

Location **7 Hollies End London NW7 2RY**

Reference: **17/5741/FUL** Received: 7th September 2017
Accepted: 19th September 2017

Ward: Mill Hill Expiry 14th November 2017

Applicant: Mr L Lipman

Proposal: Demolition of existing detached single family dwelling house and construction of 2no. two storey (with rooms in roofsopace and basement) detached houses. Associated amenity space and off-street car parking

Recommendation: Approve subject to conditions

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

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 1540.P.01, 1540.P.02, 1540.P.05.H, Arboricultural and planning integration report dated 8/09/2017, design and access statement dated September 2017, Drawing En-titled Arboricultural Impact Assessment dated September 2017, Drawing En-titled Trees Constraint Plan dated September 2017, Tree Protection Plan dated September 2017.

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

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced

areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

4 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).

5 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

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

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

6 The approved development shall make provision for cycle parking and cycle storage facilities in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority. such spaces shall be permanently retained thereafter.

Reason

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

- 7 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, other than those expressly authorised by this permission, shall be placed at any time in the flank elevations of no 32 Sturgess Avenue hereby approved.

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).

- 8 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.

- 9 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until 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) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. 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 at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

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 2015.

- 10 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 11 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

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

- 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 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).

- 14 Prior to occupation of the development, parking spaces and the access to the car parking spaces from public highway shall be provided in accordance with a scheme 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 to 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.

- 15 Prior to occupation of the development, Cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason

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

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

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

Reason

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

- 17 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, E and F of Part 2 of Schedule _ of that Order shall be carried out within the area of _ hereby approved.

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

Informative(s):

- 1 The submitted plans and documentation are: 1540.P.01, 1540.P.02, 1540.P.05.H, Arboricultural and planning integration report dated 8/09/2017, design and access statement dated September 2017, Drawing En-titled Arboricultural Impact Assessment dated September 2017, Drawing En-titled Trees Constraint Plan dated September 2017, Tree Protection Plan dated September 2017.
- 2 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 3 CIL approval
The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £12,145 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £46,845 payment under Barnet CIL.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf
2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.
3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

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

- 4 For any proposal new crossovers or modification to the existing crossovers, a separate crossover application must be submitted for approval to the Highways Authority. Details of the construction and location of the new crossover are required to be agreed with the highway authority. Any street furniture, road markings or parking bays affected by the proposed works following site investigation would be relocated at the applicant's expense.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team in conjunction with the highway tree section as part of the crossover application. The outcome of this assessment cannot be prejudged.

Please Note: A maximum width of a crossover allowed from a public highway is 4.8 meters.

Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Works on public highway shall be carried out by the Council's contractors. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 5 Refuse collection points should be located within 10 meters of the Public Highway. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.
- 6 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance towards any damage to the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic related to the proposed development. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

Officer's Assessment

Officer's Assessment

1. Site Description

The application contains a detached bungalow located on the western side of Hollies End, a cul-de-sac off Milesplit Hill within the Mill Hill Ward. The site comprises a triangular shape with results in a shorter garden length at the site's western end.

The applicant property is not listed but is located within the Mill Hill Conservation Area and also appears to be within an Article (4) area removing permitted development rights. To the rear of the site is a woodland area which is designated greenbelt land. The site itself is however not designated as being within the green belt.

The application site is adjacent to a Tree Protection Order area, with a number of individually listed protected trees within close proximity of the development at the rear and on no.6 Hollies End. Nevertheless, many of the trees benefit from protection given their location within the green belt including a Hornbeam tree T3 in the north east corner of the site. The rear boundary previously heavily vegetated by laurel (not subject to protections) has been cleared to some extent.

There exists significant level changes across the site, with the rear garden sloping away considerably from the level of Hollies End.

The application property shares adjoining boundaries with no.6 Hollies End and the rear gardens several properties on Milesplit Hill.

The area is predominantly residential in character. The Hollies is a cul-de-sac of modern dwellings, constructed in the 1970's, which reflects the architectural vernacular of this period.

Numbers 1 to 5 are two storey dwellings, of a highly uniform but no identical design, with some benefitting from non-original extensions. The Mill Hill Conservation Area Character Appraisal Statement makes no specific mention of these dwellings however it is considered that their group value is consequential.

The host property, by contrast, is a wide bungalow with a detached outbuilding located on the boundary with properties on Milesplit Hill.

