

**Location**                      **Opp 18-22 The Market Place Falloden Way London NW11 6JJ**

**Reference:**                      **17/5651/FUL**                      Received: 1st September 2017  
Accepted: 5th September 2017

Ward:                              Garden Suburb                      Expiry 31st October 2017

Applicant:                      Transport for London Rapid Charging

Proposal:                      Installation of a rapid charging point, and feeder pillar along footpath on  
Falloden Way and conversion of one parking bay to accommodate electric  
charging vehicle

**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:

Site Location Plan

Existing Site Plan: RC195-RSM-EXG-30-DR-TE-01-0001 Rev P00.1

Proposed Site Plan: RC195-RSM-PRD-30-DR-TE-01-0001 Rev P00.1

ESB-001-011-000 (Specifications)

ESB-101-011-000 (Rapid Charge Point)

S 9840 (Cabinet)

Supplementary Report TFL (November 2017) also containing Heritage Statement

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) The materials to be used for the proposal shall be as those mentioned within the Supplementary Statement (Nov 2017) and shown on the submitted drawings and specifications hereby approved by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the details as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider Conservation Area and to ensure that the structure 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.

**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. 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.

## **Officer's Assessment**

### **1. Site Description**

The application site is located on the Southern side of Market Place in Area 9 of the Hampstead Garden Suburb Conservation Area and Garden Suburb ward.

The adopted Conservation Area Character Appraisal notes;

'Market Place is a shopping area built on the flat land near to Mutton Brook. It has an east-west axis and extends eastwards to form Lyttelton Road. Behind the flats that line Lyttelton Road lies Lyttelton Playing Fields, 24 acres of open land with the remains of Watery Wood, an ancient woodland. Market Place itself marks the cross roads where Hill Rise to the north and Northway to the south meet the east-west route.

Market Place and Lyttelton Road formed part of Unwin's 1911-12 plan for the 'New Suburb' and survived later post war revisions. However, Lyttelton Road was never intended as a main road and its transformation into an arterial road as part of the Barnet bypass in 1926-1928 and its designation as the A1 in 1983 irretrievably altered the character of the area. The first block of shops with flats above, which occupies the southwest corner of Market Place, was designed by J.C.S. Soutar and built in 1922. Development appears to have proceeded slowly by Suburb standards with the northwest block by Butler being constructed in 1928, the southeast corner in 1932 and the final corner by Marshall and Tweedy in 1933. Parallel shopping blocks followed on either side of the road between 1933 and 1936'.

The appraisal statements explains the intended purpose of the original development:

'Market Place was intended as a neighbourhood shopping centre serving the daily needs of the houses to the north and the south. The inclusion of a petrol station and garage here (recently demolished and redeveloped) indicated the new focus on the car and the expectation that this area would serve a prosperous middle class nearby'.

### **2. Site History**

No relevant site history.

### **3. Proposal**

Planning permission is sought for 'Installation of a rapid charging point (RCP), and feeder pillar along footpath on Falloden Way and conversion of one parking bay to accommodate electric charging vehicles'. The rapid charging point would manifest itself through the erection of a 1.89m high unit with a width of 0.61 metres and depth of 0.78 metres.

Furthermore, the proposal includes conversion of one disabled parking bay to accommodate electric charging vehicle. A disabled parking bay will be re-instated in that set of parking bays, directly in front of the proposed electric charging parking bay.

### **4. Public Consultation**

88no. consultation letters were sent to neighbouring properties. 6no. objections were received and 1no. supporting letter.

A site notice was erected on 14.09.2017.

A press notice was published on 14.09.2017.

## Internal/External Consultees

Hampstead Garden Suburb CAAC - Objections raised in relation to charging point being located within the conservation area and possible parking issues. A further objection was raised in relation to the use of the charging point exclusively for taxis only.

Highways Team - No objections raised as land is managed by TfL and does not come under the jurisdiction of the Local Authority Highways Team.

Transport for London (TfL) - No objections raised.

9no. responses have been received, comprising 8no. letters of objections and 1no. letter of support are as follows:

The objections received can be summarised as follows:

- Parking issues including inadequate parking for customers visiting the Market Place.
- Electric Charging Points unnecessary as customers visiting the Market Place are local residents and can charge their Electric Cars at home if need be.
- Objection to the full suspension of parking in the Market Place whilst works undertaken which should take place in off peak hours. Local trading may also be impacted.
- Loss of parking
- No users seek access to the Market Place by taxi and in any event very few cruising taxis pass along this suburban section of the A1.
- Concerns raised about the adverse effect of electric vehicle charging points to the public realm in a conservation area. The tall charging point would be detrimental to the appearance and usage of the footway in this Conservation area.
- Other locations away from the shopping area should be considered for the proposal.
- Little local taxi trade except for telephoned minicabs which certainly do not need to be parked in much used bays.

The letter of support states as follows:

- More charging points needed points in North London and there are many residents who have electric cars and will benefit
- The loss of combustion engine car parking spaces will not affect me. All the side roads are without restriction and in last 10 years there have been no issues with parking more than 100m from the businesses premises.

## 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 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.

Specifically Policy 6.13 - Parking states that it should be ensured that 1 in 5 spaces (both active and passive) provide an electrical charging point to encourage the uptake of electric vehicles. Furthermore, the London Plan has made a commitment to provide space for electric and car club vehicles, bicycles and parking for disabled people above the minimum thresholds.

