

Location **Rear Of 147 Cricklewood Lane London NW2 2EL**

Reference: **18/3403/FUL** Received: 4th June 2018
Accepted: 6th June 2018

Ward: Childs Hill Expiry 1st August 2018

Applicant: Mr Ashton

Proposal: Erection of a single storey dwelling. Associated refuse/recycling store, cycle store

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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:

4101-X.01A
4101-X.0.3A
4101-X.04A
4101-P.03A
4101-P.06A
4101-P.10A
4101-P.11A
4101-P.20
4101-P.21

Design and Access Statement (dated 4.10.2018)

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 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.

- 4 The materials details shall be provided in accordance with the submitted planning application; untreated larch wood cladding.

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.

- 5 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 prior to the occupation of the hereby approved development.

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.

- 6 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).

- 7 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.

- 8 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.

- 9 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.

- 10 The development hereby approved shall not be occupied until the existing redundant crossover(s) is reinstated to footway level in accordance with the approved details by the Highway Authority at the applicant's expense.

Reason: To ensure that the redundant crossover does not prejudice the safety pedestrians 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.

- 11 Before the development hereby permitted is occupied cycle parking spaces shall be provided in accordance with the London Plan Cycle Parking Standards and shall not be used for any purpose other than parking of cycles 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.

- 12 Prior to occupation of the development refuse and recycling facility shall be provided in accordance with the submitted planning application.

Reason: In the interest of highway and pedestrian 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.

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

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

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

- 15 The premises shall be used as a residential dwelling house (Class C3) and for no other purpose (including any other purpose in Class C of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

- 16 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 2016.

- 17 a) Prior to the first occupation of the hereby approved development, details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority.

b) The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

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

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a 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 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 Any works on public highway such as reinstatement of the existing crossovers to footway level, provision of a new crossovers or an access off the public highway and relocation of street furniture including lighting columns to facilitate the development would need to be carried out by the Council's term contractors at the applicant's expense.

This proposal may also impact on existing on-street Controlled Parking Bays. Any alterations to on-street parking bays will be subject to a statutory consultation period. The Council cannot prejudge the outcome of the consultation process.

Works on public highways to facilitate the development will be carried out under the S278 Agreement of the Highways Act 1980 or can be charged under a rechargeable works agreement.

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

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

- 4 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. 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.
- 5 The costs of any associated works on the public highway, including reinstatement works, will be borne by the applicants and will require the Applicant to enter into a rechargeable agreement or a 278 Agreement under the Highways Act 1980.
- 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 nrswa@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 If a concrete pump lorry is operated from the public highway, the surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.

Officer's Assessment

1. Site Description

The application site is located to the rear of 147 Cricklewood Lane which sits at the junction of Cricklewood Lane and Greenfield Gardens. The main property is listed on the council tax records as a 2.no unit flat, although planning permission for this conversion cannot be found.

The plot of land which is the subject of this application is an underutilised and poorly maintained area of hardsurfacing which forms the designated amenity space for 147. The site is surrounded by wooden fencing which provides screening from Greenfield Gardens which runs along the application sites western boundary and contains some overgrown shrubbery. The site is served by an existing dropped curb on Greenfield Gardens. To the rear of the proposed plot is a conventional row of front facing detached properties. The site currently has been fenced off from 147, with a small amount of amenity space allocated for the main dwelling on Cricklewood Lane.

2. Site History

Reference: C15697B/07

Address: 147 Cricklewood Lane, London, NW2 2EL

Decision: Refused

Decision Date: 1 August 2007

Description: Erection of two storey detached house

Reason 1: The proposed building would, by reason of its size, height, siting, and design on this restricted site, be out of character with the surrounding properties and result in a visually obtrusive form of development which would detract from the character and appearance of the area.

Reason 2: The proposed would, by reason of its height, bulk, size and siting, result in a poor form of development to the detriment of the amenity of the existing surrounding occupiers and future occupiers of the proposed units.

3. Proposal

This application seeks consent for the erection of a single storey dwelling, with associated refuse/recycling store, cycle store.

4. Public Consultation

Site Notice: 14th June 2018

119 consultation letters were sent to neighbouring properties.

