

Location **151-153 High Street Barnet EN5 5SU**

Reference: **18/6607/FUL**

Received: 2nd November 2018

Accepted: 19th November 2018

Ward: High Barnet

Expiry 14th January 2019

Applicant: Mrs Devonshire

Proposal: Demolition and redevelopment of 153 High Street to incorporate retail (Class A1) on the ground floor and 7no. residential units (Class C3) comprising of 5no. apartments and 2no. cottages in a newly-constructed part single, part two and part three storey building including rooms in roofspace and the part-demolition and extension to no.151 to include the change of use of ground floor to retail A1 including single storey front extension, roof extension including 2no. dormer windows to front elevation and 4no. rooflights to rear and conversion of first and second floors into 1no. self-contained duplex flat with new entrance at ground floor level. Removal of AC condenser units from rear elevation and TV aerial from chimney. Alterations to fenestration including conversion of window to door. Associated amenity space, cycle store and refuse/recycling storage, landscaping features, boundary treatments and other supporting infrastructure.

Recommendation: Approve subject to s106

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)

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. 3. Highways (traffic order) £2,022.00 plus a monitoring fee of £101.10.

"A contribution would be required towards the cost to amend an existing Traffic Management Order or creation of a new order related to the development."

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control or Head of Strategic Planning approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director – Planning and Building Control or Head of Strategic Planning:

1 The development hereby permitted shall be carried out in accordance with the following approved plans: 001 (D1), 002 (D1), 010(D1), 011(D1), 012(D1), 020(D1), 021(D1), 022(D1), 023(D1), 030(D1), 013(D1), 100 (D3), 110 (D3), 120 (D3), 130 (D3), 200(D4), 210 (D3), 220 (D3), 230 (D2) 300 (D2), 310 (D2), 320 (D2), 400, 401, 402, CGI Front North Elevation, CGI Front South Elevation, CGI Front Elevation, CGI Nursery Row, Internal Planning Information (520 Rev D2), Design and Access Statement, Planning Statement, Heritage Statement, Gazetteer (Received 22/3/2019), Listed Building Specification Document(22/3/2019), Archaeological Desk-Based Assessment, Daylight, Sunlight and Overshadowing Assessment, Bat Survey, Soils Limited Main Investigation Report, Transport Statement, Sustainability and Energy Statement, Hawes Price Plan No. Letter (Rec'd 21/3/2019).

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 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

3 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

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

4 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).

5 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).

6 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.

7 Before the building hereby permitted is first occupied the proposed window on the second floor in apartment 2A as shown on drawing 120 (D3) in the north elevation facing 1 Hadley Parade shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

8 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the west elevation facing No. 4 Nursery Row.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A,B,C,D,E and F of Part 1 of Schedule 2 of that Order shall be carried out within the area of the new dwellings hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

10 All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

Reason: In order to safeguard the special architectural or historic interest of the Listed Building in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012) and CS NPPF of the Local Plan Core Strategy (adopted September 2012).

11 Notwithstanding the details shown on the hereby approved drawings, the rooflight(s) hereby approved to No. 151 High Street and the Cottages A and B shall be of a "conservation" type (with central, vertical glazing bar), set flush in the roof.

Reason: To safeguard the character and appearance of the Conservation Area in accordance with policy DM06 of the Development Management Policies DPD (adopted September 2012).

12 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).

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

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

14 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 10.57 % 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.

15 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.

16 No works on public highway including provision of a crossover 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.

17 No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason

To enable archaeological investigation and safeguard the archaeological interest on the site in accordance to with paragraph 199 of the National Planning Policy Framework (Revised 2019) Policy DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD and Policy 7.8 of the London Plan 2016.

18 No demolition shall take place until a written scheme of historic building investigation (WSI) has been submitted to and approved by the local planning authority in writing. For

buildings that are included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

A. The programme and methodology of historic building investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: Built heritage assets on this site will be affected by the development. The planning authority wishes to secure building recording in line with NPPF, and publication of results, in accordance with Section 12 of the NPPF.

19 The remediation detailed in the report by Soils Ltd, Reference 17047/MIR Rev 2.00, dated October 2018, shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Part 1. A Method Statement detailing the remediation requirements, using the information obtained from the site investigation (Soils Ltd, Reference 17047/MIR Rev 2.00, dated October 2018), and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2. Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2011.

20 a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and measures to be implemented to address its findings has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations

b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise 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.

21 a) No development shall take place until details of mitigation measures to show how the development will be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from the ground floor A1 use; as measured within habitable rooms of the development shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

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

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 that the proposed development does not prejudice the amenities of occupiers of the residential properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2011.

22 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: In the interest of good air quality in accordance with London Plan policies 5.3 and 7.14

23 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments and the sub-division of the amenity area(s) 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).

24 The demolition works hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been executed and planning permission has been granted for the redevelopment for which the contract provides. Evidence that this contract has been executed shall be submitted to the Local Planning Authority and approved in writing by the Local Planning Authority prior to any demolition works commencing.

Reason: To preserve the established character of the Conservation Area pending satisfactory redevelopment of the site in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM06 of the Local Plan Development Management Policies DPD (adopted September 2012).

25 a) No development other than demolition work shall take place unless and until a Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme has been submitted to and approved in writing by the Local Planning Authority.

b) The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features approved under this condition have been implemented in their entirety.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.13 and 5.14 of the London Plan 2016.

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

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

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted October 2016) and the Sustainable Design and Construction SPD (adopted October 2016).

27 The use hereby permitted shall not be open to members of the public before 8am or after 9pm on weekdays and Saturdays or before 9am or after 6pm on Sundays and Bank and Public Holidays.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

28 No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 8 am or after 7 p.m. on any other day.

Reason: To prevent the use causing an undue disturbance to occupiers of adjoining residential properties at unsocial hours of the day.

29 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.

RECOMMENDATION III:

1 That if an agreement has not been completed by 10/06/2019 unless otherwise agreed in writing, the Assistant Director of Development Management and Building Control should REFUSE the application 18/6607/FUL under delegated powers for the following reasons:

1. The development fails to provide a legal undertaking to enable an amendment to the Traffic Regulation Order and contribution towards the associated monitoring costs to mitigate the on-street parking impact in the vicinity of the site, contrary to policy DM17 of the Development Management Policies DPD and the Planning Obligations SPD.

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 written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. Condition 17 is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 4 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.

Damage to Gullies and Sewers

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.

- 5 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
- 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
- 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;

4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;

5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;

6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

- 6 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

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

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

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

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

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

Relief or Exemption from CIL:

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

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

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

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

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

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

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

- 7 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 8 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.

- 9 The applicant is advised that it is their responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required, and they can be contacted on 0800 009 3921. The above is in order to ensure that the surface water discharge from the site is not detrimental to the existing sewerage system.
- 10 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

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

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

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

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

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

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

11 The submitted Construction Method Statement shall include as a 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 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.
- 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 For major developments only: provide a copy of an asbestos survey;
- 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.

