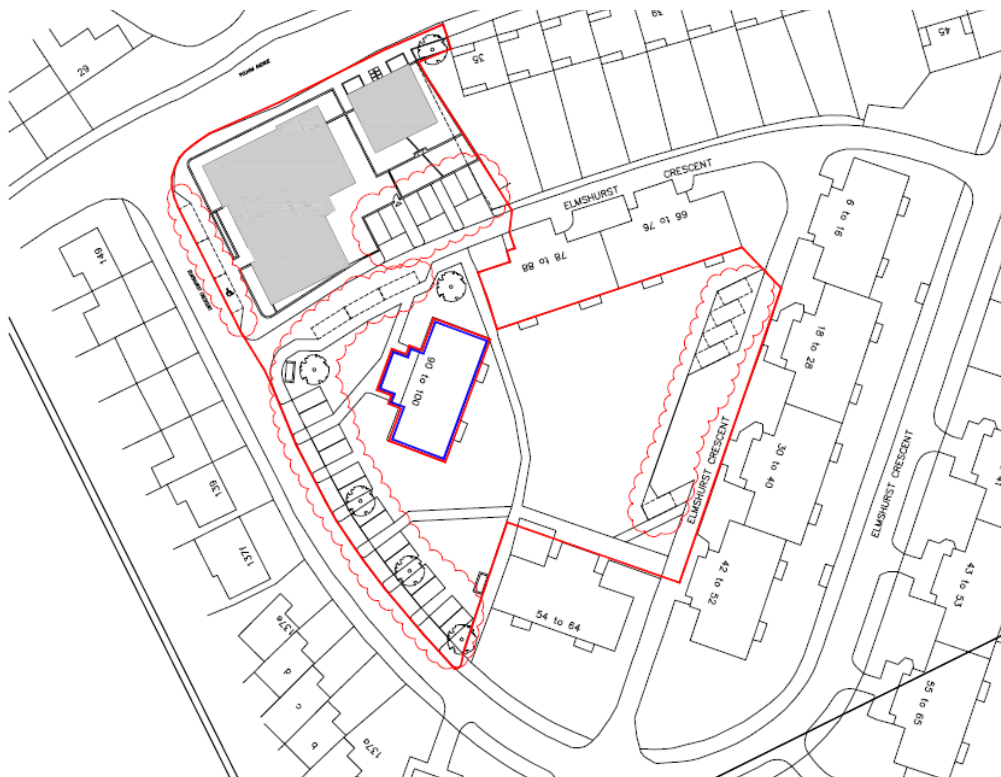
The changes proposed will not result in any other impacts as compared to those in the extant permission. Subject to the amended set of conditions recommended above, the variation to the approved scheme that would be provided by the changes to conditions 1 and 18 and deletion of 29 is considered to be acceptable.

6. Equality and diversity issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that the amendments in this application are satisfactory, subject to further detailed design work on the layout of footpaths and other details in the amended car parking layout, and to the additional landscape enhancements that are noted above and as recommended in the revised conditions. Subject to these conditions, the changes to the original scheme will remain compliant with the relevant policies of the Adopted Barnet Local Plan, the London Plan and the National Planning Policy Framework. This application is therefore recommended for approval.



Notes

ALL DETAILS TO BE CHECKED AND APPROVED BY SPECIALIST CONTRACTOR AND INSTALLED IN STRICT ACCORDANCE WITH MANUFACTURERS DESIGN AND SPECIFICATION

Notes/Revisions

Rev
A Issue for planning
B Issue for NMA - Updated parking arrangement

Date
13.05.2016
24.03.2017

Drawn
WJO
NF

Checked

PLANNING ISSUE

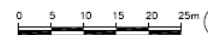
Date MAY 2016 Client Barnet Homes

Drawn WJO Project Elmhurst Crescent

Checked TMM Proposed Block Plan

Scale 1:500 @ A3 Drawn 15-290 D 02.11

Revised B



bptwpartners

110-114 Norman Road,
Greenwich, London SE10 9
020 8293 5175 www.bptw