

Location **Fairfield Close London N12 9ST**

Reference: **18/6410/FUL**

Received: 25th October 2018

Accepted: 29th October 2018

Ward: Woodhouse

Expiry 24th December 2018

Applicant: Mr Nagle

Proposal: Provision of new roof and conversion of roof space to each block to provide 1 additional residential unit to each block. New roof to include 3 front dormer windows and 3 rear dormer windows. Associated cycle store and refuse/recycle 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:

1858.OS.01,

Existing Plans: 1858.EX.01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15A, 16A, 17, 18, 19, 20, 21, 22, 23, 24A, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42A, 43, 44, 45, 46, 47A, 48A, 49, 50, 51, 52.

Proposed Plans: 1858.PP. 01, 02, 03, 04, 05, 06A, 07A, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20A, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40A, 41, 42, 43, 44, 45, 46B, 47A, 48, 49, 50, 51A, 52A, 53, 54, 55, 56, 57, 58, 59 Rev A,

1858.PP.59 (Typical Bike Storage), Design and Access Statement, Traffic Assessment.

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) 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).

- 4 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).

- 5 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.

- 6 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

- 7 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 8 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.

- 9 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.

- 10 The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in condition (9) shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree

protection throughout construction by a suitably qualified and pre-appointed tree specialist.

Reason: To ensure all specified on site monitoring and tree protection measures are adhered to.

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

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

- 12 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 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

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

- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.21, 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

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

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

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

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

- 4 Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

"An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine."

- 5 The submitted Construction Method Statement shall include as minimum details of:
- o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o 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.
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - o 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.

- o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.
- o For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

Officer's Assessment

1. Site Description

The application site comprises six two-storey blocks of flats with a pitched roof over and 32 garages which partly form the cul-de-sac of Fairfield Close. Access to Fairfield Close is from the north side of Torrington Park. The residential blocks form the head of the cul-de-sac, with each block containing six flats, with 1x studio, 1 x 1 bed and 1 x 2 bed flats found on each floor. Access to the flats is via a communal entrance lobby/stairway. The blocks are constructed from yellow brick with a pitched concrete tiled roof. They are set in pleasant landscaped grounds which includes amenity space for each block as well as a sunken garden and a grassed area to the frontage of the blocks. Most of the garages are located to the west of the site, although a further 6 garages are located adjacent to Block 6 (containing flats 31-36). To the south of the site are found the Torrington Park Medical Centre and the flatted residential development of Pine Tree Court. To the east of the site are located further residential units and to the west the North Finchley Town Centre.

The site is not located within a conservation area and the buildings are not listed. There are no protected trees on the site.

The site adjoins the edge of North Finchley town centre which is reflected by the location of some commercial uses nearby although the surrounding area is largely residential in character with a mix of building styles ranging from purpose-built blocks, properties converted into flats and single-family dwellings.

2. Site History

Reference: F/00643/13

Address: 13 Fairfield Close, London, N12 9ST

Decision: Approved subject to conditions

Decision Date: 11 April 2013

Description: Replacement of 4 no. existing windows on front and side elevations.

3. Proposal

This application proposes:

- Replacing and converting the roof of the six individual blocks to provide a 1 x two-bedroom self-contained flat in each block. This would include the construction of three dormer windows to the front elevation and a further three dormers to the rear elevation. The dormers would be identical in size measuring some 2.4 metres wide and 1.7 metres high. They would be designed to be set below the main ridge and within the roof slope. The flat would be accessed via the common central lobby with the existing stairway extended into the roof space. The front door to the proposed flat would be located on the first-floor landing.
- No additional parking or amenity space would be provided within the scheme.
- Two new bins would be provided for each flat and would be located adjacent to the existing bin storage areas.

- Thirteen on-site covered cycle spaces would be provided. Seven would be located on the northern boundary just north of the sunken garden between blocks housing flats 1-6 and flats 7-12. A further cycle store would be located on the southern boundary opposite the flank wall of the block 5 (flats 25-30) and opposite the rear elevation of block 6 (flats 31-36) Fairfield Close.

4. Public Consultation

Consultation letters were sent to 276 neighbouring properties and a Site Notice was also erected. 33 letters of objection have been received, as well as a petition with 46 signatures opposing the development. The comments received are summarised below.