Officer's Assessment

1. Site Description

The application site is located on the western side of High Street, Barnet within the Monken Hadley Conservation Area (CA) and comprises two properties; No. 151 High Street, which is a two-storey Grade II Listed Building constructed c1700 and No.153 High Street, also a two-storey building, attached to No.151 High Street. No. 153 is not Listed or Locally Listed. Both buildings have been altered and extended from their original construction which includes an unsympathetically designed single storey front extension, which projects beyond the main front building line of the properties that front the High Street. The buildings are internally linked and are used as a car showroom (Sui Generis) with ancillary storage and offices found on the floors above. To the rear of the buildings is found an associated service area, storage, valet and support area which is covered by plastic canopies to protect the cars. A garage/car port is also found in the south west corner where the site abuts the rear gardens of No. 6 St Albans Road. Access to the rear is gained through the building of No. 153 High Street.

The south of the site is adjoined by Hadley House an extended two/three storey building with rooms in the roof and landscaped terraces/garden to the rear. The property is used as a restaurant with living accommodation on the second floor. To the north the site is separated from the neighbouring properties by the passage way Nursery Row. To the front of the northern boundary is sited a 1950's three-storey mixed use parade (1-5 Hadley Parade) which comprises commercial units on the ground floor with residential above. It has rear gallery access and parking. Behind this Parade is the Army Reserve Centre where a large warehouse/storage building is located adjacent to the boundary with Nursery Row. To the west of the site is found 1-4 Nursery Row, a two-storey terrace of residential properties with small gardens. The rear gardens of the properties fronting St Albans Road also adjoin the western boundary.

The site lies within the Chipping Barnet Town Centre, forming part of the secondary shopping frontage. It also lies in an Area of Special Archaeological Interest.

2. Site History

Reference: N01131
Address: 151-153 High Street, Barnet
Decision: Refused
Decision Date: 26 July 1967
Description: Use as betting office

Reference: N01131B
Address: 151-153 High Street, Barnet
Decision: Refused
Decision Date: 23 June 1982
Description: Three-storey building comprising showroom, offices and caretaker's flat

Reference: N01131C
Address: 151-153 High Street, Barnet
Decision: Refused
Decision Date: 23 June 1982
Description: Demolition of building in Conservation Area

Reference: N01131D
Address: 151 High Street Barnet
Decision: Refused
Decision Date: 23 June 1982
Description: Demolition

Reference: N01131E
Address: 151-153 High Street, Barnet
Decision: Approved subject to conditions
Decision Date: 12 April 1983
Description: Double door at front, window at rear, illuminated fascia sign at front, non-illuminated sign at side.

Reference: N01131F
Address: 151-153 High Street, Barnet
Decision: Approved subject to conditions
Decision Date: 21 April 1983
Description: Change of use to car showrooms with ancillary offices, formation of parking, storage and car valeting area at rear, alterations to front and rear, new fence at side and rear.

Reference: N01131H
Address: 151-153 High Street, Barnet
Decision: Refused
Decision Date: 14 September 1983
Description: Change of use to car showrooms with ancillary offices, formation of parking, storage and car valeting area at rear, alterations to front and rear, new fence at side and rear.

Reference: N01131J
Address: 151-153 High Street, Barnet
Decision: Approved
Decision Date: 21 December 1983
Description: Change of use to car showrooms with ancillary offices, formation of parking, storage and car valeting area at rear, alterations to front and rear, new fence at side and rear.

Reference: N01131M
Address: 151-153 High Street, Barnet
Decision: Approved
Decision Date: 6 September 1984
Description: Change of use to car showrooms with ancillary offices, formation of parking, storage and car valeting area at rear, alterations to front and rear, 3m high fence at side and rear.

Reference: N01131R
Address: 151 High Street, Barnet
Decision: Refused
Decision Date: 19 August 1987
Description: Change of use of first floor from residential to offices

Reference: N01131S
Address: 151 High Street, Barnet

Decision: Approved subject to conditions
Decision Date: 21 October 1987
Description: Internal Alterations

Reference: N01131U (Planning Application) and N01131V (Listed Building Consent)
Address: 151-153 High Street, Barnet
Decision: Refused
Decision Date: 19 January 1989
Description: Alterations to elevation involving new window

Reference: B/05304/14
Address: 151-153 High Street, Barnet
Decision: Approved subject to conditions
Decision Date: 3 February 2016
Description: Reconstruction of the north end chimney stack and gable and reinstatement of window to the main dwelling. (LISTED BUILDING CONSENT) (RETROSPECTIVE APPLICATION)

A number of applications for signage and adverts have also been made on the site.

3. Proposal

The proposed scheme includes the following elements:

In respect of 151 High Street, (Listed Building) the scheme includes part demolition, change of use and extensions to the property. This involves:

- The demolition of the existing ground floor front extension.
- The demolition of the existing WC to the rear of the building.
- Change of use and the re-configuration of building to include a change of use of ground floor from sui generis to provide 44 sq metres of retail space (A1 Use). This includes the replacement of the existing front extension with a modern single-storey front extension. This would be set some 3.4 metres from the southern boundary, adjacent to Hadley House, High Street, where it would measure a minimum of 2.1 metres deep before splaying outwards to a maximum depth of approximately 3.8 metres before stepping in slightly by 0.6 metres to meet the northern boundary, thus extending to the front over both buildings No's. 151 and 153 High Street. The associated shop fronts would read as two shop fronts although internally the units could be interconnected. Both units would be designed to include a shallow stall riser, a transom and a single central entrance door. A flat roof is proposed over, incorporating a fascia sign which would be located just below the windowsills of the first-floor windows.
- The first and second floor of No. 151 would be converted from office and storage space to a two-bed maisonette. Access would be gained from the ground floor via a new front entrance door, created by replacing the existing ground floor window on the front elevation.
- The windows at first-floor would be replaced to include traditional mullions and transoms.
- Two traditional styled dormer windows would be introduced to the front roof slope measuring 1m wide and 1.5m high. These would be set some 1.2m below the ridge and 1.1m above the eaves. Their windows would be sash in style mirroring the first-floor windows.

- One conservation rooflight would be introduced to each roof slope to the rear elevation to give a total of three rooflights. A further flush rooflight would also be introduced to the flat asphalt roof to the rear.
- The restoration of internal wood panelling at ground and first floor, although a small section would be lost to allow for the door. Other internal alterations include opening fireplaces, installing inserts, replacing modern doors, creating a new doorway and removing some internal walls.