Paragraph 6.46 states that The Mayor, through TfL, and working with the London boroughs, would like to expand and encourage the use of ultra low carbon vehicles including plug-in hybrids and electric vehicles.

### Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

The Council's approach to extensions as set out in Policy DM01 is to minimise their 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

The Council Guide 'Hampstead Garden Suburb Conservation Area Design Guidance' as part of the Hampstead Garden Suburb Character Appraisals was approved by the Planning and Environment Committee (The Local Planning Authority) in October 2010. This leaflet in the form of supplementary planning guidance (SPG) sets out information for applicants on repairs, alterations and extensions to properties and works to trees and gardens. It has been produced jointly by the Hampstead Garden Suburb Trust and Barnet Council. This leaflet was the subject of separate public consultation.

### Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of

terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

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

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- 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;
- Travel impact and parking standards

## **5.3 Assessment of proposals**

Hampstead Garden Suburb is one of the best examples of town planning and domestic architecture on a large neighbourhood or community scale which Britain has produced in the last century. The value of the Suburb has been recognised by its inclusion in the Greater London Development Plan, and subsequently in the Unitary Development Plan, as an 'Area of Special Character of Metropolitan Importance'. The Secretary of State for the Environment endorsed the importance of the Suburb by approving an Article 4 Direction covering the whole area. The Borough of Barnet designated the Suburb as a Conservation Area in 1968 and continues to bring forward measures which seek to preserve or enhance the character or appearance of the Conservation Area.

The ethos of the original founder was maintained in that the whole area was designed as a complete composition. The Garden City concept was in this matter continued and the architects endeavoured to fulfil the criteria of using the best of architectural design and materials of that time. This point is emphasised by the various style of building, both houses and flats, in this part of the Suburb which is a 'who's who' of the best architects of the period and consequently, a history of domestic architecture of the period of 1900 - 1939.

The choice of individual design elements was carefully made, reflecting the architectural period of the particular building. Each property was designed as a complete composition and design elements, such as windows, were selected appropriate to the property. The Hampstead Garden Suburb, throughout, has continuity in design of doors and windows with strong linking features, giving the development an architectural form and harmony. It is considered that a disruption of this harmony would be clearly detrimental to the special character and appearance of the Conservation Area. The front of the properties being

considered of equal importance as the rear elevation, by the original architects, forms an integral part of the whole concept.

Approval is sought for 'Installation of a rapid charging point, and feeder pillar along footpath on Falloden Way and conversion of one parking bay to accommodate electric charging vehicles'. The initial application was amended during the application stage allowing for the use of the charging point by members of the public. The application is thus being assessed under the amended information which was re-consulted on.

### *Sustainability Issues*

In relation to transport and sustainability, Policy 6.1 A subsection d advises that the London Plans strategic approach to transport and sustainability issues will be dealt with by promoting greater use of low carbon technology so that carbon dioxide and other contributors to global warming are reduced.

*Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality.*

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), 7.4 and 7.6 (both of the London Plan).

Due to the scale of the proposed development and the positioning of the RCP, it is not found that the rapid charging point would be detrimental to the character of the application site. It is noted that whilst no other examples of similar development exist in the surrounding vicinity that the scale of development would have a limited impact on the character of the surrounding area. Furthermore, following discussions with the agent, it was evident that the reason for the size of the charging point measuring 1.89m high unit with a width of 0.61 metres and depth of 0.78 metres was due to the fact that the RCP charges more rapidly than a standard electric car charging point. The submitted Supplementary Report advises that:

'The proposed electric charging points are unlike existing charging points as they will allow vehicles the possibility to recharge in as little as 20 minutes (as opposed to 3-7 hours with existing charge points). Due to this the units are larger than other slower chargers and need to be located in areas with the space to accommodate them'.

It is considered that the size, siting and design of the structure is such that would not adversely impact the streetscene to an unacceptable degree warranting a refusal of the scheme. It is further considered that in this case, the benefits of the proposed charging point to Barnet residents, business owners and the environment as a whole outweigh the detriment.

*Whether harm would be caused to the living conditions of neighbouring residents*

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

With regards had to the RCP, it is noted that no further disturbance would be experienced by the neighbouring sites than with the parking provision already in place. As such, it is not found that the proposals would be detrimental to neighbouring amenity.

#### *Travel impact and parking standards*

Policy DM17 mandates that the council will ensure that the safety of all road users is taken into account when considering development proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users. The A41 Watford Way forms part of the Transport for London Road Network (TLRN) and therefore a TFL maintained road. Neither Barnet Highways officers nor TFL has raised any objections to the scheme.

Due to the parking provision already in place at the proposal site, it is not found that the proposal would be detrimental to travel or parking standards. In May 2009 the Mayor produced an Electric Vehicle Delivery Plan for London197 to promote a network of publicly available electric vehicle charging points across London.

#### Conclusion

These proposed alterations are considered to ensure that this proposal would not detrimentally impact on the qualities of the surrounding buildings and protect the character of this part of the Hampstead Garden Suburb Conservation Area. As conditioned, they would preserve the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area and area of special character.

#### **5.4 Response to Public Consultation**

Discussed within the main 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**

Having taken all material considerations into account, the proposal would not detrimentally impact on the qualities of the building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. The proposed alterations are such that, as conditioned, it preserves the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area, and area of special character.