Out of Character

- Not in keeping with local character, proposal not aesthetically appropriate, will not improve quality of neighbourhood, will damage surrounding landscape and beauty of area, and the well-being/safety of tenants.
- Over-densification, area already built up compared to rest of area.
- No plan to add public amenities or improve the current landscaping to benefit existing residents.
- Unacceptable visual intrusion and detrimental to skyline.

Parking and Traffic Issues

- No parking provided which is contrary to London Plan.
- Proposal will add to parking problems in this restricted parking zone. Already insufficient parking and parking problems in Fairfield Close and surrounding area all times of day. Evening parking particularly difficult for old people, young families, also dangerous as women have to walk a long distance to parking.
- Problems increased by patients visiting Health Centre, as no parking is provided for patients.
- Proposal would disrupt traffic flows, add to further congestion, cause access problems, result in dangerous road conditions and air pollution.
- Comments made in Transport Statement are incorrect as there is already a negative impact. Survey makes false claims, very subjective and biased, does not include a large enough sample, should be conducted by an independent company or the Council.
- Traffic consultant should provide evidence that the proposal would not make parking worse.
- During construction potential conflict, congestion and obstruction from vehicles and cranes, especially as Fairfield Close is narrow, has limited manoeuvrability and provides exit from the Clinic. Question how access for emergency vehicles will be maintained at all times, which is required given elderly residents.
- Future occupiers of the proposed flats should be prevented from purchasing parking permits.
- Restricted access to garage during construction.
- The Transport Survey makes false claims as can fit modern larger cars in garages. Garages are not for rent to Fairfield Residents as they are never available, but let to others outside of development adding to further obstruction and parking difficulties.
- Parking permit system cannot cope with the demand for spaces, especially with the further parking restrictions imposed some years ago.

- The freeholder has not offered garages at reduced rate as suggested. Have quoted at above average rent and are used by people prepared to pay high cost- residents should be given first refusal at reasonable rent.
- Thought garages were all taken but would be keen to purchase a garage.
- The residents have to park in Permit Holders bays, whilst the applicant tenant can park their car in front of the garages.
- Fairfield Close absorbs incremental traffic related to the conversion of Solar House into a church and the fact that the Council attempted to change the parking scheme shows that traffic is an acknowledged issue.

Noise and Disturbance

- Unacceptable noise and disturbance during construction, potential injuries to young children and would significantly harm quiet enjoyment of property, especially to those working from home.
- Noise, dusts, using materials with high VOC's will significantly impact resident's life and health.
- Noise pollution from new flats from daily activities especially in summer when windows are open.
- Already have had to endure constant construction in our area.
- Inadequate noise insulation. Concern about noise generation, especially as existing insulation poor, question what mitigation will be provided.
- Noise and disturbance from increased movement and restrictions in stairwell use and communal areas.
- Unacceptable noise and disturbance from unit above, especially given flat layout. The design includes a bathroom above bedroom and bedrooms above existing living space, kitchens above habitable room and no noise insulation factored into the height calculation. Unacceptable noise and vibration to first floor flats from kitchen appliances above. Would violate quality of life and long-term well-being of residents.
- Will need to change power supply and drainage which will take time. The tenants can't live without electricity and water.

Overlooking/Loss of privacy/Loss of Light

- Will result in intrusion, overlooking and loss of privacy to nearby buildings, their windows and gardens, as well as overlooking into new flats and flats with Fairfield Close.
- Contrary Residential Design Guidelines SPD (2016) regarding safeguarding residential amenity, in particular privacy.
- The Design and Access statement makes no mention of the 10.5 metre separation requirement of back gardens, suggesting it has not been adequately considered.
- No screening to be provided to mitigate adverse effect of scheme.
- Plans misleading showing tree height on boundary as some of the trees are not the height shown and the screening is not as effective along the whole Ravensdale Avenue boundary. There is an unhindered view from rear windows of 16 Ravensdale Avenue.
- Loss of light/sunlight to existing flats and gardens, reducing hours children can enjoy in the garden during the summer months.