In respect of No. 153 High Street, the proposal includes:

- Demolishing the existing building and removing the existing canopies and car port to the rear, although the walls of the car port abutting the boundary of the site would be retained as boundary wall.
- The site would be redeveloped to provide 7 residential units comprising 2 x two-bed cottages, 1 x 2 two-bed apartment, and 4 x one-bed apartments. This would include the erection of a two-storey building with rooms in the roof fronting the High Street. 58 sq metres of retail space would be provided at ground floor which includes a new front extension as described above over the two properties. Two one-bedroom residential units are proposed at first and second floor which would be linked to a three-storey building behind. The building would be of a modern design of an increased height with a raised ridge which would align with No. 151 High Street's existing main ridge line. Two modern dormers are proposed to the front and to the rear, rooflights are proposed within the flat roof of the three-storey link rear building.
- The service area to the rear would be re-developed to provide a three-storey flat roofed building comprising a two-bed apartment at ground floor with a garden and a one-bed apartment at first and second floor. Access to these apartments and the apartments above No. 153 High Street would be a communal entrance from Nursery Row.
- Two mews cottages, part single, part two storeys in height would each include two conservation rooflights to front and rear and be located approximately 0.75m from the boundary with No. 4 Nursery Row and adjoin the three-storey building. Both would have access to a rear garden.
- The design of the buildings fronting Nursery Row would include the ground floor to be recessed which would widen the passage area along Nursery Row.
- The existing drop kerb and forecourt parking would be removed.
- No car parking is proposed on the site, although plans show two on-street car parking spaces to be introduced along the High Street, one of which would be for disabled users. Cycle storage would be provided for each unit either internally or within the proposed rear gardens. Further cycle parking would be provided under the building overhang in Nursery Row.
- Refuse storage would be provided as an enclosed recessed area within the flank wall of the retail building adjacent to No. 1 Hadley Parade.

The applicant's supporting information states that the proposal would bring a number of benefits. The main benefits would include the removal of the harmful front extension, restoration and enhancement of the Listed Building, the removal of an inappropriate use, removal of poorly designed signage and spotlights, introduction of two new Class A1 units with the creation of additional jobs, introduction of 8 residential units on previously developed land, increased footpath width along the High Street and Nursery Row, increase public parking space on the High Street, cycle storage provision, environmental enhancements, increased security to Nursery Row, provision of secure enclosed refuse areas which the site currently lacks.

4. Public Consultation

Consultation letters were sent to 180 neighbours. A site notice was also erected and the application was advertised in the local press. 13 objections and comments have been received. This number includes 4 objectors who have written twice. The comments received are summarised below. Re-consultation has taken place on amended plans and additional information and any further comments received will be reported to the committee.

Barnet Residents Association comment that the application should be refused. Their comments are summarised as follows:

1. Lost opportunity to reveal part of Barnet's historic architecture by the removal of front extension and reinstating building line to follow the original route of the Great North Road.
2. The replacement flat-roofed ultra-modern front extension does not enhance the two properties and very much detracts from their architectural value.
3. The Character Appraisal Statement indicates that No 153, an early to mid-19th century cottage, contributes positively to the Monken Hadley CA. The application says its demolition would have a neutral effect on the character and appearance of the CA. The two statements are not compatible.
4. The Design and Access Statement says the existing buildings have disparate roof lines but the disparate nature of the buildings give them their appeal. They form part of historic High Barnet and should be preserved.
5. Proposed new windows from 12-pane sash windows at first floor of No. 153 is regrettable.
6. Internal changes to the listed No 151 are regrettable, the internal features should be preserved.
7. The site is at the extremity of the High Street and given high streets are contracting question whether a good opportunity to refuse the retail element and allow the entire property to be residential. Little point having new units standing empty. This would open up the frontage of the listed building and bring it back to original boundary line.

The Barnet Society comment that they are neutral about this application.

In its favour are:

- The removal of the present incongruous projecting car showroom.
- Partial restoration of the listed No.151 building and replacement of the mediocre No.153.
- Although the single-storey shopfront extension has no other local precedent, it mediates between the original street-line and that of the later shopping parade to its north.
- It is not in some pastiche style but in a lean modern idiom similar to The Spires frontage.
- Replacement of unsightly workshops to the rear with reasonably well-designed flats and 'cottages'.

Against it:

- The level of information is unsatisfactory: even though the submission is bulky, the drawings are small and lack sections, details and indications of materials.
- The replacement front projection shops would be approx. 30% bigger in footprint.
- The listed building takes another beating. It is unclear why what survives of the past ground floor plan has to be dispensed with. And if there are to be openings in the roof, the property should be re-roofed with clay tiles or slates.

- Internally, there appear to be no elevations to show how the surviving interiors would be handled (at 1:100, 1:50 for details), which should be a basic requirement for a listed building.
- The existing Nos.151 & 153 together not only have streetscape appeal, but represent the old route of the Great North Road at the very point where the road was diverted.
- The original roof profile of No.153 would be lost, and replicating that of No.151 would diminish the value of the latter.
- There is a lack of amenity space for several of the new residential units.

The Hendon and District Archaeological Society considered that the proposed watching brief would be appropriate and that the Council should follow a recommendation from Historic England on this.

Neighbours repeat some of these comments and raise the following additional comments.

1. Concern regarding proximity of building to house and building machinery will damage house, especially given limited foundations.
2. Damage to drainage system serving the neighbourhood. No drainage plans submitted.
3. Objected to sample drilling as would have caused huge cracks, although allowed sample to be taken inside property.
4. Strongly oppose the any building coming within one metre of house or encroaching on former side path.
5. Concern about size, height, view and look of proposal. Development is overbuilt, congested, bland architecture inappropriate for CA.
6. Application to build retail units questionable given current vacancy rates in Barnet and that a retailer is vacating the site.
7. No 151 is listed and No. 153 has a preservation order given the wood panelling upstairs.
8. The car parking suggestion is not for the freeholders to decide especially given Barnet's parking restrictions.
9. A bungalow was refused planning permission to the rear of 10 St Albans Road and permission was given for a single storey extension instead. This should apply to 151-153 High Street.
10. Support conversion into flats and removal of car showroom extension.
11. The contemporary shop front does not make a positive contribution to the CA. It would obscure the historic building.
12. Rebuilding 153 to the same height as 151 with modern features will result in a significant negative impact with historic value of these properties being lost. Will undermine the variable roof heights and building styles identified in CA Appraisal in this part of the CA.
13. No appropriate architectural survey has been made of No 151.
14. No. 153 High Street should not be demolished as it does not serve the primary statutory objective to preserve and enhance the CA.
15. No. 153 dates from the late Georgian period on original alignment of the Great North Road. Contrary to the applicant's Heritage Statement, the ground floor brickwork and the roof are likely to be original. It has archaeological value and provides a sympathetic setting and context for No.151.
16. The proposal provides an opportunity for enhancement of No. 153 by reinstating a door and windows in keeping with the upper floor.
17. A development of modern mews dwellings is good in principle but is overlarge. Development should not overwhelm or obscure the historic building or dominate the views of the High Street.
18. Supports Historic England's archaeological advice. The recording should be done in advance to both buildings inform the design and specification of the conversion. Relevant to listed building application as will help mitigate impact. Will also allow for investigation of drainage and service installations, which are shallowly buried, complex and fragile.

