

Location **49 Finchley Lane London NW4 1BY**

Reference: **19/0081/FUL**

Received: 7th January 2019

Accepted: 10th January 2019

Ward: Hendon

Expiry 7th March 2019

Applicant: Mr Gaetano Maddalena

Proposal: Conversion of existing house and self-contained flat into 6 no. self-contained flats including a two storey rear extension and roof extension with 3no. side dormer windows. Provision of 4no. additional off-street parking spaces and associated access and refuse/recycling storage. Conversion of garage into habitable room.

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:

- BS 529-01
- BS 529-02
- BS 529-03 Rev B
- BS 529-04 Rev C
- BS 529-05 Rev A
- Planting Plan by Claire Stenson
- Plant Specification by Claire Stenson

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 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).

- 4 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 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 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).

7

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.

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).

8

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

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

For major sites, the Statement shall be informed by the findings of the Assessment of the Air Quality Impact of construction.

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 April 2013) and Policy 5.21 of the London Plan (2011).

- 9 a) No development shall take place until a scheme of proposed noise mitigation measures against externally generated traffic noise/mixed use has been submitted to and approved in writing by the Local Planning Authority.
b) The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or first occupation of the development and retained as such thereafter.

Reason: To ensure the amenities of occupiers are not prejudiced by traffic noise/mixed use in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.15 of the London Plan 2011.

- 10 No works on public highway including creation or modification of a vehicular access as a result of the proposed development shall be carried out until detailed design drawings have been submitted and approved by the Highway Authority and works shall only be carried out in accordance with the approved plans.

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

Reason: To ensure that the works on public highway are carried out to the satisfaction of the highway authority in the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 11 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.

- 12 The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in condition 12 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.

- 13 a) The approved scheme of soft landscaping as detailed in the Planting Plan and Plant Specification shall be carried out in full.

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.

- 14 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.

- 15 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.

- 16 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.

- 17 Prior to occupation of the development the proposed parking spaces as shown in Drawing BS 529-04 - Rev.A submitted with the planning application and the access to the parking spaces from public highway shall be provided. The access to the parking spaces shall be maintained at all time. The parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with the approved development.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced 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.

- 18 a) Before the development hereby permitted is first occupied, details of the sub-division of the amenity area shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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. 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 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."

- 3 For any proposal new crossovers or modification to the existing crossovers, a separate crossover application must be submitted for approval to the Highways Authority. Details of the construction and location of the new crossover are required to be agreed with the highway authority. Any street furniture, road markings or parking bays affected by the proposed works following site investigation would be relocated at the applicant's expense.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team in conjunction with the highway tree section as part of the crossover application. The outcome of this assessment cannot be prejudged.

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 Any highway approval as part of the planning process for the reinstatement or alteration to the existing access/crossovers or provision of a new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense including any relocation of street furniture, lighting columns or amendments to parking bays affected by the proposed works. 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. An estimate for this work could be obtained from London

Borough of Barnet, Crossover Team, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 5 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 S278/184 Agreement of the Highways Act 1980 or can be charged under a rechargeable works agreement.

- 6 The applicant is advised that any alterations to on-street waiting and or loading restrictions will be subject to a statutory consultation period and amendment to Traffic Management Order (TMO). The Council cannot prejudge the outcome of the consultation process.

The applicant is advised that a separate application would need to be made to the Council's Highway Authority. The amendments if approved will be carried out at the applicant's expense. Advice on amendments to waiting restrictions if required and the estimated cost for the works can be obtained from Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 7 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.

- 8 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.
- 9 : The applicant is advised that due to the large number of schools and school children in the area that site deliveries during the construction period should not take place between 0800 hrs to 0900hrs and 1500 hrs to 1600 hrs. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.
- 10 The applicant is advised that the bin store will need to be located within 10m of public highway with clear access to the bin store on collection days otherwise the dustbins will need to be brought to the edge of public highways. The applicant is advised to contact the Refuse Collection Team for further advice on refuse collection arrangement in the borough.
- 11 The applicant is advised that Finchley Lane (the whole length) is Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm from Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Crossover Team in Development and Regulatory Services should be consulted in this respect.

