

Location **Site Of The Former 'White Bear' Public House, 56 The Burroughs
London NW4 4AN**

Reference: **17/7208/FUL** Received: 13th November 2017
Accepted: 13th November 2017

Ward: Hendon Expiry 8th January 2018

Applicant: Platinum Riverside Limited

Proposal: Demolition of the former White Bear Public House (retrospective).
Erection of a three-storey building comprising 7no. self-contained flats
with associated amenity space and landscaping, refuse storage and
basement car and cycle 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: 708/P/02 RevB; 708/P/04 RevA; 708/P/03 RevA; 708/P/06; 708/P/07 RevA; 708/P/08 RevA; 708/P/01; Henry planning - planning statement, heritage statement; design and access 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) 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), hard surfaced areas and new windows 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 2011.

4 a) No development other than demolition works shall take place until details at scale 1:10 of the proposed replacement chimneys 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 2011.

5 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 2011.

6 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been 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 retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

- 7 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).

- 8 a) Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 20% of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a further additional 20% of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

b) The development shall be implemented in full accordance with the details approved by this condition prior to the first occupation of the development or the commencement of the use and thereafter be maintained as such in perpetuity.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan 2015.

- 9 Before development hereby permitted is occupied, parking spaces, cycle parking and turning spaces shown on plan number 2 (12)-01 B shall be provided and marked out within the site 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 be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason:

To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with policies DM17 of the Adopted Barnet Development Management Policies DPD (2012) and 6.1, 6.2 and 6.3 of the London Plan 2011.

10 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

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

11 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).

12 a) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until details of temporary tree protection 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 scheme of temporary tree protection as 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.

Reason: To safeguard the health of existing tree(s) 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 (adopted September 2012) and Policy 7.21 of the London Plan 2015.

13 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 14 Prior to the commencement of development, details of the traffic lighting system to control access to and from the basement parking area shall be submitted to and approved in writing by the local planning authority. The approved system shall be installed prior to the first occupation of the units hereby approved, and shall remain in service thereafter.

Reason:

To ensure that parking and associated works are provided in accordance with the council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with policies DM17 of the Adopted Barnet Development Management Policies DPD (2012) and 6.1, 6.2 and 6.3 of the London Plan 2011.

- 15 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).

- 16 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).

- 17 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.

- 18 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.

- 19 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.

- 20 a) No development shall take place until the implementation of a programme of archaeological evaluation has been secured in accordance with a written scheme which has been submitted by the applicant and approved by the Local Planning Authority in writing and a report on that evaluation has been submitted to the Local Planning Authority.

b) If heritage assets of archaeological interest are identified by the evaluation under a) above, then before development (other than demolition to present ground level) commences the implementation of a programme of archaeological investigation shall be secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

c) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under b).

d) The development shall not be first occupied or brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under b), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To enable archaeological investigation of the site in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012),

the Sustainable Design and Construction SPD and Policy 7.8 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.
- 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 £42525.00 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 £164025.00 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.

- 3 The London Fire Brigade strongly recommends that sprinklers are considered for new developments and major alterations to existing premises.
- 4 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason

- to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 5 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

- 6 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement. 'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by email in riskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."

Officer's Assessment

Officer's Assessment

1. Site Description

The application site was formerly featured a two storey, detached building which features extensions on its rear. It should be noted that demolition works have been carried out and the pre-existing building no longer occupies the site. The site is currently boarded up whilst works have been halted.

The application site is prominently located on the junction between Brampton Grove and The Burroughs. The site is located in The Burroughs Conservation Area and features a TPO tree on the northern section of the site.

The property sits between a 6-storey apartment block (Raffles House) on Brampton Grove and a terrace of 2-storey buildings (with roof pitch rooms) on The Burroughs (Nos. 44-54). Directly opposite the site and on the northern side of Brampton Grove is a 4-storey apartment block (Brampton Court) with a 2-storey terrace of commercial buildings fronting The Burroughs to the east. Brampton Grove is an entirely residential street consisting principally of two storey detached houses with large front gardens and driveways beyond Raffles House.

2. Site History

Planning Number: H/00703/14

Validated: 27/02/2014

Type: APF

Status: WDN

Date: 24/04/2014

Summary: WIT

Description: Partial demolition to the side and rear. Part single, part two storey side/rear extension to facilitate 7no. self-contained residential units. Extension of existing basement level, including new ramp access to provide 10no parking spaces, storage and cycle store. Alterations to existing roof including 1no. side roof-light to extend existing loft. Associated hard and soft landscaping, refuse facilities.

