

Location **1323 High Road London N20 9HR**

Reference: **17/5505/FUL** Received: 24th August 2017
Accepted: 31st August 2017

Ward: Totteridge Expiry 26th October 2017

Applicant: Mr M Shah

Proposal: Demolition of existing bank vault and outbuilding at rear. Erection of single storey front extension, part two, part three and part four storey rear extension and two storey roof extension to provide 4no. self-contained flats at 1st, 2nd and 3rd floor levels and a Class A1/A2 unit at ground floor level. Associated refuse storage and cycle store and amenity space. (Amended Description)

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:

01/A/EX/A(Existing Floor Plans), 02/A/PP Rev D(Proposed Floor Plans), 04/A/EE Rev A (Existing Elevations), 05/A/PE/ Rev B(Proposed Elevations), A/01 (3D Visual), A/02(3D Visual), A/03(3D Visual), A/04(3D Visual), A/05(3D Visual), A/06(3D Visual), Energy and Sustainability Statement prepared by Build Energy Ltd dated August 2017, Highways and Parking Statement prepared by Mode Transport Planning dated October 2017, Parking Beat Survey, Design and Access Statement prepared by the Town Planning Experts dated August 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 2016.

- 4
- a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:
 - 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.
 - b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

5 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

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

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

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

7 Before the building hereby permitted is first occupied the proposed window(s) in the North and South elevation shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

8 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 9 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the details as approved under this condition and the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 10 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).

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

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

- 12 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and

achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

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

- 13 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 6 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 14 Before the development hereby permitted commences (other than for Groundworks and Site Preparation Works) on site details of all extraction and ventilation equipment to be installed in the development shall be submitted to and approved writing by the Local Planning Authority. Extraction and ventilation equipment shall be installed at the site in full accordance with the details approved under this condition before the first occupation of the site.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

- 15 The Class A1/A2 uses hereby approved shall not be open to customers or staff before 6:30am or after 8pm from Monday to Friday, or before 8am or after 8pm on Saturdays and not at all on Sundays, Bank Holidays and Public Holidays.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and the new dwellings in the development hereby approved in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

- 16 The commercial units, hereby approved, shall be used for use class A1 (Retail) or A2 (Financial and Professional Services) and no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order, 2015 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises does

not prejudice the amenities of the future and neighbouring residential occupiers in accordance with policy DM01 of the Barnet Local Plan.

Informative(s):

- 1 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. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The 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 £9,905 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 £38,205 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 exceptional circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

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

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

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 4 The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.

Officer's Assessment

1. Site Description

The site is located on the western side of the High Road within the Totteridge ward. The existing building is two storeys in height and previously occupied by a bank, although the applicant has confirmed that the site has been vacant for the past 6 months.

The building is not within a Conservation Area nor is it listed, and the area is not within an area covered by an Article 4 direction. The building lies within the Primary Retail Frontage of the Whetstone Town Centre, as defined by the Council's Local Plan and also within an area of archaeological significance.

To the south of the site lies Waitrose supermarket at ground level with flatted residential accommodation on the floors above. To the north of the site lies a two storey building which accommodates a florist at the ground floor.

There is an access road to the rear which partly serves the Waitrose public car park and partly serves the private flats above Waitrose and other commercial units on the High Road.

2. Relevant Planning History

Reference: 15/01421/FUL

Address: 1323 High Road London N20 9HR

Decision: Approved subject to conditions

Decision Date: 30.04.2015

Description: Installation of new external ATM to replace existing external ATM

Reference: 15/01422/ADV

Address: 1323 High Road London N20 9HR

Decision: Approved subject to conditions

Decision Date: 30.03.2015

Description: Installation of 1no. non-illuminated ATM sign

Reference: N00057J/07

Address: 1323 High Road London N20 9HR

Decision: Approved subject to conditions

Decision Date: 08.02.2008

Description: Change of use from a bank (Class A2) to a restaurant (Class A3) (120sqm). Installation of extract system to rear.

3. Proposal

This application seeks consent for the demolition of existing bank vault and outbuilding at rear and erection of a single storey front extension, part two part three and part four storey rear extension and two storey roof extension to provide 4 no. self-contained flats at 1st, 2nd and 3rd floor levels and a Class A1/A2 unit at ground floor level. Associated refuse storage and cycle store and amenity space.

The proposed dwellings would be:

- 2 x 1 bed 2 person flats
- 2 x 2 bed 4 person duplexes

The commercial floorspace on the ground floor would be approx. 148 sqm. ????????

The plans have been amended following submission. The main changes include setting back the 2nd and 3rd floor to align with the rear boundary wall of Walsingham House resulting in the reduction of total number of units from 5 to 4 units.

4. Public Consultation

70 consultation letters were sent to neighbouring properties.

9 responses have been received; comprising of 9 letters of objection.

