

LOCATION: Conifers, 96 Totteridge Village, London, N20 8AE
REFERENCE: B/04605/11 **Received:** 15 November 2011
WARD: Totteridge **Accepted:** 15 November 2011
Expiry: 10 January 2012

Final Revisions:

APPLICANT: Enterprise Property Developments Ltd
PROPOSAL: Demolition of existing carehome and ancillary outbuilding. Erection of a part single, part two storey building including rooms in roofspace to create 6no self-contained residential units. Associated parking spaces for 9no. cars, amenity space, landscaping alterations and refuse and cycle store.

APPROVE SUBJECT TO A SECTION 106 AGREEMENT

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 **Education Facilities (excl. libraries) £30,384.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Health £8,434.00**
A contribution towards Health Facilities and Resources in the borough
- 5 **Libraries (financial) £404.00**
A contribution towards Library Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £1,961.10**
Contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement the Acting Assistant Director of Planning and Development Management approve the planning application reference: B/04605/11 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 5533 SK-01/Rev A, 5533 SK-02/Rev A, 5533 SK-03/Rev A, 5533 SK-04/Rev A, 5533 SK-05, 5533 SK-06, 5533 SK-07 Rev A, 5533 SK-08/Rev A, 5533 SK-09/Rev A, 5533 -SK-12/Rev A, (revised plans dated 18/04/2012, received 20/04/2012).

Supporting Documents (Amended and received 20/04/2012):
Supporting Planning Statement (dated April 2012)
PPS5 and Heritage Appraisal (Revision A) Amended Design and NPPF analysis (dated April 2012)
Tree Survey, Arboricultural Implications Assessment Report and Arboricultural Method Statement (reference 2030.AIA.RevA.Totteridge.Adam)

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 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 Before the development hereby permitted commences, a sample panel of the proposed material for the external surfaces of the building and hard surfaced areas shall be constructed on site for the inspection and formal approval in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved and the agreed materials panel shall be retained on site during the course of the development and shall only be removed once construction is complete.

Reason:

To safeguard the visual amenities of the locality and the Totteridge Conservation Area.

- 4 Before the development hereby permitted commences sample details of the proposed windows shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained thereafter.

Reason:

To safeguard the character and appearance of the Conservation Area.

- 5 Before the development hereby permitted commences details of the proposed doors shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To safeguard the character and appearance of the development.

- 6 Before the development hereby permitted commences details of methods to protect the privacy of adjoining residents shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and permanently maintained thereafter.

Reason:

To safeguard the amenities of the adjoining residents.

- 7 Before the development hereby permitted commences details of the materials to be used in the reconstruction of the wall along the western boundary of the amenity area to the west of the building shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To safeguard the character and appearance of the locality and the setting of the adjoining Listed Building.

- 8 Before the development hereby permitted commences details of the materials to be used in the external surfaces of the cycle store shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To safeguard the character and appearance of the area.

- 9 Before the development hereby permitted commences details of the materials to be used in the construction of the front boundary wall and piers shall be agreed in writing with the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Reason:

To safeguard the character and appearance of the Totteridge Conservation Area.

- 10 Before the development hereby permitted commences details of the external treatment of the coach house/ proposed refuse store shall be submitted to and agreed in writing by the Local Planning Authority. The

development shall be carried out in accordance with the approved details.

To safeguard the character and appearance of the Totteridge Conservation Area.

- 11 Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.

- 12 No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature.

- 13 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 on other days.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

- 14 Before this development is commenced details of the location, extent and depth of all excavations for drainage and other services in relation to trees on the site shall be submitted and approved in writing by the Local Planning Authority and the development carried out in accordance with such approval.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature.

- 15 No siteworks or works on this demolition or development shall be

commenced before a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 *Trees in relation to design, demolition and construction - Recommendations* expanding on the principles set out in the Andrew Belson Arboricultural Implications Assessment Report (reference 2030.AIA.RevA.Totteridge.Adam) is submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with such approval.

Reason: To safeguard the health of existing trees which represent an important amenity feature.

- 16 No treeworks shall be carried out other than those specifically referenced at 9.2 of the Andrew Belson Arboricultural Implications Assessment Report (reference 2030.AIA.RevA.Totteridge.Adam).

Reason:

To safeguard trees of special amenity value and the character and appearance of the Totteridge Conservation Area.

- 17 The rooflights hereby approved shall be of a "conservation" type (with central, vertical glazing bar), set flush in the roof.

Reason:

To safeguard the character and appearance of the Conservation Area.

- 18 Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties.

- 19 A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development.

- 20 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.

Reason:

To ensure a satisfactory appearance to the development.