Planning Number: H/00980/11

Validated: 24/03/2011

Type: APF

Status: APD

Date: 30/11/2011

Summary: DIS

Description: Change of use from car park associated with restaurant to car sales including erection of a portakabin.

Planning Number: H/02331/12

Validated: 25/06/2012

Type: APF

Status: APD

Date: 05/12/2013

Description: Demolition of the existing building and construction of a new development at 2 storeys plus rooms in pitched roof providing 8 residential apartments and basement car parking.

Planning Number: H/02332/12

Validated: 25/06/2012

Type: CAC

Status: APD

Date: 05/12/2013

Description: Demolition of the existing building and construction of a new development at 2 storeys plus rooms in pitched roof providing 8 residential apartments and basement car parking.

Planning Number: H/02981/10

Validated: 17/08/2010

Type: APF

Status: DEC

Date: 05/11/2010

Summary: REF

Description: Demolition of existing building and erection of a part 3, part 4 and part 5 storey mixed-use building (plus two basement levels) comprising; a retail unit, 14 self-contained dwellings, landscaping and car parking.

Planning Number: H/02982/10

Validated: 17/08/2010

Type: CAC

Status: DEC

Date: 12/10/2010

Summary: REF

Case Officer: Graham Robinson

Description: Demolition of existing former public house building.

Planning permission was granted 11th September 2014 (ref: H/03826/14) for: "Partial demolition to the side and rear. Part single, part two storey side/rear extension to facilitate 7no. self-contained residential units. Extension of existing basement level, including new ramp access to provide 8no parking spaces, storage and cycle store. Alterations to existing roof including 1no. side roof-light to extend existing loft. Associated hard and soft landscaping, refuse facilities. "

Planning permission was granted 18th March 2015 or: "Variation of condition 2 (Plan Numbers) of planning permission H/03826/14 dated 11/09/14 for 'Partial demolition to the side and rear. Part single, part two storey side/rear extension to facilitate 7no. self-contained residential units. Extension of existing basement level, including new ramp access to provide 8no parking spaces, storage and cycle store. Alterations to existing roof including 1no. side roof-light to extend existing loft. Associated hard and soft landscaping, refuse facilities.' Variation to include extension of the south east gable and internal alterations to layout at first and second floors".

3. Proposal

The application relates to the demolition of the former White Bear Public House (retrospective). Erection of a three-storey building comprising 7no. self-contained flats with

associated amenity space and landscaping, refuse storage and basement car and cycle parking

4. Public Consultation

Consultation letters were sent to 162 neighbouring properties.
2 responses have been received, comprising 2 letters of objection.

The objections received can be summarised as follows:

- Archaeological condition to be imposed.
- Concerned that any approval will not be complied with.
- The previous works including demolition of the whole building did not follow the planning permission and this may reoccur with any further consents in terms of the details of the site.
- The council did not act when whole building was demolished who will be responsible if this one deviates from the plans.
- The proposal should have timber insets to given the mock Tudor appearance and should not be painted on. This will look more genuine and more similar to the pre-existing building.

Comments were received from the Heritage Officer and amendments were made to reflect these comments and suggestions.

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, CS5.
- Relevant Development Management Policies: DM01, DM02, DM06, 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

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.

5.3 Assessment of proposals

Differences between current application and previous consents

The differences between the current application and previous consents can be summarised as:

- Retrospective permission for the demolition of the whole building as opposed to partial demolition.

- Site Layout -additional car park vent.

- Basement - storage cupboards adjusted. Basement enlarged slightly on one corner. 8 parking spaces increased to 11 by providing tandem parking for three of the proposed flats.

- Ground Floor - side entrance and corridor removed allowing flat 1 to be increased in size. Internal layouts revised. First Floor Internal layouts revised.

- Second Floor - internal layouts revised.

Roof - Layout Revised to suit adjusted elevations.

- North West Elevation - roof scape / eaves adjusted as conflicted with other elevations - refer to structural engineer letter dated 27th October 2017

- South East Elevation Materials revised as conflicted with north east elevation. Chimney moved and increased in size to mask lift overrun. Dormer and chimney locations changed to suit lift overrun.

- South West Elevation Roof scape revised as conflicted with other elevations - refer to structural engineer letter dated 27th October 2017.

Impact on the character of the area

The main consideration in this case is whether the total demolition of the building is acceptable within The Burroughs Conservation Area and whether harm has been caused to the character of the area by the total demolition of the building. In considering the demolition of the building, it should be noted that the partial demolition has previously been consented.