19. Support that Historic England development management branch should be consulted.
20. Inappropriate development in the CA, out of keeping, unlike proposal change should make a positive contribution to historic appearance of the town.
21. The added CGIs are more helpful than poor drawings to demonstrate how little attention has been given to the historical aspects of these buildings and how the scheme does not 'protect or 'enhance' the conservation area.
22. Approving the contemporary shop front would set a precedent resulting in other buildings in CA being vulnerable to similar insensitive 'modernisation'.

The Monken Hadley and Wood Street Conservation Area Advisory Committee made the following comments:

There is a good opportunity for enhancement which has not been addressed. Front elevation should follow line of existing building and not line of road. We are not happy with the design of the front extension. Roof of 153 should stay at the same profile as existing. Dormers should be more in style of period of house. Amenity space is missing for residential units. Lack of harmony in 4 styles of structures. Insufficient detail in drawings as to materials etc.

The London Fire Brigade

Commented that insufficient information has been provided in relation to access and facilities for fire fighters, as set out in Section B5 Approved Document B. Additional plans have since been received regarding access and facilities for fire fighters and any further comments will be reported to the committee. This however is a Building Control matter.

Historic England)

Historic England state that "on the basis of the information available to date, in our view you do not need to notify us of this application under the relevant statutory provisions"

Historic England's (Archaeology)

Historic England raises no objection to the scheme subject to conditions relating to a Written Scheme of Investigation (WSI), archaeological excavations, Historic Building Recording and Condition Building Recording. Their comments are summarised within the main body of the report.

Internal Consultation

The Highways Engineers raises no objection to the scheme subject to conditions and the completion of a Section 106 Agreement, their comments are included within the main body of the report.

Environmental Health's

No objections are raised subject to conditions:

Contamination

The report by Soils Limited gives the results of a ground investigation. Elevated concentrations of contaminants were found; as were asbestos containing materials. Ground investigation has been undertaken and remediation proposed, subsequently a condition is proposed which seeks to secure the implementation of the remediation strategy.

An asbestos survey should be carried out and all ACMs removed as appropriately by suitably qualified personnel.

Air Quality

This development is in an area that experiences poor air quality that is predicted to exceed the UK Air Quality Objective for nitrogen dioxide. Furthermore, it is adjacent to an air quality focus area. Future residents may be exposed to poor air quality. The retail units may contribute to poor air quality due to deliveries / loading. However, it is not considered necessary to attach an air quality condition given the impact of the proposal is likely to be minimal compared with the current use.

Noise

The High Street is busy and noisy and the new residents will be exposed to indoor noise levels that are higher than the Council's standard requirements should sufficient mitigation not be employed. Furthermore, the public house at 149 High Street is a source of noise. There also needs to be adequate sound insulation between the A1 unit and residential first floor. If any of the existing building is retained then it is likely that without enhanced sound insulation, sound will be transferred from the commercial to the residential units. Conditions are proposed to address these matters and further conditions are proposed for a construction method statement and non-road mobile machinery.

Heritage Officers Comments

The comments are summarised as follows.

- The two properties are situated within the Monken Hadley Conservation Area and form part of a terrace of properties, with no.151 being statutorily listed at Grade II. The listing for the property reads:

Circa 1700 with alterations. Brick, painted in front, rendered on cross-gabled rear elevation. Clay tiled roof, rebuilt north end chimney and rendered chimney to south. First floor band. Two storeys, 2 windows, gauged flat brick arches on ground floor; stone cills. Sash windows, glazing bars lost. Brick buttress at left. At right projecting modern shop not of special interest. Interior shows on ground floor a room with wainscoting of simple late C17 type with panels of even size, and similar panelling painted on first floor room above, also a corner fireplace with simple chimney piece of period. Balusters replaced to stair with closed string.

This application has been subject of pre-application advice and the majority of the scale, bulk, massing and height of the new build are as previously proposed and considered acceptable, however some issues still remain as follows.

External issues:

- Dormers on both buildings need to be traditional in appearance with lead cheeks not glass cheeks. Fenestration should match that of the windows below. Windows in the dormers should be casement opening. Scale drawings at 1:10 should be provided.
- Archive drawing mentioned on page 39 of the D and A statement should be supplied.
- On listed building rooflights are to be restricted to two in total, 460x610mm, one on each roof slope. On listed buildings, regulations such as light requirements do not apply. The rooflight over the kitchen area in the listed building should be removed from the proposals. The storage room, also forming part of the listed building at ground floor level should be restricted to one centralised rooflight 460x610mm.
- Rooflights for the new mews houses should be removed as all rooms they serve have windows. Conservation rooflights are not permitted on the front of properties in conservation

areas generally and are not a characteristic feature on the neighbouring mews terrace or on any of the two storey traditional dwelling houses, neighbouring the site.

- Green tiling is an uncharacteristic material for both the CA and Barnet in general. Natural brick should be utilised instead.

- On the new development of 153 High Street, full length windows should be removed from all external facades that front out onto the conservation area, and should be restricted to the internal facades at ground floor level. The full-length windows may be replaced with windows to match the proposed windows.

- Proposed front door to listed building is not an appropriate period style and replaced with an appropriate style. A 1:10 scale drawing or specification sheet should be supplied.

- Precedent images found within documentation should have the word "precedent" removed as, if they are not features represented in neighbouring development, they do not constitute precedence.

- The projecting shop frontage should be more characteristic in its appearance imitating detailing within its stall riser and fascia that reflects a more traditional style of shopfront as found in the high street. The LPA expect a high standard of design for shopfronts on listed building and within CA's. Whilst there may be modern shopfronts within the high street, the LPA do encourage high quality traditional design when new shopfronts come forward. It is suggested that the frontage is coloured white to soften the impact of what is a large extension to the front elevation, jutting out into the CA and facing onto the high street.

Works to no. 151 the listed building:

Insufficient details both externally and internally have been provided as would usually be required for Listed Building Consent. It is not best practice to simply condition the works and all matters should be resolved prior to consent being given. It is suggested that the proposals for 151 High Street are withdrawn.

Little change is happening to the existing plan form layout of the listed building, in which it is intended to restore it back largely to residential use, partially at ground floor and on the upper floors. A heritage statement has been submitted which examines in detail the history and development of the property and surrounding area. It includes a room-by-room gazetteer, but it would be useful for the document, which highlights what fixtures and fittings of significance remain within the property, to make clear which room is being referenced on the plans. Full details should be provided of what works are proposed to be undertaken to the interior, including new service runs shown on plans.

A schedule of works for each room should be provided. Works should utilise traditional materials and construction techniques that allow the building to breathe. Scale drawings of any new internal doors should be provided and cross sections of any new period-appropriate skirting, architraves and cornices should be submitted.