- 21 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.

- 22 The dwelling(s) shall achieve a Code Level 4 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued certifying that Code Level 4 has been achieved and this certificate has been submitted to and approved by the local planning authority.

Reason:

To ensure that the development is sustainable and complies with policy GSD of the adopted Unitary Development Plan (adopted 2006) and the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007).

- 23 Before development hereby permitted is occupied parking spaces shall be provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

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.

- 24 Before the development is commenced details of the access and estate road shall be submitted to and approved in writing by the Local Highways Authority. Highways Engineering Drawings and detailed Construction Specifications shall be submitted, with a minimum scale of 1:200. The estate road as approved shall be constructed in accordance with the approved details before the site is occupied.

Reason:

To ensure the safe form of the development and to protect the amenity of the area.

25 A Construction Management Plan must be submitted to and approved by the Local Planning Authority.

Reason:

In the interests of highway safety in accordance with Policy M11 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

INFORMATIVE(S):

1 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006):

GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, D6, D9, D11, D12, D13, HC1, HC5, H16, H17, H18, H21, H24, CS2, CS8, CS13, IMP2, M11, M12, M13, M14, O7.

Core Strategy (Examination in Public version) 2012: CS NPPF, CS1, CS4, CS5

Development Management Policies (Examination in Public version) 2012: DM01, DM02, DM03, DM06, DM08, DM15, DM16, DM17

ii) The proposal is acceptable for the following reason(s): - The proposal is considered to have an acceptable impact on the amenities of neighbouring residents and would preserve and enhance the character and appearance of this part of the Totteridge Conservation Area. It would have an acceptable impact on the setting of the adjoining Listed Building and is in accordance with the aforementioned policies.

The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

2 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.

3 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.

4 The applicant is advised that when submitted details in relation to protecting the privacy of adjoining residents (condition no. 6) particular regard should be paid to the following relationships:

- East facing first floor and dormer windows on the flank of the main frontage building facing towards No. 94 Totteridge Village
- West facing dormer window serving unit no. 4 facing towards The Grange
- East facing dormer window serving unit no. 4 facing towards No. 16 Badgers Croft

- 5 Any details submitted in respect of the Construction Management Plan shall indicate how the hours of operation will be controlled, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact.
- 6 The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Environment, Planning and Regeneration Directorate, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP.
- 7 The applicant is advised that Totteridge Village (the whole length) is a Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Saturday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Environment and Operations Directorate should be consulted in this respect.
- 8 The applicant advised that if the development is carried out, where possible, the applicant should seek to improve the existing pedestrian visibility splays at either side of the vehicular access.
- 9 Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

RECOMMENDATION III

That if an agreement has not been completed by 17/08/2012, that unless otherwise agreed in writing, the Acting Assistant Director of Planning and Development Management should REFUSE the application B/04605/11 under delegated powers for the following reason/s:

1. The proposed development does not include a formal undertaking to meet the extra education and libraries services costs together with associated monitoring costs arising as a result of the development, contrary to policies CS2, CS8, CS13 and IMP2 of the Adopted Barnet Unitary Development Plan (2006), Supplementary Planning Document - Planning Obligations, Supplementary Planning Document - Contributions to Education, Supplementary Planning Document - Contributions to Libraries.

1. MATERIAL CONSIDERATIONS

The Community Infrastructure Levy Regulations 2010

National Planning Policy Framework

The Mayor's London Plan: July 2011

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, GBEnv4, D1, D2, D3, D4, D5, D6, D9, D11, D12, D13, HC1, HC5, H16, H17, H18, H21, H24, CS2, CS8, CS13, IMP2, M11, M12, M13, M14, O7.

Core Strategy (Examination in Public version) 2012

Development Management Policies (Examination in Public version) 2012

Barnet's emerging Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the Local Plan is complete, 183 policies within the adopted Unitary Development Plan (UDP) remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01, DM02, DM03, DM06, DM08, DM15, DM16, DM17

Relevant Planning History:

B/04630/11 - To be determined at East Area Planning Sub-Committee Meeting 12/06/2012

Demolition of existing care home and ancillary outbuilding (CAC).

B/02411/11 & B/02480/11 - Withdrawn 02/08/2012

Demolition of existing building and erection of a part single, part two-storey building including rooms in the roofspace to create 6no. self-contained residential units. Associated parking for 14no. cars, amenity space, landscaping alterations and refuse and cycle store.

B/00325/11 - Still Under Consideration at time of report writing

Extension to time limit for implementing planning permission N02565AD/07 granted 05/03/08 for 'Demolition and reconstruction of rear addition and first floor side extension. Side extension to basement.'