Design/Layout Issues

- Dormers would dominate the development and not comply with councils planning restrictions on dormers. They break basic aesthetical rules, are obtrusive, project beyond hip rafters, will not be subordinate to roof slope, there are too many and take up too much width and height of the roof causing unacceptable harm to character of Fairfield Close. The result would look random, poorly designed.
- The rear of the buildings can be widely seen, in particular block 6 (visible from Torrington Park Rd), but also from adjacent back gardens on Ravensdale Avenue and from Torrington Close.
- Design does not follow good practice. Bathrooms are situated above habitable rooms. New staircase is clumsy and crosses an existing window further detracting from the existing character.
- Crudely designed. The dormers do not align with the existing windows below spoiling the architectural character of the existing buildings.
- Upper staircase has no platform in front of the entrance door, with the inherent high risk that future occupants will stumble down the stairs to their deaths.
- Insufficient roof height/head room.
- Although this highly dangerous plan will not pass Building Control, it allows the developer to conveniently inflate the habitable space area for planning permission purposes - in the same way as the 'oversight' of the communal water tanks adds -- in theory -- to space, when in reality there is none.
- There is no mention of the change of location for the communal water tank in the roof space. It may be located in inaccessible location or risk damage by occupants.
- Proposal will result in further changes to the appearance of all buildings from additional utility pipes running along the surface (waste pipes, gas pipes and gas meters).
- No provision made for fowl sewage/drainage.
- Will reduce and put stress on an already crowded amenity space, which will affect the biodiversity and geological conservation of green areas. Disabled residents or families with young children cannot walk to Friary Park.

Cycle Provision

- The cycle enclosures only satisfy the Mayor for London cycling revolution. There is no demand for cycle storage at Fairfield Close given high majority of flats are occupied by pensioners, some disabled people and families with toddlers who need cars. The demand for car parking spaces will only increase as young families move in. The cycle storages are unnecessary, a waste of resources. There is ample space where the garages are to provide parking for all residents.
- The modern design and location of the cycle storage near the sunken garden by Block 1 will detract and be out of character with the beautiful, historical sunken garden/pond will threaten unique trees and shrubbery, violate tree preservation rules and increase paving.
- The unnecessary cycle enclosure by block 6, will be another eyesore, out of character and highly visible resulting in further loss of greenery, the need to widen the path and will be too close to flats within block 6. Would also block access to gas meters and utility and waste pipes.
- The developer's allegedly low-demand garages are a much better place to store bicycles.
- Concern that cycle storage is attached to boundary fence which is unacceptable as could cause damage, as could cycles being rested against fence. It should be relocated.

- Cycle storage will be a magnet for thieves and residents will have to pick up bill for frequent break-ins.

Structural Risk

- Imperils structural integrity of strong and intact buildings. Dormers notorious for damage to building. The risks will drive up building insurance and future repair/maintenance costs.
- Concern about structural integrity of building, existing building aging structure with cracks to walls and ceiling.
- A full structural audit of the existing buildings should be carried out and shared with all residents before considering planning approval.
- The extra load will have a detrimental effect on the structure of the existing buildings.
- May result in additional works being required including altering the façade and people won't be able to live in building whilst works take place.
- Will need to reinforce the foundations.

Freeholders Comments

- The applicant is the freeholder and managing agent and has made false claims that roof needs repairing and also claims the existing roof creates a fire risk. The Freeholder states there would be a need for open ended repair costs and questions whether residents would be willing or able to meet costs. However, no quote or information has been provided to leaseholders.
- A bullying letter has been sent to leaseholders to silence them stating that there would be open ended repair costs if scheme rejected.
- The freeholder does not listen to tenants, causing distress.
- There is no evidence of problems with the existing building and it is well maintained so the freeholder is using threatening lies as intimidation.
- Developer not concerned with welfare of home seekers, as has no regard for other tenants.
- Not in public interest to grant permission to developer who tries to frighten those affected.
- Developer used identical claims of repairs needed to roof in other applications in Barnet.

Fire Safety Issues

- Concern whether meets fire regulations and if current fire escape sufficient for additional capacity.
- During construction, there will be limit access to staircase and flats this is critical as staircase only fire exit.
- Loft unit would be fire safe the rest of the building would not be upgraded which would be grossly negligent.
- There is no room in the hallway to add fire extinguishers, which would be required. Already prohibited from leaving shoes outside doors, due to fire risk rules.