Officer's Assessment

1.Site Description

The application site comprises of a rectangular plot of land approximately 609sqm currently occupied by a two-storey detached dwelling, no.49 Finchley Lane, currently in use as a single family dwellinghouse.

The site is located on the northern side of Finchley Lane, bounded by Tenterden Grove to the north, within the ward of Hendon.

The site lies on the outside of the north-eastern edge of the Brent Street Town Centre. The existing property is not listed and the site does not lie within a conservation area.

There are purpose built blocks of flats to the east (Natalie Court) and to the north (Raymead and Winsford Court). Opposite the site, on the south side of Finchley Lane, is Hendon Baptist Church and Nancy Reuben Primary School.

2. Site History

There is no relevant planning history at this site. However it should be noted that there is relevant planning history at a nearby site; planning permission was granted at 47 Finchley Lane, located at the confluence of Finchley Lane and Tenterden Grove for the redevelopment of the site comprising of 5no self contained flats. Associated refuse and recycling, cycle store, amenity space and associated on site parking. This application was considered at Committee on 29 November 2018 and approved on 6 December 2018.

3. Proposal

The applicant seeks a two-storey rear extension and roof extension with 3no side dormers, conversion of garage into habitable room and conversion of the property into 6no self-contained units of various sizes. The proposed extension would have a maximum depth of 4 metres, height of 8.5 metres and extend across the entire width of the rear façade, incorporating an outrigger element with a pitched roof to match the existing property.

The proposed external materials and fenestration for the extension are to match those used within the existing property.

4 no. off street parking spaces would be provided to the front of the property and 2no to the rear, accessed from Tenterden Grove.

4. Public Consultation

Consultation letters were sent to 126 neighbouring properties.

Amended drawings reducing the proposed roof form and centralising the rear fenestration and an additional planting plan were received on 11th March

5 responses have been received, comprising 5 letters of objection.

The objections received can be summarised as follows:

- Size, bulk, mass and height is too large for the proposed site;
- Overdevelopment of the site;
- Overprovision of flats in the area;
- Overlooking;
- Overshadowing;
- Increase in traffic;
- Concerns regarding loss of existing vegetative screening to rear
- Inadequate parking provision
- Inadequate Refuse provision.
- Highway Safety issues
- Loss of light
- Loss of visual amenity

The application has been called in by Cllr Richman citing the planning reason as 'loss of family dwelling'.

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.

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS9.
- Relevant Development Management Policies: DM01, DM02, DM03, DM08, DM17.

Supplementary Planning Documents

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development for flats;
- 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;
- Whether adequate accommodation is provided for future occupiers;
- Highways and parking provision.

5.3 Assessment of proposals

Amended drawings

Amended drawings were received on 11th March 2019 showing the following changes:

- Introduction of a Planting Plan and species list.
- Alterations to proposed roof form and rear façade.
- Alterations to size of units to provide one family sized unit within the development and reduction of one unit to a studio.

Principle of development

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

From conducting a site visit and a desk-based analysis, it is evident that along this stretch of Finchley Lane, there is a mixture of single family units, flat conversions and new flatted developments. Planning Officers are therefore of the opinion that the loss of a single family dwelling can be accepted in this instance and the principle of redeveloping the site for flats is considered appropriate, particularly given the provision of one family sized unit within the scheme.

The location of the site on the edge of the Brent Street Town Centre designation is considered to hold further favourable weight in terms of the appropriateness of flats. The NPPF and the London Plan infers a presumption for sustainable development with a higher

development density close to and within town centres and along key highway routes. However, while the principle may be considered acceptable, the overall acceptance of any scheme on this site will be dependent on all other matters being considered acceptable.

The proposed development would provide a mix of dwelling types, comprising 1 x 1 studio unit, 1 x 1 bedroom unit, 3 x 2 bedroom units and 1 x 3 bedroom units. The proposed mix of dwellings is considered to be appropriate and does not raise any specific concerns. The application was called in citing the loss of single family dwelling house by a councillor. These concerns were discussed with the applicant and the mix of dwelling types was reconsidered in order to provide a three bedroom unit to the ground floor in order to ensure that the development does retain a family sized unit.