In assessing the implications of the full demolition of the building, it should be appreciated that over the various consents at the site cumulatively the whole building has been granted for demolition. Applications 15/00356/S73, 15/03923/FUL and H/03826/14 have consented for different parts of both the external and internal building to be demolished, if these are looked at collectively then the demolition of the whole building has been accepted and it is therefore not considered that any particular elements/walls or features of the existing building warranted any specific protection against demolition.

The Burroughs Character Appraisal states that whilst there are no buildings currently on the English Heritage Building at Risk register, there are however buildings which have been allowed to fall into a state that detracts from the character and appearance of the Conservation Area, such as the White Bear Public House. This in part supports demolition of the building as the building was of such a condition that would not enhance the Conservation Area.

The demolition of the building is accepted and it is considered that the proposed building is a suitable replacement for the pre-existing building. The acceptance of the total demolition of the building is considered to comply with policy DM06 which seeks to preserve or enhance the borough's conservation areas.

The largest change to the building is to the roof. The design of the various elements of the roof form are considered to be acceptable. It is accepted that the design of the roof is in parts different to that previously consented but when assessing the overall design and character of the building and how the building fits in with the character of the Conservation Area it is not considered that the building would be harmful. The other changes beyond the previously consented schemes are considered to be minor and would be acceptable in the context of the building and the wider area. The overall bulk of the building still fits comfortably within the site and does not result in a cramped form of development.

The proposed development largely replicates the previous consents including in respect of elevation design such as the use of and distribution of materials and other design features. Nevertheless, conditions are in place to address the materials, fenestration and hard surfacing and it is considered that the scheme can be supported in this regard.

The impact on the amenity of future and neighbouring residents

In terms of the impact of the proposal on the amenity of future residents, it is considered that the proposed units would meet the minimum floor space standards as set out in the London Plan.

The proposed development would consist of 3 x 2 bed units and 4 x 3 bed units with a total of 25 habitable rooms. The ground floor units have private amenity space although the development also has nearly 600sq.m of communal amenity space.

It is also considered that the units would provide sufficient outlook and access to light for habitable rooms, would provide outdoor amenity space and have been arranged to ensure that there is no conflict within the stacking between units.

In terms of the impact of the proposal on the amenity of neighbouring residents, Policy DM01 of the Development Management Policies 2012 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.

The property sits between a 6-storey apartment block (Raffles House) on Brampton Grove and a terrace of 2-storey buildings (with roof pitch rooms) on The Burroughs (Nos. 44-54). Directly opposite the site and on the northern side of Brampton Grove is a 4-storey apartment block (Brampton Court) with a 2-storey terrace of commercial buildings fronting The Burroughs to the east.

The proposed extensions and alterations to the property would result in new fenestration being inserted into the property. In terms of the impact on privacy, it is considered that the proposed fenestration would not result in any direct overlooking to the neighbouring properties to an extent that would warrant the refusal of the application on these grounds.

An assessment needs to be made as to whether the overall footprint, scale, height, siting or massing of the new build would result in a loss of light or have an overbearing impact on neighbouring properties. The applicant has submitted an updated daylight and sunlight survey to demonstrate that the proposal would not impact adversely on the amenity of neighbouring properties. Furthermore, given the distance of the proposed building away from adjoining neighbouring properties, it is considered that the proposal would not have an overbearing impact on the amenity of adjoining residents.

The impact on highway safety and whether there would be a sufficient parking allocation

The proposal would result in extensions to the basement of the property to provide basement parking for 11 cars and 18 bicycles. It is noted that the current application increases the number of parking spaces from 8 as previously granted to 11. The 3 new car parking spaces will be set at tandem with 3 other parking spaces and as such are not independently accessible with spaces 7, 9 and 11 only accessible when no vehicles are parked in front or can be moved. As such these 3 parking spaces will be provided as pairs to three flats and will be managed by the owner/occupier of the flats. The 3 additional flats is not considered to change the acceptability of the proposal on highways grounds.

A traffic light system would be placed on the front of the building to ensure that vehicular movements into and out of the basement entrance are able to avoid collisions. The council's highways team have been consulted and have stated that there are no objections to the proposed development subject to conditions requiring demolition and construction

management plans being submitted prior to the commencement of development and parking being provided prior to the first occupation of units. Based on these considerations, the proposal would not impact adversely on highway safety and is considered to provide a sufficient parking allocation.

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.

5.4 Response to Public Consultation

As per 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.

