

Location **27 And 29 Neeld Crescent London NW4 3RP**

Reference: **18/1327/FUL** Received: 1st March 2018
Accepted: 7th March 2018

Ward: West Hendon Expiry 2nd May 2018

Applicant: Neeld Crescent Limited

Proposal: Demolition of No.29 Neeld Crescent and alterations to side elevation fenestration to No.27 Neeld Crescent. Erection of two-storey building including excavation and creation of a lower ground floor level and mansard roof with rooms in the roofspace to provide 7no self-contained flats. Provision of 7 parking spaces, amenity space, cycle storage and refuse and recycling storage. Associated alterations to hard and soft landscaping.

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:

Proposed West (Front) Elevation- Section Drawing No 3029(PLA) 100-400 Rev B

Received 17 May 2018

Location Plan Drawing No 3029(EXI) 001
Existing Site Plan Drawing No 3029 (EXI) 002
Existing Ground Floor Plan Drawing No 3029 (EXI) 101
Existing First Floor Plan Drawing No 3029 (EXI) 102
Existing Roof Plan Drawing No 3029 (EXI) 103
Existing Front Elevation Drawing No 3029 (EXI) 201
Existing Side Elevation Drawing No 3029 (EXI) 202_204
Existing Rear Elevation Drawing No 3029 (EXI) 203
Existing Section C-C and D-D Drawing No 3029 (EXI) 302_302

Received 7 March 2018

Proposed First Floor Plan Drawing No 3029 (PLA) 112
Proposed West (Front) Elevation (Section) Drawing No 3029 (PLA) 211
Proposed Lower Ground Floor Drawing No 3019 (PLA) 110
Proposed East (Rear) Elevation (Section) Drawing No 3029 (PLA) 213
Proposed Second Floor Plan Drawing No 3029 (PLA) 113
Proposed Section A-A Drawing No 3029 (PLA) 300
Proposed North Elevation Drawing No 3029 (PLA) 214
Proposed South Elevation Drawing No 3029 (PLA) 212
Proposed Site Plan Drawing No 3029 (PLA) 002

Arboricultural Report
Transport Statement dated February 2018
Data Sheet Wohnr Slimpacker 557
Sustainability Statement

Received 1 March 2018

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) 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.

- 5 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:
- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
 - ii. site preparation and construction stages of the development;
 - iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
 - iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
 - v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
 - vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
 - vii. noise mitigation measures for all plant and processors;
 - viii. Staff travel arrangement;
 - ix. details of contractor's compound and car parking arrangements;
 - x. Details of interim car parking management arrangements for the duration of construction;
 - xi. Provision of a competent banksman;
 - xii. Details of a community liaison contact for the duration of all works associated with the development.

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

- 6 Prior to the occupation of the development, a Maintenance Agreement for the operation of the car lifts and the Automated Underground Car Parking Stacker System must be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 7 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 Before the development hereby permitted is occupied 7 car parking spaces as indicated on Drawing Nos. 3029(PLA)100-002,110 and 111 submitted with the planning application including the access to the parking spaces shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 9 Before the building hereby permitted is first occupied the proposed window(s) in the first floor side elevation facing 31 Neeld Crescent 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).

- 10 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.

b) The screens shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

- 11 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 No works on public highway if required as a result of the proposed development shall be carried out until detailed design drawings have been submitted and approved by the highway authority and works shall only be carried out in accordance with the approved plans.

The applicant will be expected to enter into with the Highways Authority under Section 278 Agreement of the Highways Act, for works affecting public highway including creation of new accesses and reinstatement of the existing accesses and consequential damage to public highway as a result of the proposed development.

Reason: To ensure that the works on public highway are carried out to the satisfaction of the highway authority in the interest of highway safety 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.

- 12 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 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.

- 13 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.

- 14 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).

- 15 Before the building hereby permitted is first occupied the proposed first floor window(s) in the side elevation facing 31 Neeld Crescent 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).

- 16 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.

b) The screens shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

- 17 a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise dust, noise and vibration pollution.

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 Policy 5.21 of the London Plan (2011).

- 18 The level of noise emitted from the plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2015.

- 19 Before development commences, a report should be carried out by an approved acoustic consultant and submitted to the Local Planning Authority for approval, that assesses the likely noise impacts from the development with regards to the Car Stacking System. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the contents and recommendations.

The approved measures shall be implemented in their entirety before (any of the units are occupied/ the use commences).

Reason: To ensure that the amenities of neighbouring premises are protected from noise from the development in accordance with policies DM01 and DM04 of the Adopted Local Plan Development Management DPD (2012).