Impact on the character and appearance of the site, streetscene and wider locality

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

When assessing the context of the street, Finchley Lane consists of a variety of densities and property styles, with the middle and eastern end of the street being of a lower density, comprising mainly of large two-storey detached and semi-detached properties. Whereas, the western end of the street consists of a higher density and commercial premises, with the beginning of the boundary of the Brent Street Town Centre.

The application is a large rectangular plot of 609sqm with significant vegetation, and in particular a large tree to the rear forming part of the rear boundary fence facing Tenterden Grove. The front of the property benefits from an existing access point and large hard standing.

The current scheme proposes to introduce a two-storey rear extension result in a stepped rear façade with a pitched roof and 2 x two storey bay elements and introduce no3 dormers, 2 on the side elevation facing no.51 Finchley Lane and no1 to the rear.

Accommodation is spread over 3 floors including within roof space.

The primary level access entrance into the building is from Finchley Lane with a secondary entrance off Tenterden Grove.

Car parking is located to the front and the rear of the property with 4no at the front and 2no to the rear of the building with access off Tenterden Grove.

The current property on the site is considerable and the extensions will increase the scale and mass of the building. However the proposed footprint of the building would be comparable to the adjacent neighbouring properties, both of which are flatted developments.

A more traditional approach to the form of the scheme has been adopted, with the proposed extensions considered to match the existing gable and hipped roof forms of the property and result in an additional that would be sympathetic of the existing design and form of the property. The proposed depth of 4 metres to the rear is compliant with the Residential Design guidance SPD.

The proposed conversion of the garage into a habitable room includes the replacement of the garage door with a window to match the fenestration of existing property. It is considered the proposed alteration would be acceptable.

Dormers are included to the east and northern elevations serving the top floor apartment located within the roof space of the property, significantly under half the width and height of each roof slope, compliant the dormer guidance stipulate within the Residential Design Guidance SPD.

Based on the above described details, it is considered that the scheme proposed would not cause harm to the character and appearance of the existing site, street scene and wider locality and is therefore acceptable in this respect.

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

The main amenity impacts to be assessed are to the adjacent buildings Richmond House (no51 Finchley Lane) and Natalie Court (no.47 Finchley Lane).

Richmond House rear building line currently extends beyond that of the application site by approximately 4 metres. The proposed two storey rear extension would result in an almost flush building line with the neighbouring occupier set back approximately 3 metres from the shared boundary. It is considered that given the extension will almost be flush and the significant set back from the boundary the proposed extensions would not result in any unacceptable levels of harm to the amenity of the neighbouring occupiers. Regarding the proposed dormers along the eastern roof slope, given the limited amount of fenestration along this boundary wall at no.51 and the height difference along the street the side dormers are not considered to result in any issues of overlooking or impact the privacy of any occupiers at no.51 in accordance with Policy DM01 of the Development management Policies DPD.

Regarding the amenity of Natalie Court, the neighbouring property is situated at a higher level than the application site due to the topography of Finchley Lane. The proposed extension would result in a protrusion of approximately 3.5 meters past the rear building line of the neighbouring property, set back a minimum of 3 meters from the shared boundary. There is limited fenestration along the side boundary facing the application site at no.51 Finchley Lane. Officers consider that given the level changes, limited fenestration and set back of the extension from the shared boundary the resultant protrusion would not be of such that would cause unacceptable harm to the amenity of the neighbouring occupiers in accordance with Policy DM01 of the Development Management Policies DPD.

Regarding the neighbours to the rear of the property no.17 and no.19 Tenterden Grove and Winsford Court are sited approximately 25 metres from the proposed development. Barnet's Residential Design Guidance SPD (2016) states in relation to privacy and outlook, that in new residential developments, there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms to avoid overlooking. The separation distances between the proposed development and the existing buildings to the north would meet this standard and as such Planning Officers do not consider that overlooking would be a significant issue in this instance.