2. Site History

Reference: 17/8109/ENQ

Address: 7 Hollies End, London, NW7 2RY

Description of Development: Demolition of detached single family dwelling house to be replaced with 2no. detached single family dwelling houses

Date: 6th April 2017

Reference: W00592AA

Address: 7 Hollies End, London, NW7 2RY

Description of Development: Retention of bungalow without complying with condition of planning permission W.592V/HQ.246K in respect of fencing on the western and southern boundaries.

Decision: Approved subject to conditions

Date: 31.10.1979.

3. Background

The original proposal was not considered acceptable and during the planning application process the case officer had advised the agent on amendments to the scheme.

The amendments sought were to reduce the height of the building at the rear adjacent to the existing dwelling house at no 6 in Hollies End. This would be achieved by moving house A away from the rear boundary and lowering the eaves level of house A, which is a small step up from no 6 Hollies End. House B had been reduced in width from the rear elevation. In addition, house B had been brought forward and the planting on the boundary reduced to facilitate light, outlook and space thus, maintaining openness around the site.

Moreover, the amendments sought result in a sympathetic addition which maintains open space around the site and contributes to the openness and character of the Mill Hill Conservation Area.

3.a Proposal

Planning permission is sought for the demolition of existing detached single family dwelling house and construction of 2no detached single family dwelling houses with rooms in roof space and basement. Associated amenity space and off street car parking.

The proposed dimensions are (approximate) as follows:

Front elevation of House A

5.4m to eaves, 9.3m to ridge, 9.13m to widest point

Rear elevation of House A

6.9m to eaves, 12.3m to ridge 9.13m to widest point

Front elevation of House B

5.4m to eaves, 9.2m to ridge, 9.13m to widest point

Rear elevation of House B

8.5m to eaves, 12.3m to ridge, 9.13m to widest point

House A is sited approximately 2.7m from the flank elevation of no 6 Hollies End. House A and B maintain a 3m separation gap between the flank elevations.

The rear elevation of both houses A and B, both consist of one rear dormer measuring approximately 5m wide x 1.5m high incorporating two rearward facing windows.

The front elevation of both houses A and B, will consists of a front dormer and one window measuring approximately 2.7m wide x 1.5m high.

House A will provide for 250sqm of outdoor amenity space and house B 176sqm of outdoor amenity space. There is car parking available within the front curtilage of the property. In addition, there is an existing garage adjacent to House B.

4. Public Consultation

Consultation letters were sent to 27 neighbouring properties.

0 comments, 0 representations, 0 letters of support received.

7 objections received and summarised;

- The application site is located within the Mill Hill Conservation Area and the infilling of development with two large dwellings on the plot is an example of such mediocre infill development and thus at odds with the Conservation Area Policy.

- The sense of openness and semi-rural vista which characterizes the area would be lost. In comparison to the existing bungalow the proposed two new dwellings will not preserve or enhance the character or appearance of the conservation area and as such are deemed to be inappropriate development.

- Loss of trees which are afforded protection in a Conservation Area. The Arboricultural Assessment submitted fails to justify removal of a number of trees to make

way for the development. The loss of these trees is contrary to the policy to Preserve and Enhance the character of the Conservation Area.

- Has reached capacity in terms of mass and that the only potential now would be in the existing roof spaces where roof line allows as any increase in mass would compromise the light to neighbouring properties currently enjoy.

- The sheer size and nature of such large properties will dramatically affect the open characteristics that article IV sets out to protect and that was refused as stated above for what was, a far smaller scheme and only a single dwelling.

- The estate road, which is the small extension to Hollies End has insufficient capacity to accommodate an additional property and inevitably will cause nuisance to neighbours resulting in the reduction of enjoyment as protection is afforded. 3 properties have right of way right of way to garages both built out and not built out, including Highwinds, Berry Cottage and Hillside Cottages. This is a garage area for access for 6 vehicles.

- Granting this application will cause loss of light, reduced enjoyment, loss of privacy from the side and rear to both properties and gardens due to windows in the proposed new dwellings.

- In the event of granting that a full construction management plan is required to include methodology , an agreed Construction Traffic route to ensure that any vehicles access Hollies End from the South and exit down Miles pit hill. This is to protect listed buildings and the sheer fact that the local roads are ill equipped to cope with 40 tonne "muck away" trucks, to safeguard children in an area of numerous schools both primary and nursery ages. That a full, detailed assessment of potential vibration damage/impact to nearby listed buildings to include the demolition, spoil removal and possible piling. That a record kept and made available of all vehicles, companies and independents including vehicle registration numbers as a very special condition prior to commencement of demolition as a condition of granting.