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 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.

- 3 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.

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.

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

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

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit

to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

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

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

Relief or Exemption from CIL:

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

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

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

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

- 4 Any highway approval as part of the planning process for the alteration or removal of the existing crossovers or provision of new crossovers will be subject to detailed survey by the Crossover Team in Environment, Planning and Regeneration as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement

by the Council's term contractor for Highway Works. An estimate for this work could be obtained from London Borough of Barnet, Development Regulatory Service, Traffic and Development, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP

The applicant is advised that an application under the Highways Act (1980) will need to be submitted for any works proposed on public highway to facilitate the development. The works on public highway shall either be carried out under S184 or S278 of the Highways Act (1980). As part of the application, the applicant shall submit proposed design and construction details to Development Team for approval. The applicant is also advised that any consequential damage to public highway as a result of the development proposal shall be borne by the applicant.

The applicant is advised that photographic survey shall be undertaken of the public highway likely to be affected by the development proposal prior to commencement of any construction or demolition works on site.

To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section - Development and Regulatory Services, London Borough of Barnet, Barnet House, 1255 High Road, Whetstone N20 0EJ

- 5 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
- 6 Damage to public highway as a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrsua@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 7 This tree stands on public highway land maintained by the Council. The grant of planning consent confers no rights for any work to be undertaken to the tree and you are advised to consult the Council's Trees & Woodlands Manager, Greenspaces and Streets on 020 8359 7838 prior to taking any further action.
- 8 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.
- 9 The submitted Construction Method Statement shall include as a minimum details of:
 - Site hoarding
 - Wheel washing
 - Dust suppression methods and kit to be used
 - Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
 - Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - For smaller developments -confirmation that an asbestos survey has been carried out.
 - Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
- 10 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external

noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 30dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

Officer's Assessment

1. Site Description

The application site comprises of a rectangular plot of land currently occupied by a two-storey detached dwelling (number 29) and semi-detached property (number 27). The site is located on the south eastern side of Neeld Crescent, within the ward of West Hendon.

The area is predominantly residential in character comprising of single dwellings, purpose built flatted development and converted properties.

There is a mature Council street tree in the public highway immediately in the front of the site.

The site is not in a conservation area and does not contain any listed buildings.

2. Site History

Reference: 17/3529/FUL

Address: 27 and 29 Neeld Crescent London NW4 3RP

Decision: Refused

Decision Date: 20.09.2017

Description: Demolition of No.29 Neeld Crescent and alterations to side elevation fenestration to No.27 Neeld Crescent. Erection of two-storey building including excavation and creation of a lower ground floor level and mansard roof with rooms in the roofspace to provide 7no self-contained flats. Provision of 7 parking spaces, amenity space, cycle storage and refuse and recycling storage. Associated alterations to hard and soft landscaping

Reason for Refusal: The proposed development would lead to an increase in kerbside parking and the waiting of cars on the highway, due to the installation and operation of the car park stacking system, detrimental to the free flow of traffic and pedestrian and highway safety contrary to policies 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.

Reference: 17/4032/192

Address: 27 Neeld Crescent, London, NW4 3RP

Decision: Lawful

Decision Date: 21.08.2017

Description: Roof extension involving hip to gable, rear dormer window with juliette balcony, 2no. rooflights to front elevation to facilitate a loft conversion. New outbuilding to rear (AMENDED)

Reference: W10387

Address: 27 Neeld Crescent London NW4

Decision: Approved subject to conditions

Description: Part single and part two storey rear and side extension and front porch.

Decision Date: 02.08.1994

Reference: W10387A/07

Address: 27 Neeld Crescent, London, NW4 3RP

Decision: Refused

Decision Date: 29.11.2007

Description: Two storey side extension. Conversion of property into four self contained flats. Provision of car parking spaces. Single storey rear extension.

Reference: H/01916/14

Address: 27 Neeld Crescent, London, NW4 3RP

Decision: Refused

Decision Date: 10.06.2014

Description: Conversion of property into 3 flats with off street parking. Construction of part-single, part two storey side and rear extensions. Roof conversion involving 1no side rooflight, 1no.side dormer window and 1no. rear dormer window.

Appeal dismissed 31.10.2014

Reasons for refusal

The proposal by virtue of the bulk, scale and siting of extensions would fail to remain subordinate in scale to the original form of the property, which would be to the detriment of the character and appearance of the property and surrounding area. The proposal would therefore be contrary to The National Planning Policy Framework 2012, Development Management policy DM01 and the council's Residential Design Guidance Supplementary Planning Document 2013.