In addition, the following details should be provided:

External:

- Spec sheet for the proposed chimney pots
- Details of any render or paint, which should be of an appropriate nature for the period of building, to be used on the external and internal elevations of the listed building.

Internal:

- Scale cross section drawings of existing and proposed changes to internal elevations. Scale drawings of any alterations to historic panelling should be provided to indicate detailing.

- Schedule of works which should include method statements on processes to repair or make modifications to historic fabric, such as the historic panelling. Power tools should not be used as they can cause permanent damage to historic fabric. Modifications to historic fabric should be done carefully by hand and this should be clarified.
- All new services should be detailed on separate plans. Care should be taken to ensure there is minimal intrusion into the historic fabric. Existing runs should be utilised where possible
- Details of all new materials should be submitted, such as any thermal boarding required for the conversion of the loft area. Materials should be compatible with the age of the building and allow the structure to breathe.

Since these comments were made a number of the amendments have been made to the scheme which are discussed in the assessment below. Further details including an up dated gazetteer and schedule of works have been submitted. The Heritage Officer although would prefer details to be included within the application, considers that any outstanding details can be covered by conditions.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 19th February 2019. 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, CS3, CS4, CS5, CS6, CS9 CS12, CS13, CS14.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08, DM11, DM14, DM15, 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)

Barnet Characterisation Study

Monken Hadley Conservation Area Character Appraisal Statement

Chipping Barnet Town Centre Strategy (June 2013)

Design Guidance 10: Shopfronts

- 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:

- The principle of development;
- Whether harm would be caused to the character and appearance of the existing building, the street scene, and the wider locality and character of the conservation area;
- Whether harm would be caused to the design, character and appearance of the setting of the Listed Building;
- 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

This application for planning permission follows pre-application discussions with the local planning authority. Officers have worked with the applicant in order to address concerns relating to the development and a number of amendments to the original scheme have been made.

Principle of the development

The proposal would result in the change of use of the site from a sui-generis use (car showroom) to a mixed A1 use on the ground floor of 151-153 High Street and a C3 use, in the form of a maisonette within 151 High Street and newly constructed apartments and mews cottages on the remainder of the site. Currently the site is used in conjunction with the car dealership located opposite the site at 202 High Street, providing ancillary showroom space, with the upper floors used as offices, ancillary storage space, meeting space and a staff eating area, although currently it appears to be largely unused other than for ancillary storage. The agent argues that the whole of the site including the upper floors has a sui generis use. Officer's accept this argument as there is no separate access to the upper floors, other than through the showroom and the agent indicates that the buildings have been used as a car showroom with ancillary offices to the upper floors continuously over a period of 10 years.

With regard the principle of changing the use of the site, the first issue to consider is whether the loss of the existing use is acceptable.

Policy CS8 of the Core Strategy (2012) sets out that the Council will support the Borough's economy by protecting viable employment premises and encourage improvements to the quality of existing employment spaces.

Policy DM11 (DMP (2012) states that the council will expect a suitable mix of appropriate uses as part of development within Town Centres to support their continued vitality and viability. For mixed use development the protection of employment floor-space should meet the requirements set in Policy DM14; and appropriate mixed-use re-development will be expected to provide re-provision of employment use, residential and community use. Policy DM14 states that the loss of a B Class use will only be permitted where it can be demonstrated that the site is no longer suitable and viable for its existing or alternative business use and a suitable period of effective marketing has been undertaken. Where this can be demonstrated the priority for re-use will be a mixture of small business units with residential use. Proposals to redevelop or reuse an existing employment space, which reduces the levels of employment use and impacts negatively on the economy will be resisted.

The proposal would result in a change of use to residential to the upper floors and therefore employment space would be lost. The ground floor however would remain an employment generating use. It is considered that in line with Policy DM11 the change of use of the upper floors to residential could be supported, providing there is no net loss of people employed over the whole site. At present the employment associated with the site is generated from the car dealership opposite the site and therefore the site on its own does not generate employment. However, that said a separate dealership could operate from the site generating its own employment. It is considered that the overall potential employment generated on site by the proposal would be similar if not greater to that which currently exists. In this instance it is considered that the requirement for marketing information relating to the

upper floors for alternative employment uses can be relaxed as they do not provide a separate B1 use.

The advice contained within the revised NPPF (2019) within paragraphs 118 is also of direct relevance and supports the application. It states that "planning policies should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops...)" It goes on to state within paragraph 121 that "Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. They should support proposals to: ... use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework;"

In terms of the acceptability of the proposed A1 use this is supported by Policy CS6 and DM11 which indicate that retail uses add to the vibrancy of town centres. The proposal would also reintroduce an A1 use to the existing secondary frontage that currently has a concentration of non-retail uses, which is supported by policy DM11.

With regard to the residential use on the site Policy 3.3, London Plan (2016) supports the introduction of residential uses in town centres where appropriate, stating that Boroughs should whilst having regard to other Policies of the Plan realise brownfield development capacity through intensification, mixed-use redevelopment and town centre renewal. Policy CS3 Core Strategy (2012) states that Chipping Barnet Town Centre can provide for infill housing above ground floor commercial development.

Therefore, it is considered that the loss of the existing use would be acceptable, as the scheme would comply with local plan policies by providing an active retail frontage with residential above which would increase residential provision whilst not resulting in a net loss of employment.

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

In line with policies 7.4 7.6, 7.8 (of the London Plan) and local plans policies DM01, DM06 and CS05 (of the Barnet Local Plan) any scheme for the site would need to respond to local character and history, and reflect the identity of local surroundings and materials of the local area, relate appropriately to the sites context and provide buildings of the highest architectural quality. The council also has a duty to protect and enhance heritage assets (including listed buildings and CA's) in line with their significance, including the need to preserve and enhance the character and appearance of its CAs and a presumption of retaining any building which makes a positive contribution to the character and appearance of the CA. Paragraph 196 of the NPPF states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including securing its optimum viable use.

In terms of the general character of the street scene and local area it is considered that given that the application site is located in a mixed-use area of commercial and residential properties with flatted developments above shops being common, the proposed use would

not be out of character. The site has a PTAL rating of 3, where the London Plan advises that development should be at 35-95 units per hectare. The proposal would exceed this range at 150 units per hectare. Density should not drive development however, it is an important factor to take account along with local context and design. Given the town centre location it is considered that a higher density could be supported. Furthermore, although the proposal would not provide the highest priority homes of 3/4 bed homes indicated in policy DM08, given the town centre location, it is considered that the mix as shown could be supported for market housing.

Flat developments can make an important contribution to housing provision, in particular smaller units in that they 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 though, for example, by 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 would be enclosed within the building, so these elements would not dominate the scheme.