- The planning application appears to show it is not to be wholly on land owned by the developer and no notification to the owner of land has been made. The red outline on the land outline does not appear to coincide with Land Registry plans. It is requested that a 2 week extension is granted so that this anomaly may be investigated further.

- The Planning Committee of this Society Mill Hill Preservation Society has inspected the plans for the proposed development and wish to object to them for the following reasons:

- We believe that the proposed buildings are clearly four storey dwellings and not two storey as listed in the application and we would argue that two very large four storey family dwelling houses should be built in an appropriate location and not squeezed into an unsuitable location.

- The proposed application is within the Mill Hill Conservation Area and the Mill Hill Village Character Area. We are opposed to inappropriate designs and overdevelopment in these locations.

- We would argue that the scale of the design would detract from and not contribute to the openness and visual amenity of the surrounding Conservation Area.

- We are concerned about the negative visual impact on the street scene. We believe that this proposal looks very overpowering and out of keeping with the neighbouring properties and is a gross over-development of the site.

- For the above reasons, we strongly urge you to refuse this proposal.
- Inappropriate over-development to the detriment of the Conservation area and contrary to the aims of the conservation area and the specific adverse aspects identified in the Conservation area documentation. Over development adjacent to multiple listed properties and their curtilages, having an adverse effect on their setting and detrimental to their listing. Previous planning application imposed strict height limits for very good reason and which the current bungalow observed, these are now being flouted.

Planning officer: Planning matters are discussed in the body of the report.
A site notice was erected on the 28th September 2017.

Internal consultations:

Arboricultural officer comments:

My previous comments can be summed up by the following:

House A

Loss of T1 (applicant's plan) a cypress tree that has become overgrown for location regardless of any development. No other significant arboricultural issues.

House B

The previous scheme impacted on trees on the northern and eastern side G4 & G11 (applicant's plan) were to be removed and were proximity issues with T3, T5 T6 & T7.

My comments on the adjusted House B are as follows:

The new location should give more useable space in the garden a reduction in proximity issues with T5 T6 & T7. However there will be an increasing impact on T3 a hornbeam.

To fully assess the implications of the revised proposal the arboricultural impacts assessment and tree plans need to be updated to reflect the design changes. This report should be submitted for review prior to any planning approval.

In addition garden has trees and shrubs that are taking up a lot of additional space, the laurel. Alongside the application a landscape plan should be submitted that will improve the overall garden, provide quality garden space and replacement trees and shrubs.

Highways comments:

Demolition of existing detached single family dwelling house and construction of 2no. two storey (with rooms in roof space and basement) detached houses. Associated amenity space and off-street car parking.

The proposal is for the demolition of the existing single family dwelling and the erection of a 2x 4+bed family dwellings with the provision for a minimum of 4 car parking spaces to the forecourt of each property.

The proposed car parking provision is in accordance with Policy DM17 of the London Plan and is therefore acceptable on highways grounds.

No changes to the existing vehicular access are being proposed, however should any be required the applicant is informed that an application must be made to Highways Crossovers department, to be assessed and arrangements agreed in writing. An informative to this effect is included in my comments below.

Cycle parking and cycle storage facilities should be provided in accordance with the London Borough of Barnet's Local Plan, in the interests of promoting cycling as a mode of transport.

Recommendation

The application is recommended for approval on highways grounds, subject the following conditions and informatives

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The Mayor's London Plan 2017 (DRAFT)

'Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.'

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS10, CS15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM06, DM08, DM15, DM17.

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well

as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Residential Design Guidance (2016)

Sustainable Design and Construction (2016)

Mill Hill Conservation Area Character Appraisal Statement (Adopted April 2008). The appraisal identifies the character and appearance of the area which should be preserved or enhanced, and to set out the means by which that objective is to be pursued.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development
- Whether there would be impacts on the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to the living conditions of future occupiers;
- Impact on Highways;
- Accessibility and Sustainability

5.3 Assessment of proposals

Principle of development, Impact on the character of the area, Greenbelt

Planning permission is sought for the demolition of existing detached single family dwelling house and construction of 2no detached single family dwelling houses with rooms in roof space and basement. Associated amenity space and off street car parking.