The proposed two storey side extension by reason of its size, bulk and siting would appear visually intrusive and overbearing, and be detrimental to the visual and residential amenities of the occupier of 29 Neeld Crescent, contrary to the National Planning Policy Framework 2012, Development Management policy DM01 and the council's Residential Design Guidance Supplementary Planning Document 2013.

Appeal decision

It is concluded that the scheme would harm the living conditions of existing residents at No 29 in respect of outlook. This would conflict with that part of Policy DM01 of the Development Management Policies which requires proposals to allow for an adequate outlook for adjoining occupiers and users. It would also conflict with advice within the Council's Supplementary Planning Document 'Residential Design Guidance', which requires extensions to properties not to be overbearing or unduly obtrusive.

3. Proposal

The application relates to the demolition of No.29 Neeld Crescent and alterations to side elevation fenestration to No.27 Neeld Crescent. The proposal will result in the erection of one two-storey building including excavation and creation of a lower ground floor level and mansard roof with rooms in the roofspace to provide 7no self-contained flats.

The new building measures approximately 9.8 metres in height and 5.7 metres to the eaves level. The width of the dwelling is 11.6 metres. The depth of the building at ground floor and first floor is approximately 14.3 metres. The depth of the lower ground floor is 16.6 metres.

There are 3 rooflights proposed in the front elevation. The south elevation includes two dormers. The dormers each measure 2 metres in height, 3.3 metres in width and 2.3 metres in depth. The north elevation features one dormer and 3 rooflights. The dormer measures 2 metres in height, 3.3 metres in width and 2.3 metres in depth. The rear dormer measures 3.9 metres in width, 1.9 metres in height 2.3 metres in depth

There is communal access down the side of the property with access steps leading down below ground level and then rising to level with the rear garden.

The works to 27 include the bricking up of a side window serving the kitchen and the insertion of a new window to the same kitchen to the front.

Units 1-4 are maisonette units provided in the ground floor and lower ground floor. The living spaces will be provided in the ground floor and bedrooms provided in the lower ground floor served by lightwells. The rear units (2 and 3) have access to a private balcony on the roof of the lower ground floor. On the first floor, are units 5 and 6. These units each have a small rear balcony. Unit 7 occupies the second floor and is served by dormer windows.

The units are as follows:

Unit 1: 1 bed, 2 person maisonette: 70.5m² GIA

Unit 2: 2 bed, 4 person maisonette: 75.8m² GIA

Unit 3: 2 bed, 4 person maisonette: 76 m² GIA

Unit 4: 1 bed, 2 person maisonette: 73 m² GIA

Unit 5: 1 bed, 2 person: 58.2 m² GIA

Unit 6: 2 bed, 3 person: 68.7m² GIA

Unit 7: 2 bed, 3 person: 81m² GIA

The development involves the provision of 7 parking spaces, amenity space, cycle storage and refuse and recycling storage as well as associated alterations to hard and soft landscaping.

The vehicle parking is provided via an underground automated car stacker system.

4. Public Consultation

Consultation letters were sent to 176 neighbouring properties.

6 responses have been received, comprising 6 letters of objection.

The objections received can be summarised as follows:

Road is congested as existing - increased traffic, further parking problems, worsen problems for existing residents.

Inadequate parking provision and access.

Out of character with the street. Building and materials are inappropriate.

Increased drainage needs that the existing drainage cannot accommodate.

Control operations to restrict works to certain hours.

Height of roof should be no higher than existing roof.

Excavation and building works will result in inconvenience for surrounding occupiers.

Loss of amenity - loss of view, overlooking and loss of privacy.

Increased noise and disturbance.

Highways: No objection with conditions

Environmental Health: No objection with conditions

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 Government's 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 is currently under review. 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 adopted 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, DM08, 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

Principle of development

In assessing whether flats are appropriate in this location, policy DM01 of Barnet's Development Management Policies states that consideration should be given to the character of the road and where proposals involve the loss of houses in roads characterised by houses, this will not normally be appropriate.

When assessing the context of the street, Neeld Crescent is a suburban residential area, consisting of mainly two-storey detached and semi-detached houses. However there are a number of large blocks of purpose built flats opposite the proposal site (nos.40 and 42 - total of 18 flats) and further north, nos.39-41 have been converted into 5 flats. Officers also note the application at the adjacent no.27 which sought consent for extensions to facilitate conversion of the dwelling to 3 flats. While the application was refused due to the impact of the scale of the proposed extensions, officers at the time were satisfied with the principle of development for flats.