Turning to the proposed impact on the CA it is important to consider that Monken Hadley is very green and leafy in character and remains at a low built density. Its special character stems from development in the 18th and 19th centuries. Approximately a quarter of the land within the Conservation Area is in residential use. The application site lies within Area Four of the Monken Hadley Conservation Area. Compared to other parts of the CA, this part of the CA has a more urban built form, with a tighter, compact grain containing a typical mix of commercial uses as well as residential and religious uses, together with a variety of building styles. Although opposite the site can be found a car showroom with a wide frontage of a modern design and to the rear of the site is found storage/warehousing, in general within the vicinity of the site the area is characterised by relatively modest sized but well-proportioned individual properties that front onto the High Street.

In describing Area Four the Monken Hadley CA Character Appraisal comments that "there are almost certainly more intrusive features in this area than in any other, due possibly to the greater demand for change and modernisation that occurs in a more commercial environment. There is a great deal of variation of roof and building heights of one and three storeys. This occurs on both sides of the road and the view from the Green end of the High Street in a southerly direction provides an interesting and varied skyline of roof levels and chimneys, as well as a great variety of building styles."

In considering new development, the Monken Hadley CA Character Appraisal states that "it is almost never acceptable to demolish buildings which contribute positively to the CA. Even when there is no objection to demolition, it will rarely be considered without a high quality proposal for its replacement. A new building must respect its context but can be of a traditional style or provide a high quality contrast. So long as the proposal is well designed and harmonises with its setting it will be looked at positively. Mediocre, purely functional buildings, or buildings which seek only to maximise internal space and pay little or no attention to the requirement for good design, are unlikely to be considered favourably".

The application is supported by a Heritage Statement by RPS CgMs which addresses the significance of the heritage assets and concludes that the proposal would have no adverse effects on the CA.

With regard to the proposed demolition of structures the removal of the existing unsympathetic front extension is welcomed as it adds no architectural merit and detracts

from both the character of the CA and the listed building. Furthermore, its removal would improve pavement access. No objections are also raised to the demolition of the WC to the rear of the property as this also has no architectural merit and is not considered to be a significant element of the historic fabric of the listed building or CA.

In respect of the demolition of No.153 High Street the building due to its age, materials, modest size and main design reflecting the historic development of the site, is identified as making a positive contribution to the CA. Local plan policies are in favour of retention of such buildings, however, that being said, the building has been unsympathetically altered with large openings to the ground floor to both the front and rear and the internal walls have been removed at both ground and first floor leaving a building with limited historic fabric with the sash windows and some of the brickwork mainly providing its remaining historical features, as well as its proportion preserving its origins as a small cottage villa. When weighing up the significance of the building against the potential benefits of the proposal, including the creation of new residential accommodation and the restoration of the listed building it is considered this outweighs the retention of the existing building. Its loss however is only supported by its replacement with a well-designed, high quality scheme, which does not adversely impact the listed building, as well as one which preserves or enhances the CA. During the life of the application various amendments requested by Officers, including addressing a large number of the Heritage Officer's concerns, have been made to the scheme to improve the design of the proposal and reduce its impact on the CA, listed building and area in general.

The replacement building at No. 153 would be of a modern design and would increase the ridgeline height to tie in with the ridge of No. 151 to provide residential accommodation, however the overall proportions of the elevation fronting the High Street would be similar to the existing building. The slate roof as opposed to the adjoining tiled roof and the simpler designed sash windows at first floor would allow the building to be read as a separate building from the adjoining listed building to which no objection is raised. Front dormers are not an uncommon feature of this part of the CA and given the size and design of the proposed front dormers it is considered that they would not appear overbearing or dominate the roof slope. The glazed cheeks originally proposed have been removed from the scheme and the proposed materials to the front elevation have been amended to white painted brickwork to reflect the style of the building to be replaced. This would allow the proposal to blend with the street scene. The green tiles have also been replaced with natural brickwork on the flank elevation. The colour of the brick is to be agreed through a materials condition.

In terms of the proposed replacement front extension, although it is of a modern design with a deep fascia, following amendments, the design now incorporates some traditional features, such as a stall riser and transoms, which breaks up the expanse of glass. The proposed overhang of the extension has also been removed, as have the originally proposed green glazed tiles at the ground floor and the shop front colour, although not amended to white as requested by the Heritage Officer has been altered from a dark grey/black to a lighter shade of grey. The extension would also allow for a wider pavement as although the retail space would be greater than existing it would project less than the existing shop front, lining through with the front building line of 1-5 Hadley Parade and the forecourt parking would be removed. The new shop front would also expose slightly more of the listed building compared to the existing extension, given the reduced height. Given the above when viewed from the High Street the proposal would result in a contemporary building, which would still reflect the traditional form and proportions of the existing building and on balance would not be detrimental to the overall character of the street scene and CA or setting of the listed building.

With regard to the proposed three storey apartment building and mews cottages at the rear it is considered that they would provide a substantial change to the current situation. However, views of these buildings would be limited from around the site. A public view would be gained along parts of St Albans Road and from Nursery Row, but other than the set backed angled frontage that links the front elevation of 153 High Street to the rear block, views would be largely restricted from the High Street. It is considered that the bulk, scale and mass of the three-storey building although substantial would on balance suitably blend with the adjoining buildings, given that they are taller and the varied roof profile common in this part of the CA would be retained. Additionally, although some of the windows would be full length in the front and side elevation and the design may have benefitted in a reduction in their size as requested by the Heritage Officer, given that they provide increased levels of lighting to the new units, only limited views are gained of them, and they are read as part of the modern building, it is considered that on balance the application could not be refused on this design matter alone. It is also considered that the proposed mews houses would relate satisfactorily in terms of size and design with the terraced properties of Nursery Row. Conservation rooflights are proposed in the front roof slope of the mews houses which is not supported by the Heritage Officer but given the restricted views of these rooflights and that they would provide increased light into the rooms below, it is considered that on balance these would be acceptable.

The alterations to the listed building and its impact on the character of the CA are set out below.

Therefore, overall it is considered that the proposal would relate satisfactorily 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. The scheme would result in some harm to heritage assets but it would be less than substantial and this harm is outweighed by the public benefits of the scheme as outlined above. Subsequently it is considered that the scheme would not adversely impact on the character of the CA and would comply with local plan policies.

Design, Character and Appearance & Setting of Listed Building

In line with legislation the local planning authority should have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. The policy considerations for the alteration to the listed building have been considered above.

The proposal would restore the building partly to its original residential use which is considered to be the optimum viable use whilst also retaining an A1 unit in this secondary shopping parade. In terms of external alterations, the removal of the existing front extension is a substantial benefit to the listed building and its setting. The replacement extension given its reduced height would also allow more of the listed building to be viewed. The replacement windows and altered entrance to provide a front door is supported. The front windows would re-introduce and restore 6-over-6 sliding sashes. The introduction of the front door would result in the removal of a small section of brickwork and internal panelling at ground floor, however the panelling would be retained and reused elsewhere on the site. The design of the door has now been amended to the Heritage Officer's satisfaction although remaining partially glazed. Two small traditionally designed dormer windows are proposed to the front elevation and these are subservient to the roof slope and are in keeping with the design of the original building. The proposed additional rooflights to the rear have been

reduced in number to one per roof slope and would be in the style of CA rooflights. The flat rooflight over the kitchen has been retained and although not supported by the Heritage Officer given that it would not be visible when viewed from the ground floor it is considered on balance it would result in less than significant harm to the listed building.