B/00124/11 - Still Under Consideration at time of report writing

Submission of details of conditions 2 (Materials), 3 (sample board), 4(i) doors windows and frames, (ii) external timberwork, (iii) external pipe or ductwork, (iv) vents, (v) rooflights, (vi) lobby area, (5) (noise mitigation), 6 (Extraction and ventilation), 7 (recycling and refuse), 8 (temporary fencing), 9 (trees method statement), 10(tree felling/ pruning) pursuant to planning permission N02565AD/07 dated 05/03/2008.

N02565AD/07 - Approved 05/03/2008

Demolition and reconstruction of rear addition and first floor side extension. Side extension to basement.

N02565AA/07 & N02565AB/07 - Refused 04/05/2007

Demolition of existing buildings and redevelopment for the erection of a part two and part three storey building comprising 23no. serviced suites for close care of the elderly, including ancillary staff and communal facilities (Use Class C2)

N02565Z/01 - Approved 07/07/02

Erection of rear conservatory extension to nursing home.

N02565Y/99 - Refused 11/04/2000

Demolition of part of existing building and construction of part single, part two-storey and part lower ground level rear extension. Increasing capacity of residential care home to 35 bedspaces.

N02565X - Refused 27/07/1999

Demolition of part of existing building (residential care home) and erection of part single, part two-storey extension with rooms in roof and partial in basement increasing capacity to 43 bedspaces.

N02565W - Refused 12/11/1998

Demolition of part of the building and construction of part two and part single storey extension with rooms in roof and part basement, increasing capacity to 43 bedspaces.

N02565V - Refused 18/11/1996

Demolition of single storey building at rear (CAC)

N02565U - Refused 18/11/1996

Two storey and single storey and part basement rear extension

N02565T - Approved 05/06/1990

Two-storey side extension at rear of building to provide separate living accommodation and provision of 3 car parking spaces at rear.

N02565R - Refused 09/05/1989

Erection of a detached bungalow and integral garage on part of rear garden

N02565Q - Approved 22/02/1984

Single storey rear extension to provide staff accommodation

N02565P - Approved 28/10/1981

Change of use from hotel to old persons home

N02565C - Refused, Appeal Dismissed 19/06/1975

Two-storey rear extension to hotel and car park.

Consultations and Views Expressed:

Neighbours Consulted: 42

Replies: 17 (including 3 comments
in support of the
application)

Neighbours Wishing To 5 (2 of which are in
Speak support)

The objections raised in response to the proposals may be summarised as follows:

- The proposal for these small, densely packed units are out of step with the area and uncharacteristic of a village setting that is both rural and Georgian predominantly comprised of large, privately owned buildings
- Will cramp the surroundings and damage the context of The Grange
- Noise and disturbance resulting from the use would be detrimental to neighbouring occupiers
- Proposed car park, refuse and cycle store are not suitable for residential development given the character of the area and are more akin to commercial developments
- Impact on traffic in the local area
- The density would represent overdevelopment
- Interference with natural light
- Use is not appropriate for the area
- Loss of privacy
- Noise and disturbance from parking area
- Proposed windows on the east elevation will give rise to overlooking and loss of privacy into adjoining gardens and facing habitable rooms
- Loss of screening along the eastern boundary
- Dominant, top heavy bulky property detrimental to CA and general area
- It will set a precedent resulting in the character of the area being completely and irrevocably destroyed.
- No accommodation should be allowed in the roofspace
- No consideration has been given to the properties to the south which will be overlooked as a result of the development
- Use of balconies to the front for hanging out washing and storing furniture and larger items will be out of character and detrimental to the beauty of the CA
- Balconies and front dormer windows are visually obtrusive
- Excessive car parking provision, impact on traffic and safety
- No demand for the proposed flats, recent development of flats at 115 Totteridge Lane have remained unsold for a year
- Flats are not in keeping with the look or demographics of the area
- Loss of open space
- Lighting associated with the car park will cause a nuisance
- Planting of trees will result in a loss of light
- Loss of outlook and visual intrusion
- Car park should either be built underground or on the western part of the site
- Only small bushes should be planted along the boundary with Badgers Croft
- Part of the building was built about 200 years ago as Gladwin's Farm House and should be retained

The objections received in response to the amended plans may be summarised as follows:

- The proposed cycle store would obtrude above the boundary wall and will be unsightly
- Concerned about loss of trees
- The listed wall will have to be breached to gain access into the amenity area

Internal /Other Consultations:

- Trees and Landscaping

No objections subject to conditions.

- Totteridge CAAC

Whilst the committee is implacably opposed to the application to erect purpose built flats in the heart of the Conservation Area it does recognise that there is some improvement in this design in the amended plans.