Taking into account the street context with the presence of a number of newly constructed flatted developments and flat conversions, officers consider that the proposed development would not conflict with the aims of Development Management policy DM01 and the principle is acceptable in this instance. It should also be noted that the principle of the conversion of no.27 was not objected to as part of application H/01916/14.

The previously refused scheme at 27 and 29 Neeld Crescent was refused on one ground only. This related to highways concerns and not the principle of development. There are no material changes in the area which would warrant a different outcome.

Barnet's approach is to optimise housing density in order to achieve appropriate development. This is set within the context of the Sustainable Residential Quality Density Matrix in Table 3.2 of the London Plan. This matrix sets out appropriate density ranges for suburban, urban and central locations which reflect the setting of site in terms of its location, existing building form and massing and public transport accessibility level (PTAL). The Planning Authority considers that the site can be classed as having a suburban setting and has a PTAL level of 4. The proposed development would have a density of 500 hr/ha and 140 u/ha which would exceed the density levels for this suburban context. However, the London Plan states that it is not appropriate to apply these requirements mechanistically and should take into account local context, design and transport capacity etc.

The proposed development would provide a mix of housing types, consisting of 3 x 1 bedroom flats and 4 x 2 bedroom flats. The mix of dwelling types and sizes is considered to be appropriate.

Impact on character and appearance

Policy DM01 states that development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

When analysing the street character and pattern, the street is characterised by two storey inter-war dwellings of different styles and external materials. There is a strong prevalent building line which runs down both sides of the street with almost every property having an area of hardstanding to the front to accommodate off-street parking.

The proposal involves the demolition of the existing building and creation of new building which has been designed to appear as a single family dwelling to reflect the neighbouring properties and one entrance door is proposed. The proposed height will be comparable to the existing eaves and ridge height of the property and will respect the established building heights of the adjacent properties. It is considered that the proposal maintains an adequate amount of spacing between the building and the common boundary to ensure the proposal appears to sit comfortably within the site and maintains the detached nature of the building.

The proposal includes the provision of lightwells to the front of the site to facilitate natural light to the basement level. Lightwells can have a significant impact on the appearance of a site and will increase the prominence of basement levels. Therefore, any visual manifestation of a basement must be sensitively designed as such the lightwells are of a size and location that is considered to be appropriate with a significant set back from the public footpath, in addition soft landscaping is proposed on either side to limit their visibility.

The proposed car stacker will be located in the front driveway. The stacker is designed to be flush with the ground floor level at all times except when in use. The car stacker will rise from ground level to approximately 2.5 metres in height taking approximately 30 seconds. The stacker is open at the sides and comprises a roof and columns in each corner. The period which the car stacker is in use above ground on each occasion (either for a car to enter or exit the parking bays) would be the minimum required for the resident to drive in or drive out of the lift. The default position of the car lift will be at grade. While the car lift will be visible for limited periods when in use, this is expected to be short in duration and on balance, does not adversely harm the character or appearance of the host property or area.

Impact on the amenities of neighbours

Privacy is an important design issue and the positioning of homes, including their windows and balconies, should be carefully considered to ensure that adequate privacy is maintained. In particular, habitable rooms and areas of private gardens close to dwellings should not be excessively overlooked by windows or elevated amenity areas such as balconies/terraces. Screening can reduce overlooking in these instances. Privacy can be safeguarded by achieving adequate window to window, or window to balcony distances between buildings (both existing and proposed).

The main amenity impacts to be assessed are to the adjacent properties to the north (no.31) and to the south (no.27). On the side elevation of no.31, there are two windows serving the landing and a bathroom. To no.27, there are a number of windows serving two bathrooms, stairwell and ground floor hallway. The majority of windows proposed on the side elevations of the scheme would therefore be unlikely to cause any detrimental overlooking issues. One window which would raise concern is the most eastern first floor window on the proposed north elevation which by virtue of it extending significantly past the rear elevation of no.31, the window would have direct views in the rear garden and have partial views to their windows. The proposal could be conditioned to ensure that the side facing windows which serve as secondary windows to habitable rooms or non-habitable rooms (bathroom) would be obscure glazed to prevent overlooking and loss of privacy.

To ensure that there is adequate privacy to the neighbouring occupiers details of privacy screens to the balconies will need to be secured by way of condition.

The proposal will extend beyond the rear building line of both neighbouring properties. In regards to no.27 Neeld Crescent an unobscured window on the flank elevation facing the development site is to be blocked up to overcome any concern in regards to overlooking and impact on outlook. By reason of the distance maintained between the two properties and the depth of the proposed projection beyond the rear building line of no.27 it is considered that the proposal will not result in demonstrable harm to the neighbouring amenity.