9 objections have been received

The views of objectors can be summarised as follows;

- Loss of privacy
- Loss of light
- Loss of views of trees
- New building will not be used as residential premises
- Noise and disturbance from visitors to the site

- Impact on parking
- Smell of recycling will encourage pests
- Noise from plant
- Overlooking
- Unacceptable high density
- Garden grabbing
- Visual impact
- Out of character
- Bulk, mass, materials and detailing of building
- Overbearing development
- Out of scale
- Site should be left as garden and container removed

Internal / other consultations:

Highways: The proposed development without any parking provision would be acceptable subject to a S106 Agreement exempting the occupiers of the new development from purchasing Parking Permits.

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 updated 2018. 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 July 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

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

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

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

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

The Borough has an attractive and high quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

The proposal is for a single storey, fully accessible one-bedroom house with an L-shaped layout and flat roof, concealed behind a 2m high timber clad wall that aligns and reads with the adjoining fence along the boundaries to the street and adjoining properties. The finished floor level of the house is set one metre below adjoining ground and street level. An extensive Lindum green sedum roof is proposed, minimising the visual impact to neighbouring properties, slowing rainwater runoff and improving biodiversity.

Since the original submission the scheme has been amended to show it stepped further away from the shared boundary with 147 Cricklewood lane by approximately 2.3m; this will allow for greater outlook for the neighbours whilst not harming the internal space of the new dwelling.

A gate from the Greenfield Gardens frontage leads from the pavement into a linear courtyard garden with a gentle ramp down to the lowered ground level, which provides a courtyard mostly paved with York stone with a flowering almond tree at one end by the entrance and honeysuckle climbing the timber lined perimeter walls from small plant beds along the base.

Impact on the character of the area

It is considered that the location of the application site along Greenfield Gardens displays a different character of many of the surrounding suburban residential streets with an existing crossover and gate present; the uses of buildings in the surrounding area including school and doctors surgery do not follow a strict pattern of development with clear front and rear building lines.

The proposed dwelling would represent an increase to the density of development on the site, however, given the mixed character at this point of the street with converted dwelling house to the front, health centre opposite and traditional semi-detached dwelling houses along Greenfield Gardens, it is considered that the one-bedroom single unit will not give rise to any detriment to the character of the local area.

Design

In respect of design and appearance, planners acknowledge that the proposed design is more modern when compared to surrounding buildings. However, as this area is not a conservation area and there is a range of architectural styles to be found in the area, there is no in principle objection to this approach as some evolution of the areas character is to be expected.

The proposed larch timber cladding as facing material for the development are considered to provide an interesting development and will not appear out of character with other garden buildings in neighbouring sites.

Height, scale, bulk and massing

Given the proximity of neighbouring residential properties to the application site, great care was taken to ensure that the proposed development does not result in any loss of visual amenity to neighbouring occupiers.

This has been achieved by creating a detached, single-storey, flat roofed property which sits down from the external ground level by 1m to ensure at ground level it is not visible above the timber fencing, which has a height of 2m. As the proposed development is shown to be no taller than the boundary fence; it will not be visible and therefore not considered to be harmful to the established residential character and pattern of development. The dwelling has been designed in a way so as not to be visible from the streetscene but hidden behind the fence line.

Quality of accommodation for future occupants

The development is for a one-bedroom, two persons, detached single storey dwelling house. The London Plan (2016) and Barnet's policies and Sustainable Design SPD (Oct 2016) do not specify a minimum internal floor area for a property of this type but given the requirement for a one-bedroom, two-person flat is 50sqm and the current scheme

proposes an internal floor area of 62m²; this is considered to provide adequate internal space for future occupiers.

Outlook:

All habitable rooms would benefit from sufficient outlook to meet the requirements of Policy DM01. Large windows are provided for the proposed habitable rooms affording views into the enclosed courtyard.

Garden:

Barnet's Sustainable Design and Construction SPD (2012) makes reference to private outdoor amenity space. In this case 40m² of useable external amenity space is required and the scheme exceeds this by 10m² by proposing 50m² of enclosed amenity space for future occupiers.