The existing bungalow is not considered to be of any architectural merit and the general area is not identified as a positive feature in the Conservation Area Character Appraisal. Therefore, the principle of demolition is considered to be acceptable in this regard.

Policy CS5 Protecting and enhancing Barnet's character to create high quality places' seeks to ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design. Policy DM01 states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The NPPF supports this and stipulates that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation but instead development should be guided by the numerous factors including overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

The pre-application notes advised that if the scheme is to work, the scale, bulk and massing of the buildings should be more in keeping with other properties on the road. The existing properties along Hollies End are detached two storey dwellings which are similar in terms of scale and form. There is a somewhat defined building line along this stretch of

Hollies End with properties set back from the public highway. As discussed, some properties benefit from non-original extensions and this contributes to the character of the area.

During the planning application the agent had been advised to reduce the width, height and retain adequate separation gaps between properties. The scale and siting for the proposed houses in terms of depth, width, eaves, ridge height and separation distances are considered acceptable. The amendments in terms of height, width and siting will address the bulk and massing concerns which had been considered in the previous pre-application advice notes. To the rear the bulk at roof level has been reduced, in the form of omitting the crown roofs and reducing the height of house A at the rear adjacent to the existing dwelling house at no 6 in Hollies End. This has been achieved by moving house A away from the rear boundary and lowering the eaves level of house A, which is a small step up from no 6 Hollies End. House B had been reduced in width from the rear elevation. In addition, house B had been brought forward and the planting on the boundary reduced to facilitate light, outlook and space thus, maintaining openness around the site. In addition, the reduction of the depth of the overall building and the alterations made to the three storeys at the rear has created subordination to the overall building mass.

With regard had to the proposed front and rear dormers, it is considered that the scale and design appears modest and subservient to the houses and respects the pattern of development in the locality.

Materials and finishes will be powder coated aluminium and this will contribute to a quality development and thus, is deemed appropriate.

With regard had to the above, the proposed development will create two houses which appear subservient to surrounding properties and as such, respect the character of the area. The forward setting of house B and the clearance of boundary planting will increase the spacing around the buildings and offset perceptions of excessive bulk, size and scale within the site.

Notwithstanding the above, in terms of impact on the Green Belt, the Council note the applicant's comments in the pre-application advice letter, regarding the siting of the building at the end of the cul-de-sac and therefore generally being obscured from public view, and the increase in spacing between the proposed buildings. It is considered that this is acceptable and the proposed arrangement would not appear incongruous with other properties on the streetscene.

Impact on the amenities of neighbouring occupiers

One of the Council's key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbours amenity is unlikely to be supported. Good neighbourliness is a yardstick against which proposals can be measured.

Any development, particularly in a constrained site should ensure that the amenities of neighbouring occupiers are respected.

The Council's SPD 'Residential Design Guidance' states that new buildings and extensions should normally be subordinate and respect the original building. The Council's guidance advises that new development should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting

the proportions of the existing building and using an appropriate roof form to ensure that the amenities of neighbours are not harmed.

Policy DM01 in Council's Development Management Policies DPD stipulates that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

The Residential Design Guidance SPD states that to mitigate overlooking between residential units, the minimum distance between habitable rooms should be 21 metres. There are no neighbouring properties sited to the rear of the proposed houses. However, the nearest property is no 6 Hollies End to the south of the application site. House A is sited approximately 2.7m from the flank elevation of no 6 Hollies End. House A and B maintain a 3m separation gap between the flank elevations. Windows in the flank elevation will be obscure glazed and secured by way of condition. Thus, the proposed houses will not result in any loss of privacy or potential overlooking to the detriment of the amenity of occupiers at no 6 Hollies End.

In terms of scale and design amendments had been made to house A, in particular the height had been reduced to house A at the rear adjacent to the existing dwelling house at no 6 Hollies End. This has been achieved by moving house A away from the rear boundary and lowering the eaves level of house A, which is a small step up from no 6 Hollies End. House B had been reduced in width from the rear elevation. In addition, house B had been brought forward and the planting on the boundary reduced to facilitate light, outlook and space thus, maintaining openness around the site.

With regard had to the above, the proposed development will not appear overbearing or result in a loss of light, outlook and or privacy to the detriment of the amenities of occupiers at no 6 Hollies End. The proposed development is considered acceptable in terms of residential amenity.