The proposed railings to the frontage of the property appear too formal for this part of the village.

The character of the Totteridge Conservation Area is partly defined by its low density of buildings and every change which increases the intensification of use erodes the very characteristics which made it a Conservation Area.

The comments made regarding application B04605/11 /remain relevant to this application and are repeated below:

There are no existing purpose built flats in the Conservation Area and this proposal to build a block consisting of six units, if approved, would create an unacceptable precedent in the heart of Totteridge Village which is a Conservation Area under article 4 direction. This site also abuts the Green Belt and is adjacent to The Grange, a grade II listed property.

The existing property fronting Totteridge Village is listed in the Borough's Totteridge Conservation Area document as a Positive building which contributes to the Conservation Area. The main house fronting Totteridge Village is well proportioned and suits its surroundings. Its demolition would do nothing to preserve or enhance the Conservation Area.

The proposal due to its excessive mass and bulk would not preserve or enhance the Conservation Area.

Although the elevation facing Totteridge Village is similar in style to the existing its proportions are inelegant making the roof appear top heavy and the ground and first floor oppressed by the roof. Also the proposed dormer windows on the east and west roof slopes add to the bulky appearance as does the rear extension which would also be visible on the western side. Furthermore the front bays and window treatment are very unattractive and harsh.

The rear three storey extension is higher than the existing and this together with the infilling of the void that exists between the rear roof slope of the existing and the southern roof slope of the existing extension would result in a very bulky, solid and dominant building.

The two storey extension increases in height from the existing single storey rear extension and adds to the unacceptable mass and bulk of the proposal.

The proposed intensification of this site would adversely affect the amenities of the area which would be detrimental to the residents.

This proposal seeks to cram in too many flats which is not in keeping with the street scene, adjacent properties or the Conservation Area and in effect would do nothing to preserve or enhance this area.

A smaller development, preferably a single dwelling, with gardens landscaped to suit the area with less parking would be more in keeping.

The committee are advised that the grass verge and pavement frontage belongs to the Totteridge Manor Association, and perhaps this should be brought to the attention of the applicant.

This proposal should be refused as it would be harmful to the Conservation Area, creating a dangerous precedent, and an open gate to future developers.

- Totteridge Residents Association

The existing building is an architecturally attractive structure, that despite some alterations and additions, still makes a positive contribution to the Conservation Area. Its total demolition would neither preserve nor enhance the character and appearance of the conservation area, and we consider would represent a harmful incremental loss to the special character of the area as a whole. Its loss would also have an impact on the appearance of the otherwise attractive frontage onto Totteridge Village.

Although the significance of the proposal is assessed against the requirements of PPS5, no case has been presented to justify why the current building on the site cannot be wholly or partially retained and repaired as part of the proposed scheme. Nor has any evidence been presented to show that an alternative use that would allow the viable retention has been explored. As such, we consider that the harm to the conservation area generated by the loss of this building has not be adequately justified in either structural or economic terms, and that the proposed replacement of the existing building with a scheme that the applicant considers is 'appropriate' to the context, is not sufficient to warrant the total demolition/loss of the existing positively contributing building.

We note that a proposed development in 2007 which retained the former care home on the site, was refused in part due the proposed scale, bulk, massing, design, rearward projection, discordant and visually obtrusive form of development. We consider that similar concerns could be raised in relation to the scheme now before the Council. The overall footprint of the proposed development on the site is excessive and exceeds that previously present or granted at the site by existing extant permissions.

The bulk, scale and rearward projection of the building proposed are uncharacteristic of the area and the proposal swamps the front portion of site which has historically been associated with a single large dwelling. These proposals also give rise to impacts on the trees at the neighbouring property to the west and the

TRA are concerned that long-term damage to these trees would damage the visual amenity of the conservation area.

The trees also form part of the setting of the Grade II listed building, and the redevelopment of the site to provide multiple terraced dwellings on this site has an impact on the wider setting of this building and the overall character of the area which was historically substantial houses set in generous gardens. The construction of a large rearward extension behind a replacement structure to the front of the property at No. 96 Totteridge Village constitutes a further harmful change to this local character and the TRA would ask the Council to resist this incremental change.

The TRA respectfully ask that the Council gives detailed consideration to the determination of these applications and would urge Officer's to recommend refusal on the grounds set out above.

TRA Comments in relation to the amended plans:

The Committee and members of the TRA remain concerned about the impact of the amended development proposals currently under consideration by the Council and many of the comments raised previously still stand. These comments are expanded upon below.