The letters of representation also raise the concern of the potential overshadowing created from the proposed development. However, Planning Officers would consider that given the distance between the sites, it is unlikely that the proposed development would result in unacceptable impacts of loss of light or overshadowing.

Whether adequate accommodation is provided for future occupiers

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

Flat 1 - 3b5p 86sqm
Flat 2 - 2b3p 61sqm
Flat 3 - 1b2p 57sqm
Flat 4 - 2b3p 61sqm
Flat 5 - 1b1p 37sqm
Flat 6 - 2b3p 65sqm

All of the units would exceed the minimum space standards.

The application proposed to provide a large communal garden with significant soft landscaping with a size of approximately 230sqm.

There are several examples of flatted development along Finchley Lane that provide limited or no outdoor amenity space.

Using the guidance within the Sustainable Design and Construction SPD the development should provide 100sqm of amenity space for the number of units and occupancy levels proposes. The proposed space is significantly over this will an additional 130sqm proposed.

Although the amenity space proposed is communal, it is considered acceptable considering the garden provided will be of high quality with significant soft landscaping. Thus it is considered the proposed would be adequate and provide high quality outdoor space for future occupiers.

Officers do have concerns reading privacy for the downstairs rear flat given that the fenestration of the large bedroom and living area unit will face the communal garden. Officers will attach a conditions to provide details of boundary treatment and subdivision of amenity space in order to ensure that there is some form of screening for the future occupier of this unit to ensure their privacy is maintained. This may reduce the amount of communal garden retained for the occupiers of the other units, however considering that the development provides over 130sqm of outdoor space than require it isn't considered any proposed division would result in unacceptable levels of outdoor amenity space for other occupiers.

Highways and parking provision

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

Policy DM17 sets out parking standards as follows for the residential use:

For 1 bedroom units	0.0 - 1.0 space per unit
For 2 and 3 bedroom units	1.0 - 1.5 spaces per unit

Based on the above parking standards, the parking requirement for the proposed development is calculated as follows:

2 x 1b = a range of (0.0 - 1.0) = 0.0 - 2.0 parking spaces required
3 x 2b = a range of (1.0 - 1.5) = 3.0 - 4.5 parking spaces required
1 x 3b = a range of (1.0 - 1.5) = 1.0 - 1.5 parking spaces required

This equates to a range of parking provision of between 4 to 7.5 parking spaces to meet the Barnet Local Plan parking standards contained in Policy DM17.

6 parking spaces are being provided, with four accessed via Finchley Lane and 2 accessed from Tenterden Grove which is considered to be acceptable.

A cycle store is proposed at ground floor level. 9 no. cycle spaces are required in accordance with the London Plan Cycle Parking Standards and a suitable planning condition will be attached to any planning permission in order to secure these.

Trees

The application site is adjacent to a protected TPO area along Tenterden Grove. The tree located along the boundary to the rear is not a TPO. The internal Tree officers have reviewed the application and subject to a tree management and protection plan consider the proposed acceptable on tree grounds. These details will be secured via way of a condition prior the commencement of the development.

The applicant has also provided a soft landscaping plan details the proposed introduction of soft vegetative screening around the boundary of the site and the perimeter of the building. The soft landscaping plan proposed will be conditioned to ensure it is carried out and provides a high quality communal outdoor living space post development and thereafter.

Sustainability

The application scheme is required by Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) to meet Building Regulation requirement M4(2). The applicant has confirmed that the proposed development would meet this requirement, and a condition is attached to ensure compliance with these Policies.

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 6% CO₂ reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition is attached to ensure compliance with the Policy

In terms of water consumption, a condition is attached to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

The proposed development therefore would meet the necessary sustainability and efficiency requirements of the London Plan.

The refuse storage is to be located at the east end of the site. This is easily accessible from Finchley Lane. Officers have not been provided with specific details including any proposed containment structure or the number of bins to be provided. These details will be secured via a condition attached to the decision.

5.4 Response to Public Consultation

The issues raised within the letters of representations have been addressed throughout the report.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, 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 and the quality of the living accommodation is satisfactory. This application is therefore recommended for approval.