Health Issues

- Question how tenants going to be protected against dust and resultant health issues such as silicosis.
- Cause health issues for people with health problems

- Sanctuary of home would be significantly impacted and as house bound would be a detriment to my health.
- Concern over contamination of the soil.
- Possibility of asbestos findings.
- Serious health hazards from dust particles and noise above permitted limits during works. Will there be a forced mass evacuation?
- Proposal will reduce standard of living, causing distress to local residents.

Other

- Flats will not be affordable housing and will be too expensive for people who suit them.
- Will devalue existing flats and properties.
- Objections are in compliance with the terms of the Town and Country Planning Act 1990.
- There would be an increase in demand and usage of local resources/ facilities including waste management.
- Concerned that the planning application includes an intention to demolish the garages and in their place construct a further block of flats.
- Proposal all about profit for owners/developer sole beneficiary.
- Proposal aims at beating the timeline before lawmakers agree on fighting unfair leaseholder practices.
- Endanger landscaped gardens from bike, bin and material storage and puts protected sunken garden at risk.
- If allowed there will be legal challenges including claims for damages and injunctions to prevent work.
- Barnet should not fall for the bait of a few extra flats.
- Inaccurate Plans, uses assumed layouts, height assumptions are unrealistic, habitable room calculations do not add up, no height provision made for new floor or different insulations.
- Previously freeholder has paid no regard to energy efficient measures when they have been suggested.
- No timeline provided for planned works or how disruption would be minimized. Top floor flats would be unfit for occupancy during works. The flats house tenant and owner-occupiers who all count.
- Disruption to utilities during works and question where construction materials will be stored during works. Freeholder obliged to keep garden in good condition and cultivation.
- Add stress on Torrington Park Medical Centre, through increased patients, visits caused by distress from proposal and impact from congestion and building works and future traffic congestion.
- No tree survey submitted, it is falsely claimed that there are no trees or hedges adjacent to the development

Petition Objections

The objections set out within the covering letter that supports the petition can be summarised as follows:-

- The proposal would cause unacceptable harm to the host property and the character of the area as it does not reflect the identity or context of local surroundings. As such it would be contrary to National and Local Policies (CS1,

CS5 and DM01,) and Barnet's Residential Design Guidance (including Paragraphs 14.30, 14.32).

- None of the properties in the street benefit from dormer windows and their introduction would introduce an alien feature to the street.
- Front dormers would be contrary to paragraph 14.32 of the Residential Design Guidance. The guidance also states that dormers should be subordinate and occupy no more than half the width and depth of the roof slope. The proposed dormers would dominate the roof slope and appear cramped causing considerable harm to the character of the area.
- Local residents dispute the applicant's claims that the existing roof creates a fire risk which the resident's do not have the funds to fix. This ascertain is false as the residents have not been approached regarding this issue.
- Notices have been served by leaseholders to enfranchise a number of blocks meaning the current owners would not have the rights to implement the entire scheme. Concern is raised therefore that only part of the scheme could be implemented resulting in harm to the character of the street scene. Request a condition is attached to any approval that all the works are completed within 12 months of construction commencing on site.
- Being flats the blocks do not benefit from permitted development rights to construct similar dormers.
- The application should be refused on highways grounds due to insufficient parking being provided adding to on street parking stress in the local area. No additional parking is proposed, this would be contrary to policy DM17 which requires a maximum of 6 parking spaces to be provided. The submitted Transport Assessment states that the new London Plan requires a maximum of 4.5 spaces. This Plan is not formerly adopted though and should be given limited weight.
- The use of a legal agreement to restrict future occupiers obtaining a parking permit would not be appropriate as the site is not located in a high PTAL Rating area, and as such future residents would not have any sustainable alternative modes of transport to use as a substitute to a car.

Internal Consultation

Highways

The Highways Engineer raises no objection to the scheme, their comments are included within the main body of the report.

Trees and Landscaping

The Trees and Landscaping Officer's comments have been included in the main body of the report. No objection is raised and although sufficient information has not been provided to evaluate the impact of the development, it is evident that the impact on trees can be managed appropriately and subject to conditions the application is in accordance with local planning policy DM01.