The existing building is an architecturally attractive structure, that despite some alterations and additions, still makes a positive contribution to the conservation area. We are disappointed that the amended planning application still proposes to demolish the building. Its total demolition would neither preserve nor enhance the character and appearance of the conservation area, and we consider would represent a harmful incremental loss to the special character of the area as a whole. Its loss would also have an impact on the appearance of the otherwise attractive frontage onto Totteridge Village.

The existing building's total demolition will result in the loss of some finer detailing to the chimneys, windows and roofing which we consider make an important contribution to the character and appearance of this section of the conservation area. The detailing on the proposed replacement building would be of a lower quality and would result in a very different structure on a revised footing which we consider would damage the special character and visual amenity of the conservation area. The demolition of the existing building has not been justified and we consider that the existing building could be incorporated into the design of the proposed development, thus protecting the existing detailing on the building.

No case has been presented to justify why the current building on the site cannot be wholly or partially retained and repaired as part of the proposed scheme. Nor has any evidence been presented to show that an alternative use that would allow the viable retention has been explored. As such, we consider that the harm to the conservation area generated by the loss of this building has not be adequately justified in either structural or economic terms, and that the proposed replacement of the existing building with a scheme that the applicant considers is 'appropriate' to the context, is not sufficient to warrant the total demolition/loss of the existing positively contributing building. Policy HC1 of the Barnet UDP and Chapter 12 of the NPPF seek to ensure development preserves or enhances the character or appearance of a conservation area and we consider that the proposed development fails to meet these policy aims. The development is also within a designated Area of Special Character and fails to safeguard and enhance the townscape features which

contribute to the identity of Areas of Special Character, contrary to Policy HC5 of the Barnet UDP.

We again note that a proposed development in 2007, which retained the former care home on the site, was refused in part due the proposed scale, bulk, massing, design, rearward projection, discordant and visually obtrusive form of development. We consider that similar concerns are raised by this scheme now before the Council. The overall footprint of the proposed development on the site is still excessive and exceeds that currently present. The proposed building footprint is also slightly removed from its existing location. Although this is a modest change, it will still have an impact on the conservation area and setting of the adjacent Grade II listed building. Chapter 12 of the NPPF seeks to ensure that proposed development does not impact on the significance of a designated heritage asset. The existing building relates positively with the adjacent listed building and demolishing this building has not been justified in this application. Additionally, replacing it with a building of lower quality design and detailing would harm the setting of the conservation area and adjacent listed building.

The bulk, scale and rearward projection of the building still swamps the front portion of site which has historically been associated with a single large dwelling. The surrounding area comprises large single dwellings with substantial gardens and this proposal would be uncharacteristic of the conservation area.

The proposals still give rise to some impacts on the trees at the neighbouring property to the west with potential construction disruption to the root system of the HOLM OAK 8293. There is still an incursion into the RPA of the Sycamore NT2 which is not illustrated on the revised plan. The TRA are concerned that this disruption could cause long-term damage to these trees and could damage the visual amenity of the conservation area. The trees also form part of the setting of the Grade II listed building, and the redevelopment of the site to provide multiple terraced dwellings as part of a redevelopment/extension of the site has an impact on the wider setting of this building and the overall character of the area. The revised proposals for the construction of a large rearward extension behind a replacement structure to the front of the property at No. 96 Totteridge Village still constitutes a harmful change to this local character and the TRA would ask the Council to resist this incremental change.

The TRA respectfully ask that the Council gives detailed consideration to the determination of these applications and would urge Officer's to recommend refusal on the grounds set out above.

- Totteridge Manor Association

- 1) The existing building fronting Totteridge Village is listed in the LBB Totteridge Conservation Area review document as making a positive contribution to the conservation area and there is no justification for its demolition which would have a detrimental impact on the street scene.

- 2) The proposed replacement building's bulk, scale and 3 storey rearward projection would be both discordant and visually obtrusive whilst the footprint increase is excessive and in part situated in the Green Belt.

- 3) The proposed development would have a harmful impact on the Article 4 Inner Zone of the TCA and on the adjacent Grade II Listed building 'The Grange'. The

creation of purpose built flats would create an unacceptable precedent for future planning decisions and in no sense could the proposal be said to conserve or enhance the character or appearance of the TCA and accordingly the application should be refused.

- Heritage and Urban Design

No objections to the amended proposals subject to conditions.

- Traffic & Development

The parking provision is considered acceptable for a site at this location; however the applicant should provide a parking space suitable for disabled use, which must be a minimum of 3.0 metres wide. Please include a condition for a parking layout plan to be submitted to and approved by the Local Planning Authority.

It is considered that potential vehicular movements generated by the development of 6 residential units will have no significant impact on the traffic generation in Totteridge Village.