It is noted that no.31 has a garage to the side of the property which sits between the application site and the main dwellinghouse. As a result of this the proposal is set at a significant distance from the habitable accommodation of no.31. Given the distance between the two properties, the orientation of the buildings and the projection beyond the neighbouring rear building line it is not considered that the proposal will result in harm. The impact on the rear garden space of the development also needs to be considered, however, given the siting of the development it is not considered that the proposal will be overshadowing or overbearing when perceived from the neighbouring garden area.

Amenity of future occupiers

In terms of the amenity for future occupiers, the Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. Table 3.3 within Policy 3.5 of the London Plan 2016 provides minimum space standards for new dwellings. The proposal would provide 4 x 2 bedroom units and 3 x 1 bedroom units.

Residential accommodation contained within a basement level which relies on lightwells to provide natural daylight/sunlight and outlook are not usually considered acceptable. Units 1 - 4 will be duplex units split over lower ground and ground floor level with the bedroom spaces within the lower level and main living space at the upper ground floor level it is therefore considered that due to this split in levels that the proposal is acceptable and would provide adequate amenity for the amenities of the future occupiers.

Barnet's Local Plan expects that sufficient and functional amenity space should be provided for all new houses and flats wherever possible. The Sustainable design and construction SPD advises that 5m² should be provide per habitable room for flats. Each of the flats would private amenity space in the form of patios or balconies, with all of the units having access to the rear communal garden.

No objections were raised in the previous application in regards to occupier amenity.

Traffic and parking

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

The proposed development is for the demolition of 29 Neeld Crescent and alterations to side elevation fenestration to No.27 Neeld Crescent and erection of 7 residential units comprising 3x1 bedroom units and 4 x 2 bedroom units. The development will need between 4 to 9

parking spaces to meet the parking standards as set out in the Barnet local plan development management policy DM17 approved in September 2012. 7 parking spaces are proposed which is in accordance the DM17 Policy considering the PTAL rating of 4. However, the parking spaces are being provided using a car stacker system in the front garden.

It is noted that the last application at the site for an almost identical scheme was refused on highways impacts. In that scheme, officers raised a concern that the development would have a detrimental impact on pedestrian safety and on the public highway due to the vehicles waiting on public highway to access the parking spaces. Highways officers have reviewed this proposal including the transport assessment included with the proposal. Parking spaces are being provided using an automated underground car stacker system. The proposed stacker system will be accessible from Neeld Crescent and space for a vehicle to wait while the lift operates is provided on-site adjacent to the lift reducing the need for development vehicles to wait on public highway. Egress from the car park will be undertaken in forward gear onto Neeld Crescent once the lift has risen.

Automated Traffic Count surveys were undertaken by the applicant which demonstrated that there is approximately 1 vehicle driving along Neeld Crescent every minute. As such it is anticipated that vehicles entering/egressing the site in forward gear will have minimal impact on the operation of Neeld Crescent. The survey also demonstrated that the average 85 percentile speed on Neeld Crescent is 24 to 25 mph.

Further details were requested by officers for the car stacker as some safety concerns were raised. The applicant has provided additional detail on the operation of the stacker. It will be operated from the 'top' therefore it is unlikely that someone will be impacted by the canopy raising out of the ground. There is also a laser beam system in place, which if broken will stop the platform raising up or down. The waiting driver will also be on hand to advise others that a vehicle is being parked/ or retrieved.

The proposal for the stacker parking is acceptable in principle. However, the applicant will be required to submit a Maintenance Agreement for the stacker parking to ensure that in the event of a breakdown the stacker parking is promptly repaired and maintained at the optimum to ensure that there is no detrimental impact on public highway. A parking management plan should be conditioned which should contain exact details of the operation of the stacker and its specifications.

The proposed bin store is located within an immediate proximity to the stacker system. Hinged doors swinging out may be damaged or damage the stacker, therefore Highways request that doors to the bin stores are placed on runners so that they do not obstruct the stacker system. It is acknowledged that the bin store will not be accessible at times when the car lift is in operation. However this is for short periods and is not considered to be unacceptable. A condition will be recommended to ensure final details of the bin enclosure including necessary changes to the door arrangements.

Overall, the proposal has overcome the previous reason for refusal on Highways grounds and has proposed an acceptable solution to parking management on the site. With appropriate conditions, the parking arrangement can be managed to ensure it is safe and efficient and does not adversely impact on the highway network.

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 10% 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

All planning related matters are considered to be covered in the above appraisal.

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, 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 or future occupiers. This application is therefore recommended for approval.