Impact on neighbouring occupiers

Given the single storey nature of the proposed development, which is shown to sit below the existing fence level, it is not considered that the scheme will be readily visible from outside the site, certainly at ground level views of the development will not be possible. From the upper floors of neighbouring properties, a single storey, timber building will be visible, but this can be compared to an outbuilding. In addition, a green roof is proposed on the building to soften its appearance.

Although this type of development would not be considered acceptable in many locations within Barnet, the specific circumstances noted above are considered to warrant a recommendation for approval in this site specific case. The proposed building is not considered to harm the character of the street scene by virtue of the fact that it will be concealed from the street and it is not considered to harm the amenities of neighbouring occupiers.

Highways and parking

Any proposal for this site will need to demonstrate that it has complied with the relevant development plan policies in respect of parking and highway related matters (for example policy DM17 of the Barnet Local Plan).

The proposal is for the erection of a single dwelling comprising one-bedroom unit. No parking is being provided. 1 cycle parking space is proposed.

For the proposed development, a parking provision of between 0 to 1 parking spaces would need to be provided to meet the parking standards as set out in the Barnet Local Plan Development Management Policy DM17 approved in September 2012.

The proposed development is within a PTAL rating of 3 which would require parking provision of 0.6 parking space.

However, taking into consideration the following factors:

- o The site is located within a walking distance of a town centre location and close to local amenities;

- o The site has a Public Transport Accessibility (PTAL) score of 3 which is considered as a medium accessibility;
- o The site is located within a Controlled Parking Zone (CPZ) operating from Monday to Friday 10am to 11am.

The proposed development without any parking provision would be acceptable subject to a S106 Agreement exempting the occupiers of the new development from purchasing Parking Permits.

A contribution of £2022 would be required towards the amendment of the Traffic Order to facilitate the above.

Vehicular Access:

The existing redundant vehicular access is proposed for reinstatement which will require the applicant to submit a separate application to the highway authority under S184 of the highways act 1980.

Refuse Collection Arrangement:

The refuse and recycling facility shall be provided in accordance with the submitted planning application. A designated area has been allocated that is considered to be appropriate.

Recommendation:

The proposal is recommended for approval subject to a S106 Agreement exempting the new occupiers of the proposed development from purchasing parking permit of the new residential development and the following conditions.

The Highways department have reviewed the submitted information and raise no objection to the proposals subject to the suggested conditions and informatives.

5.4 Response to Public Consultation

The concerns raised that the proposed development will result in a loss of light, privacy and give rise to overlooking and obscure views of trees are noted; however, it is considered that the single storey nature of the development will not give rise to any loss of amenity to neighbouring occupiers.

The comment made that the new building will not be used as residential premises and will result in noise and disturbance from visitors to the site is noted, but there is no indication that this is the case as the application is for new dwelling house rather than new business; a condition is suggested ensuring the development remains as a residential premise.

Concern is raised that the proposed development will have an adverse impact on parking, however, the Council's Highways department have reviewed the scheme and raise no objection subject to conditions and a S106 agreement which will prevent future occupiers from obtaining parking permits, as such it is not considered that the proposed development will give rise to increased pressure on existing parking spaces.

One comment has been made that the smell of recycling will encourage pests, however, it is not considered that the single-family dwelling house will produce additional recycling

above and beyond any other property that would be harmful to the amenities of neighbouring occupiers.

The concerns raised that the proposed development will result in unacceptable noise from plant is noted, however, there is no plant proposed as part of the scheme and therefore this is not possible.

It is considered by objectors that the proposed development results in unacceptable high density on the site is noted, however, the proposal is just for one dwelling house with only one household and therefore not considered to be unacceptable in density terms.

The objections that the scheme results in garden grabbing is noted, however, it is considered that as the site is located along a street frontage allowing direct easy access from the public realm into the application site there is a case to be made that this is an acceptable development site.

The concerns raised regarding the visual impact of the development, its overbearing appearance and being both out of character and scale, along with the concerns of bulk, mass, materials and detailing of building are noted. Given the modest, single storey nature of the proposed development which has been designed to sit below the existing fence line it cannot be considered to be overbearing or too bulky. Matters relating to its character are covered in the above report.

The comment made that the site should be left as garden and container removed is noted, however, this is not a material planning consideration and not under the control of the Council.

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. This application is therefore recommended for approval.