The proposal does not include turning facilities for refuse vehicles, therefore refuse should be brought to a refuse collection point within 10 metres of the public highway point on the day of collection.

Date of Site Notice: 24 November 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The Conifers is a detached building on the northern side of Totteridge Village which is currently vacant. The lawful use of the building is as a residential care home (Class C2). Prior to this the building was used as a hotel. Historic evidence suggests the site was originally part of Gladwins Farm.

The site is within the Totteridge Conservation Area (Totteridge Village) and an area of special character and the building has been designated as making a positive contribution to the character and appearance of the Totteridge Conservation Area. The Character Appraisal Statement identifies the application property as falling within '*an informal group of modest, mainly nineteenth century buildings....they are attractive and intimate being set close to one another, typical of a village centre. They run close and parallel to the main road giving continuity and interest to the street scene.*' The land to the west begins the journey into Totteridge Common, marked by more dispersed pattern of development, increase in spaciousness and mature vegetation playing a more dominant role in the character of the area and street scene with buildings, particularly on the northern side of the road, being set further back from the highway than in the village with a marked change in the visibility of the built form and change in the boundary treatments.

The existing building is a two-storey brick (painted white in part) double fronted property with a slate roof. There is an existing two-storey projecting wing. Previously a flat roofed single storey element projected further to the rear of the existing footprint but this has since been demolished. There are 2 outbuildings sited along the eastern boundary - a two-storey brick coach house with clay tile roof and a flat roofed single storey extension to the south.

The site is bounded by existing high brick boundary walls to the west, north and east and a dwarf brick wall to the front of the site facing Totteridge Village, although there are currently temporary timber hoardings enclosing the front of the site.

To the west lies The Grange, a Grade II Listed Building which is in use as flats and to the east lies the 1970's housing development of Badgers Croft. Land to the west is within the listed curtilage of The Grange but is within the ownership of the applicant and forms part of the development site.

Proposal:

The application seeks planning permission (and is accompanied by an application for CAC) for the redevelopment of the site following demolition of the existing building.

The proposed use of the site is for residential purposes with a single building stretching rearwards and providing 6 self-contained flats. The design and appearance of the proposed building has been strongly informed by the existing building on the site with the intention to incorporate positive features of the building into the new design enhancing the character and appearance of the Conservation Area.

The proposed building would have a main two-storey frontage similar to the existing and would have a part single, part two-storey rear projecting wing and is essentially split into 3 elements.

The main building proposed would be sited approximately 1m further towards the eastern boundary than the existing but would remain the same distance back from the front boundary of the site. The frontage building would have a depth of 9m and width of 12m. It would have a total height of 9.3m with dormer windows proposed the front roof slope and both side facing roof slopes. Bay windows are proposed to the ground floor similar to those on the existing building but providing balconies at first floor level. It would accommodate 1no. 3 bed flat and 1no. 2 bed flat in this part of the building.

The two-storey projection to the rear would extend around 12m to the rear of the main building with a width of 10.3m stepping out an additional 1.2m towards the western boundary towards the rear. This element would have slightly lower eaves and ridge height than the frontage building but would also have rooms in the roofspace facilitated by dormer windows. 1no. 4 bed and 1no. 2 bed unit would be accommodated in this part of the building.

The single storey element would be around 18m deep and would be 9.1m wide. It would have accommodation within the pitched roof and 2no. 2 bed units would be within this element of the building.

The existing two-storey coach house would be retained and utilised as the refuse store and the single storey flat roof element would be demolished. Cycle storage is proposed further into the site along the eastern boundary adjoining the garden boundary of No.'s 18 and 20 Badgers Croft.

A total of 9 parking spaces is proposed; 5no. spaces would be sited to the rear of the building and 4no. spaces would be sited along the eastern boundary abutting the back gardens of several properties on Badgers Croft.

As part of the application it is proposed to make landscaping alterations to the western part of the site adjoining The Grange.

Planning Considerations:

History of application site and relevant planning applications

The current proposals are the result of extensive negotiations between council officers and the applicants in order to achieve a suitable development for the site that would enhance the character and appearance of the Conservation Area, safeguard the amenities of the adjoining occupiers, preserve the health of existing trees of special amenity value and preserve the setting of the adjoining Listed Building.

The last application was withdrawn as a result of comments from officer's raising several concerns over the proposals and the current proposals are a response to those issues. The proposals have been further amended during the course of the current application which has involved re-siting the building further away from protected trees to the west of the site and amendments to the design and detailing of the building.