Environmental Health

Adding a new flat above 3 other flats could cause noise disturbance if sound insulation isn't adequate. This is particularly so as there will not be stacking of like room above like room. It is likely that bedroom will be above living/kitchen, and vice versa. The applicant will need to show compliance with Document E of the Building Regulations.

To reduce noise and disturbance during building a construction method statement condition is suggested.

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 24 July 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 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 it is considered very limited weight should be attached to the Draft London Plan. Although this weight will increase as the London Plan progresses to examination stage and beyond, applications will 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, CS4, CS5, CS9, CS13, CS14.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM15, DM16, DM17.

The Council's approach to development 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

Sustainable Design and Construction SPD (adopted October 2016)

Residential Design Guidance 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 the quality of the proposed development would provide suitable living conditions for future occupiers.
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether harm would be caused to highway safety.

5.3 Assessment of proposals

Impact on the character and appearance of the host building, street scene and wider area

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and protect the amenities of neighbouring occupiers; the scheme would be expected to take into consideration national guidance and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), 7.4 and 7.6 (both of the London Plan).

Paragraph 127 of the National Planning Policy Framework (2018) states that amongst other things, planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy CS5 of Barnet's Core Strategy (2012) states that the Council 'will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design'.

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that 'development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets'.

In addition to local plan policies, The Residential Design Guidance SPD (2016) advocates that proposals for new residential development should respond to the distinctive local built forms and pattern of development. New development should not be at the expense of the creation of a form of development that is out of keeping with the character of the area and constitutes visually dominant development in the street scene.

The application site is located within a mainly residential area, which comprises a mix of purpose-built flatted developments, semi-detached and detached houses, some of which have also been converted into flats. The properties are of varying styles and ages giving the area a mixed character. The site is adjoined to the south by a medical centre and the rear gardens/amenity space of properties fronting Torrington Park, to the west largely by a service area which serves Sainsburys and the rear of the shops, some with flats above that front the High Road. The north of the site is adjoined by the rear gardens of Ravensdale Avenue and the eastern boundary is adjoined by the residential flats/maisonettes and their associated garages of Torrington Close. Views of Fairfield Close can be gained from the boundaries.

The site is located in a suburban area and is located within an area with a PTAL rating of 3. The London Plan advises that development should be at a density of between 35-95 units per hectare in such a location. The proposal falls within this range and is considered acceptable at 86 units per hectare. Density should not drive development however, it is an important factor to take account along with local context and design.

The proposed additional units and roof extension therefore needs to respect the character of the street scene and local area. It is considered that given that the application site already consists of a flatted development that the introduction of an additional flat within the roof space would not be out of character with the area. It is considered that the blocks within the cul-de-sac read as a stand-alone development and given that all the blocks would be extended in the same manner, resulting in a uniform design, that the proposal would not detract from the street scene. In addition, as flatted developments and dormer windows to both the front and rear, are not an uncommon feature within the adjoining road Torrington Park, it is felt that the proposal would not be out of character and would be in context with the local area.

In terms of the design of the loft extension, given that it would take the form of three separate dormers, which would be set below the main ridge line, above the eaves and set within the roof slope, it is considered that they would not appear overbearing or dominate the roof slope. The fenestration of the dormers would also reflect the design of the existing windows and although they would not directly line through with the windows below they would be set uniformly within the roof slope. Therefore, the size, design and bulk of the loft conversion is considered to relate satisfactorily to the host properties, as well as the surrounding street scene.

National and London Plan (2016) guidance states that new developments should provide a mix of housing size and types based on current and future needs. Policies CS4 and DM08 reflect this guidance. Policy DM08 states that "development should provide where appropriate a mix of dwelling types and sizes in order to provide choice for a growing and diverse population for all households in the borough" It goes on to list the council's dwelling size priorities with the highest priority being 3 bed homes for social rented, 3/4 for intermediate affordable housing and 4-bed for market housing. The scheme does not include the highest priority homes for market housing, or intermediate housing. It is considered however that given the location of the plot the mix as shown would be acceptable.