Impact on the amenities of future occupiers

All residential accommodation is expected to meet the minimum space standards as advocated within the Sustainable Design and Construction SPD and the London Plan 2016. Table 2.2 of the Sustainable Design and Construction SPD specifies that double bedrooms should provide a minimum floor area of 11.5sqm and single bedrooms a minimum floor area of 7.5sqm, in line with the National standards. The SPD also confirms that habitable floorspace in rooms with sloping ceilings is defined as that with 1.5 m or more of ceiling height. The same SPD defines a habitable room as "a room within a dwelling, the primary purpose of which is for living, sleeping or dining, including kitchens where the total area is more than 13m² (including fittings), or the dining space if it is divided from the working area by a moveable partition"; it must be noted that rooms exceeding 20sqm will be counted as two. The proposed houses comply with the minimum space standards as set out in the London Plan 2015.

The sectional drawing illustrates that the bedrooms in the loft would comply with the minimum space standards required.

All new residential units are expected to provide suitable outlook and light to all habitable rooms whilst not compromising the amenities of neighbouring occupiers. Both units would generally benefit from suitable outlook, however there had been a concern with regard to the proximity of bedroom 3 to House A. However, this aspect has been mitigated and house B has been moved forward approximately 1m and the planting on the boundary reduced to facilitate light, outlook and space thus, maintaining openness around the site. It

is considered that both houses will provide adequate outlook and light to all habitable rooms.

With regards to outdoor amenity space, all new residential development is expected to provide suitable and useable outdoor amenity space for future occupiers. For houses, the size of the garden would depend on the number of habitable rooms.

The Residential Design Guidance SPD stipulates that "private amenity space for the exclusive use of building occupants is a highly valued asset" (para.8.2). The same SPD stipulates that "the fundamental design considerations for amenity space should be its quality and usability"(para.8.7) and "awkwardly shaped, narrow and very steeply sloping amenity spaces should be avoided and will not be considered to count towards usable outdoor amenity space" (para.8.8).

The proposed dwellings would meet the standard and the applicant has demonstrated the usability of the outdoor amenity space for both houses.

Trees

Given the site's location in a conservation area, trees within the site benefit from protections in addition to the small number of stand alone TPO designations. The rear boundary features a number of mature shrubs which do not benefit from these protections.

Unit B has been moved forward off the front building line to offset the distance between the boundary planting and the dwelling and to improve spaciousness around the development. The implication is that the proposal has an effect on a protected Hornbeam tree at the front of the site. The scheme does not result in its loss but may impair the root protection zone for this tree.

This has been assessed by the arboricultural officer who has considered that as the hornbeam has already been subject of reduction works, its value has been reduced. It is still deserving of protection through construction and development and as a result a condition should be imposed on the permission which requires an arboricultural method statement.

Highways

The proposal is for the demolition of the existing single family dwelling and the erection of a 2x 4+bed family dwellings with the provision for a minimum of 4 car parking spaces to the forecourt of each property.

The proposed car parking provision is in accordance with Policy DM17 of the London Plan and is therefore acceptable on highways grounds.

No changes to the existing vehicular access are being proposed, however should any be required the applicant is informed that an application must be made to Highways Crossovers department, to be assessed and arrangements agreed in writing. An informative to this effect is included in my comments below.

Cycle parking and cycle storage facilities should be provided in accordance with the London Borough of Barnet's Local Plan, in the interests of promoting cycling as a mode of transport.

Accessibility and Sustainability

The application scheme is required by Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) to meet Building Regulation requirement M4(2). The applicant has confirmed that the proposed development would meet this requirement, and a condition is attached to ensure compliance with these Policies.

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 6% CO₂ reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition is attached to ensure compliance with the Policy

In terms of water consumption, a condition is attached to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

The proposed development therefore would meet the necessary sustainability and efficiency requirements of the London Plan.

CIL

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail. The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sqm (index related) on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sqm (index related). The proposal has been calculated to be liable for 2a £10,748.70 and for 2b £10,744.65 Barnet CIL and 2a £2,869.50 and 2b £2,868.42 of Mayor's CIL.

5.4 Response to Public Consultation

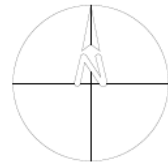
The comments raised by objectors have been addressed in the body of the report.

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

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for APPROVAL.



LOCATION PLAN
SCALE 1:1250