Prior to the latest application for redevelopment for residential purposes various applications were made for extensions and alterations to the care home in order to increase capacity and improve the accommodation. A part single, part two-storey extension was approved to the rear of the building in 2008, this extension projected further into the site than the proposed footprint subject of this application but was of a lesser height and bulk and was sited up to the western boundary of the site. These approved extensions are an important material consideration in this case as they were considered to have an acceptable impact on the character and appearance of the property and the wider Conservation Area. Whilst there have been updates in policy since that decision was made, the core principles of assessing applications that affect designated heritage assets remain consistent and are based on the requirement in the Planning (Listed Buildings and Conservation Areas) Act 1990 to preserve or enhance the character or appearance of the area.

Loss of the existing building and its proposed replacement

The existing building has been designated by the LPA as making a positive contribution to the character and appearance of the Totteridge Conservation Area in the Character Appraisal Statement published in 2008. There is a general presumption in favour of retaining buildings which make a positive contribution to the CA. The NPPF states that where proposed development will lead to loss of a positive contributor, it should be treated either as substantial harm or less than substantial harm (as defined in the document) dependent on the relative significance of the element affected and its contribution to the significance of the CA as a whole.

The Heritage Appraisal submitted with the application is critical of the designation of the building as a "positive building" claiming that the alterations to the building that have occurred over a number of years have devalued its contribution and its designation is unsupported. Notwithstanding these comments it remains designated as a positive building in Conservation Area Character Appraisal.

The NPPF advise that where a proposed development will lead to the total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the loss is necessary to achieve substantial public benefits that outweigh that loss.

The replacement building has been designed in a way to reflect the existing frontage building on the site and the rearward projections take advantage of previous permissions on the site. The intention is to replicate the predominant typology of traditional buildings in the locality being progressively extended and added to, reducing in dominance towards the rear as the building moves away from the street. A comparison between the existing, approved (N02565AD/07) and proposed building is demonstrated on plan no. 5533 SK-04/Rev A clearly showing the differences between the siting, height and bulk of the proposals. A key difference of the proposed building is the accommodation proposed in the roof space facilitated by dormer windows on all elevations to all parts of the building (frontage building and rear projections) resulting in a change to the proportions of the building.

The main frontage element is proposed to be constructed in red clay bricks with the rear projecting elements to be constructed in reused yellow stock from the existing building. The existing front elevation is white painted brick work. A slate roof is proposed as per the existing detail.

The proposed replacement building is considered to be an appropriate form of development on the site. The frontage would be very similar to the building it is proposed to replace with architectural features and detailing consistent with the style and age of the original building and the character and appearance of this part of the Conservation Area. Whilst the rear projecting elements would be larger than previously approved extensions to the building, they are not considered to be out of scale or proportion with the main building given their subordinancy to the frontage element. In addition as this element projects to the rear it would have a reduced visibility from the street.

Whilst the accommodation in the roof space would increase the bulk at this level introducing an additional level of accommodation over and above the existing and

approved buildings, the overall height of the main two-storey parts of the building would be no higher than the previously consented additions. The dormer windows have been designed as subordinate features on the roof that respect the scale and appearance of the building below and are not uncommon features within the TCA.

The single storey pitched roof element to the rear is where the greatest increase in height and bulk occurs from the consented scheme given the accommodation proposed in the roof and the greater width of this part of the building. However, it should be noted that the total rearward projection is less than that previously considered acceptable on the site. Despite the increases in bulk, the design and appearance of this element is in keeping with the character and quality of development in the area and represents an improvement over the previously approved extension and would not be inappropriate in its context.

Given the quality of the proposed replacement building, the demolition of the existing building is considered acceptable and would both preserve and enhance the character and appearance of this part of the TCA and these benefits associated with the proposed replacement building are considered to outweigh the loss of the existing building.

Proposed redevelopment for residential purposes

The lawful use of the site is as a care home (use class C2 - residential institution) but the building has been vacant for the last couple of years. There is no identified need for this type of use and no objection is raised to the redevelopment of the site for residential purposes as this use is considered to be more consistent with the predominantly residential character of the Totteridge Conservation Area. In addition, it would bring this vacant site back into a viable use which itself would enhance the character and appearance of the area.

The Conservation Area is generally characterised by single dwellings on large spacious plots. However, there are instances of flats in the area and it is not considered that the proposal for 6 units on one site would be harmful or out of keeping with the character and appearance of the area. The adjoining Grade II Listed building immediately to the west of the site is divided into flats as is Totteridge Park, 22 Totteridge Common (although this does have planning permission for conversion into a single dwelling), Totteridge House, 56 Totteridge Village and Grace and Beatrice Courts on Totteridge Green.