The Council recognises that flat developments can make an important contribution to housing provision, in particular smaller units can make more efficient use of urban land, however they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of additional car parking and refuse facilities, that can have an unacceptable impact on the established character of an area. The proposed development would not provide any additional parking, and the existing bin stores associated with each flat would be extended to accommodate the required two additional bins. Given that no space would be lost to provide additional parking and the additional refuse storage would be sited in a similar position to the existing storage, it is considered that these elements of the scheme would not dominate the frontage. In terms of the cycle storage provision the plans have been amended to reduce the size of the cycle storage to provide a total of 6 and 7 spaces. The cycle storage has also been amended and moved a further distance from the rear windows of Block 6. Although the additional bin and cycle storage would be visible to the current residents of the blocks it is considered that on balance any harm created would not be so significant as to warrant refusal of the application.

Policy DM01 of the Council's Development Management Policies Plan requires development proposals to include hard and soft landscaping that is well laid out in terms of access, car parking and landscaping. It should achieve a suitable visual setting for the building. The main landscaped frontage of the development would remain unaltered by the development, and although some amenity space would be lost to the cycle storage and increased bins stores it is considered that the resulting setting would not have a detrimental impact upon the landscaped setting of the existing buildings.

Overall, it is considered that the proposal is sympathetic to local character, including the surrounding built environment, while increasing densities and optimising the potential of the site to accommodate and sustain an appropriate amount and mix of development, as promoted by Paragraph 127 of the NPPF.

Quality of space for future occupants

The proposal would provide six two-bed 4-person flats and the units would provide adequate gross internal areas (GIA) and bedroom sizes, in accordance with the standards prescribed in the Council's adopted Sustainable Design and Construction SPD (October 2016) and Policy 3.5 (table 3.3) of the London Plan 2016. There is also a requirement to provide 2.0 sq metres of built-in storage. Although this has not been indicated on the plans, it is considered that this could be provided. Eaves storage is also provided.

The agent has demonstrated on plans that the units provides a minimum ceiling height of 2.3 meters for at least 75% of the gross internal area of the dwelling, as set by the nationally space standards document (2015). Although plans annotate a maximum ceiling height of 2.4 metres, as opposed to the London Plan standard of 2.5 metres which is strongly encouraged, Officers are satisfied the units would provide adequate ceiling heights, especially given the constraints of the existing roof height.

The impact of development on the availability of daylight/sunlight to occupiers of new development is strongly influenced by design and contributes significantly to the quality of life. Section 2.4 of Barnet's Sustainable Design and Construction SPD (2016) states, that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room and bedrooms and living rooms/kitchens should have reasonable outlook with clear glazed windows. It is considered that all the units would provide a good

standard of visual outlook for future occupants. The 20% glazing requirement is exceeded by Bedroom 1, but there is a slight shortfall found for the living/kitchen area and bedroom 2(18.5%). However, given that two dormer windows light the living/kitchen room and the dormers are of a size that in design terms compliment the roof size, as well as provide a reasonable outlook from clear glazed windows, it is felt that the proposed units would still receive adequate light and the application could not be refused on this alone.

No information has been provided with regard to the layout of the first-floor flats. However, following a site visit and given that the proposed flat would extend across a substantial width of the building there would be some stacking issues between the units. The second-floor unit's layout would result in general living space being located above habitable rooms such as bedrooms, however a condition to ensure adequate sound proofing between floors is proposed to minimise any noise and disturbance issues, the agent has also confirmed that the units will be built in accordance with Part E of the Building Regulations.

Daylight, Privacy, Outlook of the Sustainable Design Guidelines require that in new residential development there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. In general, this is complied with, although the distance between the facing front elevations of block 4 (flats 19-24) and block (6) 31-36 Fairfield Close is less than this at some 19 metres. Furthermore 10.5 metres would not separate flats 7-24 from the rear gardens of Ravensdale Avenue. However, the new flats would replicate the relationship of the windows between the properties which currently exists. Therefore, it is considered that on balance any overlooking would not significantly increase to a level above that which already exists from the neighbouring buildings and would be acceptable.