Further internal alterations are also proposed such as removing some internal walls at first floor and introducing a new doorway, but the proposal also includes the restoration of some of the historic fabric. The alterations are not considered to adversely impact on the listed building. Further details are included within the Listed Building application, which is considered within this agenda.

In terms of preserving the setting of the listed building No. 153 High Street would provide a contemporary contrast and the buildings to the rear, although substantial would not result in significant loss of views of the building and on balance this relationship is considered acceptable.

Having regard to the above it is considered that the proposal would lead to less than substantial harm to the significance of 151 High Street and when this harm is weighed against the public benefits of the proposal and that the proposal would secure the buildings optimum viable use it is considered that consent should be granted in accordance with Policy DM06 of the DMP (2012).

Quality of space for future occupants

Floor Area

The proposal would provide 8 residential units. These 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.

Ceiling Heights

The plans indicate that the new build and mews houses provide 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 described space standards document (2015). Although the London Plan standard of 2.5 metres which is strongly encouraged is not met, Officers are satisfied the units would provide adequate ceiling heights, especially given the constraints of the site and that the heights of the proposed mews houses and the replacement building at 153 High Street have been designed to tie in with the heights of the adjoining buildings. Furthermore, although the maisonette within the listed building would not meet the standards, with the bedroom in the loft only achieving a maximum height of 2 metres and the ceiling heights in some of the rooms being below the proposed standard, this is considered acceptable given that the ceiling heights are maintaining the existing situation and historic fabric of the building. Listed buildings are also precluded in the need to meet the prescribed standards.

Daylight/Outlook/Privacy

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. Generally, the 20% glazing requirement is met or exceeded, although a shortfall is found in the loft bedroom of No. 153 High Street, the front bedrooms of the mews cottage and the first-floor habitable rooms of No. 151. However, given that

dormer windows that light these rooms are of a size that in design terms compliment the roof size, as well as the windows providing a reasonable outlook with clear glazed windows, and the bedrooms of the new houses also having rooflights which would increase light it is felt that the application could not be refused on this alone. Furthermore, as previously stated in the case of the listed building these requirements do not need to be met.

In terms of outlook all the habitable rooms would receive an adequate view. In the case of the flank window of the second floor apartment that fronts the High Street, the flank window would need to be obscure glazed to prevent overlooking, however as this is not the sole window to light the room this could be supported. The ground floor lobby/entrance hall of the listed building would have no windows and the only light would be received from the glazed panels in the front door. This on balance is considered acceptable however given the room's use as a ground floor lobby.

A daylight, sunlight and overshadowing Assessment has been submitted with the application. This indicates that all the habitable rooms of the development would meet the Average Daylight Factors criteria. The results of the sunlight analysis found that all of the windows serving main living rooms would comply with the Building Research Establishment Guidance requirements for sunlight. The overshadowing assessment analysis found that only one of the proposed private amenity areas would receive good sunlight levels, with the remaining two gardens receiving reduced sunlight levels, largely due to the existing tall boundary wall to the south of the site. It is considered that the reduced levels to the rear amenity space would not be so significant to warrant refusal of the application.

The Sustainable Design and Construction SPD (2016) indicates for 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 depth of the garden area of the mews cottages with the 149 Hadley House rear public garden space would not achieve this. However, an existing substantial boundary wall in excess of 3 metres would alleviate overlooking and loss of privacy issues into the gardens and therefore this relationship is considered acceptable.

Stacking

The units of the apartment block have been designed so rooms are laid out on a 'like for like' basis on the ground, first and second floor limiting stacking issues between the units. A condition to ensure adequate sound proofing between floors is also proposed to the new build element helping to minimising any noise and disturbance issues.

Amenity Space

Section 2.3 of the Sustainable Design and Construction SPD (2016) states that 5sqm of quality, private and usable outdoor amenity space should be provided per habitable room for each apartment and 40 sq metres would be required for the cottages. The amenity space requirement is only met by proposed Cottage A and one of the apartments, although Cottage B also has a garden area, but this is undersized. The garden depth requirement of 10.5 metres would also not be achieved for the cottages. However, given the town centre location, that Monken Hadley Common is located nearby and that with the exception of the maisonette in the listed building, the flats that have no amenity space are one-bedroom non-family flats, it is considered that under these circumstances the lack of provision can be supported.

Impact on the amenities of neighbours

In terms of impact on the amenity of neighbouring residents, this should be considered against Policy DM01 of the DMP (2012) as describe above.

In order to avoid overlooking of adjoining neighbours any scheme should avoid windows in the flank walls unless they light non-habitable rooms, are obscure glazed and fixed shut. The design of the proposed scheme includes a number of habitable room windows and recessed balconies in the flank elevations. On the southern boundary the site is adjoined by Hadley House, a restaurant which has a garden and terrace area giving rear access to the first floor. A residential flat is located on the upper floors as well as the kitchen and function rooms. The building includes a two-storey rear projection with some flank windows. The proposal includes a number of habitable room windows in the flank wall which would look directly over the side of Hadley House and only 13 metres would separate the flank walls, however given that the flank windows of Hadley House light non-habitable room windows this relationship is considered acceptable. The relationship of the flank windows to the restaurant's garden area is considered acceptable given the public use of the garden.

In relation to the northern boundary the proposed flank windows would look over the rear car parking area of Hadley Parade and the first-floor gallery/terraced area which gives access to the individual flats and is used as a terrace. Some of the flank windows of the apartment on the second floor of the proposed block at No. 153 High Street would look directly over this terrace resulting in a loss of privacy. However, these windows have been obscure glazed to prevent overlooking and given that they are secondary windows this is considered an acceptable solution.

With regard the western boundary windows lighting a living/dining room window and a terrace would directly look over the flank wall/roof of Nursery Row so no loss of privacy would result. The other additional windows would light a stairwell which would not result in a loss of privacy. The windows to the listed building which face the rear garden of 6 and 8 St Albans Road already exist and light non-habitable rooms, so this relationship is considered acceptable.

In term of the south elevation the proposed windows would look over the High Street and directly over No. 202 High Street which is a single storey commercial use, which is considered to be an acceptable relationship.