Summary of Objections can be summarised as follows;

- Over development
- No public right of way to the rear of the site
- Proposal would exacerbate parking congestion arising from Waitrose staff parking, deliveries and refuse collection
- Refuse storage, recycling, cycle storage will be on land belonging to Waitrose.
- Waitrose may not allow additional access over and across their land
- Loss of light to the 8 flats above Waitrose.
- Impact of construction works
- Loss of view
- Existing issues with refuse collection due to congestion on shared private road
- Impact on ability to gain access to existing parking spaces
- Impact of loss of light / daylight on flower business
- Impact of construction works on Waitrose, flower shop and flats above.
- Obstruction of window display
- No right of way for refuse vehicles and construction traffic.
- Waitrose request a Construction Management Plan to be submitted as part of the application rather than as a condition

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 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Draft London Plan 2017

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, CS6, CS9, CS10, CS15, CS14, CS15
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM11, DM12, DM17

Supplementary Planning Documents

Residential Design Guidance SPD (adopted 2016)
Sustainable Design and Construction SPD (adopted 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- The living conditions for future residents
- Impact on Highways

5.3 Assessment of proposals

Principle of building and impact on character of the area

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

The existing building was last in use as A2. The building is currently vacant. Paragraph 12.4.1 of the Development Management Plan Policies (2012) states that "in Barnet's town centres, some of the opportunities to provide a wider mix of uses come from the existing

employment spaces. Through regeneration or re-use they can continue to provide employment space whilst also providing new residential and community or leisure floorspace, with retail where appropriate.

The scheme proposes an option of an A1 or an A2 use on the ground floor. The proposal will provide flexibility to attract a use that will contribute to the vitality and viability of the town centre. The proposed single storey front extension will ensure that the proposed development provides a reasonable sized (146sqm) of A1/A2 accommodation.

Policy DM11 stipulates that "residential accommodation in town centres can help contribute to the vitality and viability by increasing trade for business...and can also offer [future] occupiers ready access to town centre-based services". The site is within a highly sustainable location and the principle of residential accommodation is deemed acceptable.

Potential impacts upon the character and appearance of the existing building, the street scene and the wider locality

The proposed building would be sited in line with Waitrose at ground floor and would be recessed at first and second floors from the front building line of Waitrose. The top storey of the proposed building would be substantially recessed back by approximately 5.6m from the front building line, so that it would line up with the front building line of the florist at no. 1325 High Road.

The width of the proposed development is approx. 6.65m. The accommodation will be arranged over 4 floors; the depth at ground floor level is approx. 32m, first floor level would be approx. 26m, 22.5m and 18.25m at third floor level. The proposed height of the development would be approx. 11.25m and it would have a flat roof. It would be marginally higher than the Waitrose building by approx. 0.5m and 4.8m higher than 1325 High Road. The proposed development would respect the front building line, the scale, bulk and height of the Waitrose building, Walsingham House and other properties adjoining Walsingham House. At the rear the building line would not protrude beyond the rear building line of Walsingham House. The setback at the front would ensure that the additional floor would not be overly dominant in the street scene. The design of the scheme would provide residential units whilst being sympathetic to the character of the local area and would improve the form of the existing structure.

Although the existing building is relatively modest, the proposed extensions are not considered to unduly detract from the character and appearance of the existing building and given its siting, are not considered to adversely impact upon the visual amenities of the locality or neighbouring residential occupiers.

Potential impacts upon the amenities of neighbouring residents.

It is considered that the proposed development would not affect the amenities of neighbouring residents. It is not considered that the extensions and creation of additional floors would result in overlooking, loss of privacy to any neighbouring occupier nor result in noise and disturbance or over and above what currently exists on site. In addition, the Council's Residential Design Guidance states that privacy can be safeguarded by achieving adequate window to window, or window to balcony distances between buildings (both existing and proposed). In new residential development there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Neighbouring residential

properties to the west would be over 21 metres away from the extensions and the rear gardens of these properties would be over 10.5 metres away, it is not considered that the proposal would result in overlooking or loss of privacy.

Any development, particularly in a constrained site should ensure that the amenities of neighbouring occupiers are respected. Whilst there are windows proposed to the flank elevation on the new building; these would be conditioned to be obscured glazed. Furthermore, the windows of the existing residential units abutting the site (above Waitrose) appear to serve a staircase and therefore it is not considered that the development would be detrimental to the amenities of neighbouring occupiers.

Living conditions for future residents

All residential development is expected to comply with the minimum space standards as advocated within the Sustainable Design and Construction SPD and the London Plan 2016. The SPD standards require double bedrooms to provide a minimum floor area of 12sqm and single bedrooms a minimum floor area of 8sqm. The Sustainable Design and Construction 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 proposed flats would all comply with the minimum space standards as stipulated in the London Plan (Minor Alterations 2016) and supporting Council SPDs.