Section 2.3 of the Sustainable Design and Construction SPD (2016) states that 5 sqm of quality, private and usable outdoor amenity space should be provided per habitable room; 20sq metres of amenity space would be required for each flat, so an additional total of 120 sq metres would be required overall. No additional amenity space has been indicated on the plans although the supporting document suggests that the proposed flats would have access to the existing amenity space on the site. The existing flats would require 420 sq m and this plus the 120 sq m requirement for the proposed units would result in a total requirement over the whole of the proposed development of 540 sq m of amenity space. The total amount of existing private amenity site on the site would be in excess of this standard, as some 1480 sq m is provided, (920 sq m more than is considered as sufficient amenity space).

As stated above the provision of cycle storage and refuse and recycling stores is considered acceptable, although a condition has been attached to provide further details of the design of the storage.

Impact on the amenities of neighbours

In terms of impact on the amenity of neighbouring residents, Policy DM01 of the Development Management Policies states that all developments should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

In terms of overlooking the design includes both front and rear dormer windows to all the blocks. The majority of the front dormers would light habitable rooms, however given the distance that separates the blocks and that they would have a similar relationship in terms

of overlooking as existing first floor windows, it is considered that an unacceptable level of overlooking would not result.

With regard to the rear dormers, these would also largely light habitable rooms. The rear dormers of block 1 (flats 1-6) would have a view largely over the garages and the service yard of Sainsburys and as such this relationship is considered acceptable. The rear dormers of the blocks 2-4 (Flats No, 7-24) would have an outlook over the amenity space for these blocks as well as the rear gardens of the houses of Ravensdale Avenue. Block 25-30 look over the residential block Torrington Court and its associated amenity space and parking. Block No. 31-36 would also have an outlook over the amenity space and parking area of the block of flats Pine Tree Court fronting Torrington Park. As stated above, the amenity space that separates the blocks 2-4 from the boundary is less than 10.5 metres deep, varying between 8 metres to just under 6 metres. The distance between habitable rooms though exceeds 21metres. There is some screening on the boundary but it is not of a height that would obscure views from the dormers. In terms of the relationship with Torrington Close there are some windows in the flank elevation which would be visible from the dormers proposed in block 5 these appear secondary in nature however and some screening does exist along the boundary. The dormers would also look over the rear amenity space and parking area. It is felt that some overlooking would result from the rear dormer windows of the neighbouring properties but on balance Officers are satisfied it would not be at a level that would be considered unacceptable given the suburban setting and that the overlooking would be similar to that from existing first floor windows of the blocks. Hence it is considered that the scheme would not give rise to an unacceptable level of overlooking or loss of privacy to adjoining neighbours.

In terms of the impact on the amenities of the neighbours it is considered that given the size of the dormers and their setting within the roof slope that the dormers would not be overbearing or result in a loss of sunlight that would be detrimental to the amenities of the adjoining neighbours.

The increased occupancy of the building would result in an increased intensity of use of the site, however, it is considered that the additional units would not result in an unacceptable level of comings and goings and associated noise generation and disturbance that would be detrimental to the neighbours.

Concerns have been raised regarding the potential impacts and disturbances created during the construction of the proposal. However, these considerations are not directly legislated through the Planning System but through Environmental Health legislation. However, a condition is proposed to secure a Construction Method Statement setting out measures to mitigate routing of vehicles, dust, noise and waste.

Impact on Highway Safety

The Council's Highways officers have reviewed the information provided and have provided the following comments.

"The PTAL is 3 (average) with only bus available within the PTAL calculation area, tube is available just outside the calculation areas, but within in a reasonable walk from the development. The development is located in a controlled parking zone. Within 100 meters of the site the PTAL raises to 4, it also drops 100m on the other side of the development to a PTAL of 2.

No off-street parking has been proposed in association with the units. Policy DM 17 states that a development of this nature should provide between 0 and six parking spaces. The applicants have undertaken parking surveys at peak times of residential parking demand (00:30-5:30) which show that vehicles associated with the development can be accommodated on street (calculated using census car ownership statistics). The reviewed parking survey information provides suitable on street parking availability, to cater for the likelihood of over spill parking, it should be noted that within a close proximity to the development on street parking stress is higher, however further away within the survey area there is a reduction in parking stress. All spaces within a parking survey area should be considered equally, with no weighting given to those spaces closest to the development.