In terms of the visual impact of the proposal on neighbouring properties the proposed building would be of a greater mass than the existing building being significantly higher, bulkier and deeper, especially when viewing the flank elevations. It is considered that although the proposed block would be clearly visible from the neighbouring properties, given the distances that separate the buildings and that the residential accommodation of Hadley Parade is located on the first and second floor, that on balance the scheme would not be so overbearing to warrant refusal if the scheme. In terms of the relationship with No. 1-4 Nursery Row the two-storey element of the proposed cottages would line through with their rear building line. At ground floor the single storey rear projection would not exceed a depth of 3 metres which is generally considered acceptable within the Residential Design Guidance SPD (2016).

With regard to the increased intensity of the use of the site, given the town centre location it is considered that on balance the 8 additional units would not result in an unacceptable level of comings and goings and associated noise and disturbance that would be detrimental to the adjoining neighbours, especially given the existing use on the site.

Impact on Highway Safety

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

The site is located on High Street within a walking distance of town centre location.

The Public Transport Accessibility Level (PTAL) for the site is 3 which is considered as a medium accessibility.

Parking Assessment

The proposed 8 residential units would require parking provision in the range of between 4 to 10 parking spaces. Taking into account the PTAL rating of the site as 3, the parking requirement would be 7.6 parking spaces. 2 on-street parking spaces have been proposed therefore the parking provision is not in accordance with the Development Management Policy.

Furthermore, the parking spaces on the public highway cannot be dedicated parking provision for a private development and any proposal for a disabled parking provision is subject to an application by a disabled person. Therefore, the proposed 2 parking spaces on the public highway cannot be considered as parking provision for the proposed development.

However, taking the following factors into consideration.

- The site is located in a Town Centre location and with local amenities;
- The site is within a PTAL rating of 3 which is a medium accessibility;
- The site is located within an All Day Controlled Parking Zone (CPZ) C which is in operation from Monday to Saturday 08:00-18:30 with pay by phone parking bays on High Street in the close proximity of the site;

On balance the proposed development would be acceptable on highway ground subject to permit exemption for the occupiers of the new development. A contribution of £2,022 would be required towards the amendment of the Traffic Management Order (TMO).

Refuse Collection Arrangements

Servicing and deliveries will operate from kerbside as existing, with a recycle and refuse store located in the northeast corner of the site.

Cycle parking

18 cycle parking spaces are being proposed in total. 12 of the cycle parking spaces are proposed for the residential units and 6 parking spaces are provided for the retail use in accordance with the London Plan Cycle Parking Standards.

Trip Generation

The applicant in the Transport Statement confirmed that the proposed development is likely to generate only 1-2 vehicle trips in AM and PM peak periods and approximately 16 two-way vehicle trips across the day.

When compared to the existing use, the proposed development will result in approximately 13 fewer vehicle trips across the day.

Highway works

The proposed redevelopment of the site will result in redundant crossovers which will need to be reinstated at the applicant's expense.

This application is recommended for approval subject to the comments above, a S106 Agreement to amend the Traffic Management Order to implement the permit exemption and conditions and informatives.

Other matters

Impact on Archaeological Remains

A Desk-Based Assessment accompanies the application which in summary found that archaeological survival across the site for post-medieval activity would be moderate, but anything found would be of low significance. The archaeological potential of the site for earlier periods is considered low.

In summary Historic England commented that the application lies within the Archaeological Priority Area. Historic maps show that the site was located fronting on to the Great North Road and Hadley Green at the entrance onto the green from Chipping Barnet. The core of the medieval town lay some 400m to the south and may not have extended as far north as this site. Evidence indicates that development has occurred along the west side of the High Street by the 18th century. Little is known of the origins and early use of the building. Further investigation of the buildings' historic fabric and of the potential for buried archaeological remains is recommended.

The development could cause harm to archaeological remains. However, the significance of the asset and scale of harm can be managed using a planning condition requesting a Written Scheme of Investigation (WSI) which shall include the statement of significance and research objectives and that the development shall take place in accordance with the agreed WSI. A post investigation assessment shall be prepared and submitted as part of the condition. This pre-commencement condition is necessary to safeguard the archaeological interest on this site.

A condition is also proposed relating to archaeological excavation which would involve the investigation and recording of an area of archaeological interest and the completion of a completed 'post-excavation assessment'. Given the size of development a trial trench with contingency for extension is recommended.

Further conditions are proposed relating to Historic Building Recording and Condition Building Recording to establish the character, history, dating, form and development of an historic building or structure. The outcome of which will be an archive and a report. Building recordings should include monitoring opening up and demolition works.

Impact of the proposals on Ecology

The applicant has submitted a bat survey in support of the scheme. This concludes that the buildings on the site have a negligible likelihood of supporting roosting bats. Bats are very unlikely to be roosting within these buildings and as such there are not anticipated to be any impacts on bats as a result of the proposed works.

Accessibility and Sustainability

The application scheme is required by Policies 3.5 and 3.8 of 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 has been proposed to ensure compliance with these Policies.

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 10.57% CO₂ reduction to comply with building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan.

In terms of water consumption, each unit would 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.

The proposed development therefore would meet the necessary sustainability and efficiency requirements 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 assessment of the scheme. Consideration of comments not raised within the main appraisal above include:

1. The comments made by the Fire Brigade are not a material planning consideration and would be considered at the Building Regulation stage. However an additional plan has been submitted and any further comments received will be reported to the committee.
2. Damage to buildings during construction is a private matter.
3. Location of drainage is not a material planning consideration.
4. A 0.75 metre gap would be retained between the adjoining mews houses which is considered an acceptable separation. Encroachment on the former side path is a private matter.
5. Retail units on the ground floor are considered an appropriate use within the town centre and comply with local plan policies.
6. Each application is treated on its own merits, previous refusals do not set a precedent.
7. Additional information has been provided regarding the works to the listed building and various conditions are proposed to address the need for further details including a condition regarding proposed materials. The level of information submitted is considered acceptable to enable a recommendation to be made and to consider the impact of the proposal on the listed building and conservation area.
8. The projecting shop front would be larger however it is considered that the increased size would not detract from the street scene, listed building or conservation area.
9. It is accepted that 151-153 High Street form a terrace representing the point where the old route of the Great North Road was diverted, however No. 153 High Street has been substantially unsympathetically altered and the benefits gained from the proposed scheme would on balance allow for its loss.
10. It is considered that the alignment of the proposed front extension is acceptable especially given that the current extension breaches the original alignment of the medieval line of the Great North Road, as do other properties.
11. The only internal alterations to No. 151 High Street at the ground floor is the introduction of the front door with the loss of some panelling, the blocking up of a doorway and the creation of a new doorway. Other alterations would include the restoration of all other surviving historic features and replacement of fire doors and modern joinery.
12. Contemporary styles can be accommodated within a CA whilst still preserving and enhancing the CA.

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 and the signing of a 106 Agreement restricting parking permits, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. It is considered although there would be some harm to the listed building and CA, this would be less than substantial harm and when balanced against the public benefits of the scheme and delivering the most optimum viable use the proposal could be supported. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