Summary of residential units:

First Floor /Flat 1 - 1 bedroom / 2 person unit - 50sqm

First Floor/Flat 2 - 1 bedroom / 2 person unit - 52sqm

Second /Third Floor / Duplex 3 - 1 bedroom / 2 person unit - 98 sqm

Second /Third Floor / Duplex 4 - 2 bedroom / 4 person unit - 92sqm

In general, the proposed units would be in accordance with the minimum standards for new residential development as set out by the London Plan (2016) and the Council's Sustainable Design and Construction SPD.

With regards to outdoor amenity space, all new residential development is expected to provide suitable and useable outdoor amenity space for future occupiers. For flats, options include provision of communal gardens around buildings or on roofs or as balconies. The proposal would involve the provision of 35.5sqm of outdoor communal amenity space on the ground level in addition three units would have private terraces; Flat 1 would have amenity space of 17.5sqm, Flat 3 (duplex), 11.8sqm; Flat 4 (duplex), 40sqm. Flat 2 would not benefit from a private terrace however given the town centre location and the provision of communal amenity space at ground level this is considered to be acceptable.

Highways

Officers have consulted with the Council's Highways officers, who have considered the Highways and Parking Statement submitted with the application. Highways noted the following:-

- The PTAL for the site is 4 which is considered as moderate accessibility.
- The proposal is for 2 x 1 bed and 2 x 2 beds. There is no car parking provision on the site.
- To comply with the London Plan 8 cycle spaces must be provided. The applicant is proposing 7 cycle spaces which is acceptable on highway grounds.
- Refuse storage has been identified on drawing 02/A/PP Rev D. This is more than 10m from the public highway and therefore further details will be required.

Highways officers considered the scheme acceptable subject to conditions requiring the cycle parking areas to be provided as indicated on the plans; a Demolition and

Construction Management and Logistics Plan and details of refuse collection arrangements to be submitted to and approved in writing by the Local Planning Authority prior to commencement.

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 5.37% 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.

5.4 Response to Public Consultation

Most comments have been addressed in the assessment above.

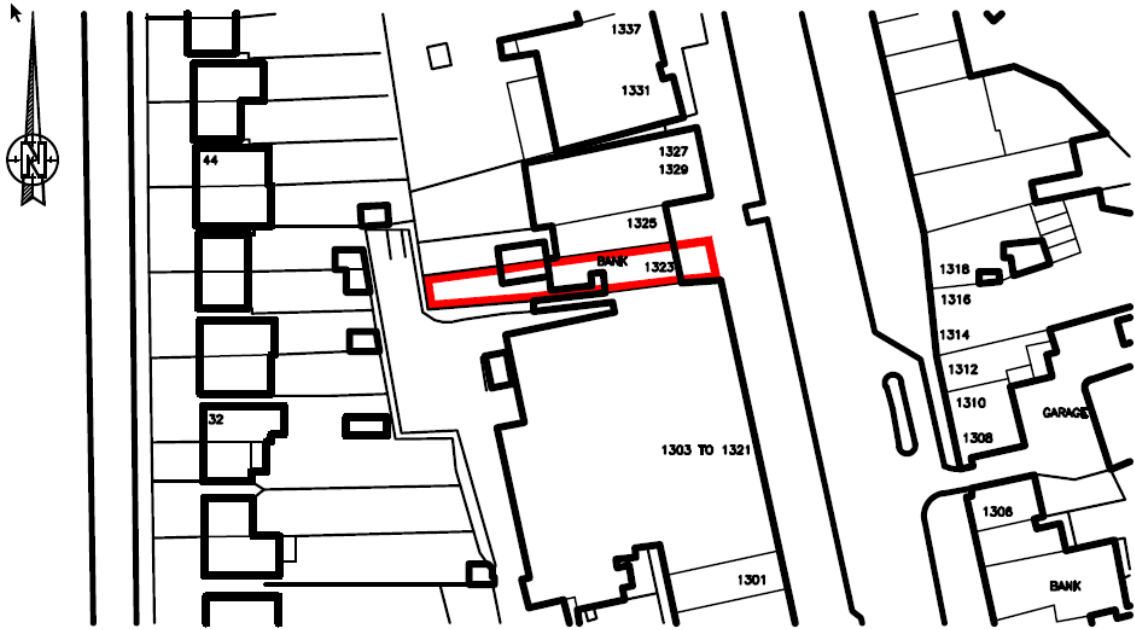
However concern was raised about the right of way across Waitrose Land. The applicant has submitted documents and photographs to show that there is an existing access to the rear of the building including an established right of way.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



0m 10m 20m 30m 40m 50m

K.A.D. Licensed O.S. No. 100047482

LOCATION PLAN 1:1250@A1