The development provides cycle parking in line with London Plan stated minimum cycle parking levels. Cycle stores are located conveniently and are secure/ weatherproof.

Impact on Trees and Landscaping

The Trees and Landscaping Officer has advised that the proposal does not directly impact on any trees growing on the site. There is a risk that construction activities may cause harm to trees and tree roots, but this risk can be managed with tree protection measures such as ground protection and protective fencing. Due to the nature of this proposal it is acceptable for this information to be a planning condition.

The refuse/recycling stores are placed around the estate and screened by established hedging. These will be expanded to accommodate the additional bins needed. A landscaping condition is recommended to allow for the hedging around these facilities to be replaced with the same sized plants.

The proposed cycle stores are larger and do require the removal of small trees and shrubs. The store located by Block 1 will impact on 2 hawthorn trees growing within the site. These are low value trees, however to preserve the character of the estate's landscape trees should be retained where possible or replacement planting provided to ensure the estates long term visual amenity is secure. A landscaping condition is proposed which will secure replacement planting if required.

No landscape or works to trees plan has been provided. A landscape plan therefore is proposed by way of a condition, that provides for new hedges, trees and shrubs planted around the development. The landscape plan would be required to replace any of the trees removed with large specimen trees. A schedule of plants, sizes, numbers and species would also be required.

In accordance with guidance and best practice the presence of bats, a European protected species, needs to be confirmed when roofing areas are disturbed.

Accessibility and Sustainability

In respect of carbon dioxide emission reduction, the scheme needs to comply with the requirements of Policy 5.2 of the London Plan and be designed to achieve a 6% CO2 reduction to comply with building regulations. A condition has been proposed to ensure the requirement is complied with.

A condition is also recommended regarding water consumption, to ensure each unit would need to receive 100% of water through a water metre, 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 comply with building regulations and Policy 5.15 of the London Plan.

5.4 Response to Public Consultation

The LPA have considered the concerns raised through the public consultation process and have addressed many of these in the above Officer assessment of the scheme. Consideration of comments not raised within the main appraisal above include:

- Objections relating to the loss of property value, timing of submitted application, potential of bike theft, increasing insurance costs, increasing patients/visits and no parking provided by Medical Centre, that the proposal will only benefit the developers, and how the freeholder has behaved toward residents are not planning issues and cannot be considered to influence the planning outcome for this application.
- Objections of a structural nature such as concerning the ability of the building to tolerate the stress of additional dormers and loft conversion, the stairway construction, fire safety issues, location of water tank, provision of foul water sewers are not material planning considerations and would be considered under the building regulations.
- Objections concerning contaminated land, noise levels, health issues are not material planning issues. This is covered under Environmental Health legislation.
- The proposal does not include developing the garage area with blocks of flats.
- The size of the scheme does not require for the provision of affordable housing.
- The sunken garden, which is not protected would remain, and only a small part of the grounds would be lost to bin and bike storage.
- The fact that there has been a lot of disruption from construction in the area already cannot be controlled through planning legislation.
- Development will result in a level of disruption and disturbance but applications cannot be refused on this basis. A construction condition is proposed to minimise disturbance.
- It is considered that sufficient screening exists on the site already and the proposed landscaping condition will ensure screening is maintained.
- It is considered that the addition of additional utility pipes and boxes would not detract from the existing blocks to warrant refusal of the application.
- Energy efficiency measures are required by Building Regulations
- The plans are considered to provide adequate information to determine the planning application. Although the plans include assumed layouts, information obtained from the site visit allows for the impact on the existing residents to be adequately assessed. The level of accuracy provided on the plan is considered adequate to determine the application.
- Enfranchisement of flats and legal challenges to prevent the proposal are a private matter, not controlled by the planning legislation.
- How the Freeholder chooses to rent the garages cannot be controlled by planning legislation.
- The Highways Engineer has considered the Traffic Assessment, sufficient information has been provided to determine the application and the scheme would not require for parking permits to be restricted.
- The Residential Guidelines referred to size of dormer windows relates to the requirements for single family dwellings and not flatted developments.
- A timeline of works is not required under planning legislation.
- Under the tests of conditions, it is not considered reasonable to attach a completion condition and to a certain timeframe to the permission.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitment 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.