Flatted developments can have adverse impacts on the character and appearance of an area if designed insensitively. However the proposals subject of this application are considered to have taken account of the predominant characteristics of the area and successfully minimised any adverse impacts from a site in use as multiple dwellings. Balconies have largely been omitted (apart from those at the front above the bay windows), window hierarchy is not out of keeping with a single house, parking is kept at a minimum, refuse would be accommodated within the existing coach house, the gardens are communal and therefore open, the principal elevation remains to be the one facing the street and additional entrances appear as ancillary openings. As such the impact on the wider CA is considered to be minimal

especially given the design and appearance of the most visible elevation would be reflective of the building it is proposed to replace.

The proposed development would not form a building that is obviously divided into multiple units given the careful design and appearance of the building as well as the treatment and layout of the site. The site is considered large enough to accommodate 6 large flats without resulting in overdevelopment or harming the spacious and open character and appearance of the Conservation Area.

The development has been assessed in accordance with the density standards in policy 3.4 of the London Plan. The proposal for 6 units on a site of this size falls below the recommended density standards in the London Plan. The recommended ranges for dwellings of the size proposed on a site in this location is 35-55u/ha and 150-200hr/ha. The proposals have a density of 20u/ha and 97hr/ha and as such cannot be said to represent overdevelopment of the site. The below recommended density levels proposed are considered to be responsive to the constraints of the site and the predominant character of the area of low density semi-rural housing and siting adjacent to open Green Belt land. The size of the units are also considered to be responsive to local housing types. The size of each dwelling is greater than the minimum recommended floor areas outlined in policy 33.5 of the London Plan and provide generous accommodation including family sized accommodation.

Trees of special amenity value and landscaping

The land to the west of the building forms part of the application site but also forms part of the curtilage of The Grange. The land was dominated by mature planting until recently when part of the site was cleared and mature trees subject of preservation orders were felled. Whilst replacement planting subject of a notice served by the Council has now been carried out, the appearance of this part of the site has altered as the replacement specimens will take many years to mature to the level of those that were felled. As a consequence trees further back from the road (Sycamore and Holm Oak) are now more exposed with their special amenity value enhanced due to their increased prominence and thus contribution to the character and appearance of the CA.

In order to preserve the value and health of these trees the building has been moved further east during the course of the current application, reducing the need for works to these trees which would compromise their appearance as well as pressure for future treatment. In light of the replacement planting and the safeguarding of trees of special amenity value, the development is considered to have an acceptable impact on the setting of The Grange.

This area of land to the west is proposed to be landscaped as informal communal gardens serving the occupiers of the proposed flats. The informal arrangement is considered appropriate in the context of the adjoining Listed Building although further details of proposed species have been reserved by condition to ensure this.

Impact on the amenities of the adjoining residents

The proposed development is not considered to have a significantly detrimental impact on the amenities of the adjoining residents. The siting of the building would be similar to the existing and the rearward projections would be of a sufficient distance from neighbouring properties and gardens so as not to appear obtrusive or overbearing or loss of light.

Several objections have been raised to the proposals on the grounds that the new development would result in a loss of privacy to adjoining residents given the number, height and position of new windows associated with the development. The proposal achieves in most cases the required privacy standards of UDP policy H17 which seeks to maintain a 10.5m distance from a habitable room window to an adjoining garden and 21m between facing habitable rooms. In the instances where this standard has not been met, details of methods to protect privacy (such as the use of opaque glass) have been reserved by condition to ensure that the privacy of adjoining residents is protected in line with adopted standards.

The proposal for 6 residential units is not considered to result in undue levels of noise and disturbance to adjoining residents as a result of the use. The scale of development would not be dissimilar to that at The Grange and the lawful use of the site is as a nursing home with 10 bedspaces and as such the proposal for 6 family units is not considered to be out of keeping or detrimental to adjoining residents.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Addressed above.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals would comply with the requirement for Lifetime Homes Standards.

The various sized units will provide a mixture of housing choice providing smaller units for couples or older people wishing to downsize and also provides larger 3 and 4 bed units providing family sized accommodation.

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

5. SECTION 106 ISSUES

The contributions are necessary, directly relevant and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of The Community Infrastructure Levy Regulations 2010.

6. CONCLUSION

The proposals are considered to preserve and enhance the character and appearance of this part of the Totteridge Conservation Area and would bring back into use a vacant site. The proposals would safeguard trees of special amenity value which contribute to the visual amenity of the area and would not be harmful to protected species. The amenities of adjoining residents would be preserved and the proposals accord with local, regional and national planning policy and guidance and the application is recommended for approval subject to conditions.

SITE LOCATION PLAN: Conifers, 96 Totteridge Village, London, N20 8AE

REFERENCE: B/04605/11



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