

LOCATION: 11 Neville Drive, London, N2 0QS

REFERENCE: F/03638/11

Received: 26 August 2011

Accepted: 06 September 2011

WARD(S): Garden Suburb

Expiry: 01 November 2011

Final Revisions:

APPLICANT: Mr D Cohen

PROPOSAL: Demolition of existing house and erection of a two storey detached dwelling including basement level and rooms in roofspace.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 4130 01A, 4130 02 A, site plan and Design and Access Statement.
Reason:
For the avoidance of doubt and in the interests of proper planning.
- 2 This development must be begun within three years from the date of this permission.
Reason:
To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.
Reason:
To safeguard the visual amenities of the locality.
- 4 Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
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.
- 5 No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.
Reason:
To safeguard the health of existing tree(s) which represent an important amenity feature.
- 6 Before the development hereby permitted commences, further details of the following items shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.
 - a) new windows, dormer windows, doors and decorative brickwork surrounding the front door at scale 1:10 including materials, opening and frames;

b) new eaves and gable features at scale 1:10;

Reason:

To safeguard the visual amenities of the locality and ensure that the hereby approved building respects the setting of the surrounding buildings and conservation area.

- 7 Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties.

- 8 A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development.

- 9 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.

Reason:

To ensure a satisfactory appearance to the development.

- 10 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.

- 11 Detailed drawings of all windows, dormer windows, external doors including surrounds, garage doors, eaves, quoins, chimneys and balustrading to the rear basement well/bay window shall be submitted at a scale of 1:10 scale, 1:1 for glazing bars, and approved in writing by the Local Planning Authority before any development hereby permitted is commenced. Development shall be carried out in accordance with the approved plans.

Reason:

To preserve the special character and appearance of the conservation area.

- 12 Detailed drawings of boundary treatment to be used in the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority before any development hereby permitted is commenced.

Development shall be carried out in accordance with the approved details.

Reason:

To preserve the special character and appearance of the conservation area.

- 13 All rainwater goods to be used on the development hereby permitted shall be made of cast iron.

Reason:

To preserve the special character and appearance of the conservation area.

- 14 All new windows, in the side elevations facing 9 and 15 Neville Drive 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, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

- 15 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 shall be inserted into the new extensions hereby approved without the prior specific permission of the Local Planning Authority.

Reason:

To protect the privacy and amenity of the adjoining property.

- 16 The dwelling(s) shall achieve a Code Level 3 in accordance with the Code for Sustainable Homes Technical Guide (October 2008) (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued certifying that Code Level 3 has been achieved and this certificate has been submitted to and approved by the local planning authority.

Reason:

To ensure that the development is sustainable and complies with policy GSD of the adopted Unitary Development Plan (adopted 2006) and the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007).

- 17 No development shall take place until details of a construction management plan have been submitted to and approved in writing by the local planning authority.

Reason:

To safeguard residential amenity.

- 18 Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties.

- 19 No development shall take place until details of a construction management plan have been submitted to and approved in writing by the local planning authority.

Reason:

To safeguard residential amenity.

- 20 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 on other days unless previously approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

- 21 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason:

To ensure that the development does not cause danger and inconvenience to

users of the adjoining pavement and highway.

- 22 Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.

- 23 No siteworks or works on this development shall be commenced before a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 *Trees in relation to design, demolition and construction - Recommendations* are submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with such approval.

Reason: To safeguard the health of existing trees which represent an important amenity feature.

- 24 Before this development is commenced details of the location, extent and depth of all excavations for drainage and other services in relation to trees on the site shall be submitted and approved in writing by the Local Planning Authority and the development carried out in accordance with such approval.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature.

- 25 No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEEnv1, GBEEnv2, D1, D2, D3, D4, D5, D11, D13, HC1, HC5, M11, M13, M14, H16, H17, H18, H21, CS2, CS8, CS13, IMP1 and IMP2.

Core Strategy (Adopted) 2012: CS NPPF, CS1, CS5

Development Management Policies (Adopted) 2012: DM01, DM02, DM06, DM17

ii) The proposal is acceptable for the following reason(s): - The proposals would not detrimentally impact on the qualities of the building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. As conditioned, they would preserve the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, trees, conservation area and area of special character.

The proposed development includes provision for appropriate contributions in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

- 2 The Mayor of London introduced a Community Infrastructure Levy on 1st April 2012 setting a rate of £35 per sqm on all 'chargeable development' in Barnet.
- 3 You are 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 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) Department of Environment: PPG 24 (1994) Planning Policy Guidance - Planning and noise; 2) BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and measurement of environmental noise; 3) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 4) BS 8223: 1999 - Sound insulation and noise reduction for buildings: code of practice; 5) Department of transport: Calculation of road traffic noise (1988); 6) Department of transport: Calculation of railway noise (1995); 7) Department of transport : Railway Noise and insulation of dwellings.

- 4 The applicant is advised that prior to any alteration to the public highway (including pavement) will require consent of the local highways authority. You may obtain an estimate for this work from the Chief Highways Officer, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP.
- 5 In the event that any alteration to the existing crossover or new crossovers is required then it will be subject to detailed survey by the Crossover Team in Highways Group as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. An estimate for this work could be obtained from London Borough of Barnet, Highways Group, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP.
- 6 Any details submitted in respect of the Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall

provide for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework:

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.

National planning policies are set out in the National Planning Policy Framework (NPPF). This 65 page document was published on 27 March 2012 and it replaces 44 documents, including Planning Policy Guidance Notes, Planning Policy Statements and a range of other national planning guidance. The NPPF is a key part of reforms to make the planning system less complex and more accessible.

The London Plan is recognised in the NPPF as part of the development plan.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document includes a 'presumption in favour of sustainable development'. This is taken to mean approving applications, such as this proposal, which are considered to accord with the development plan.

The Mayor's London Plan July 2011:

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

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 Mayor for London has introduced a Community Infrastructure Levy. This applied from 1 April 2012 to most developments in London where the application is determined by the Local Planning Authority.

Within Barnet the levy will be charged at a rate of £35 per square metre of net additional floorspace.

Relevant Unitary Development Plan Policies:

The statutory plan for the Borough is the Barnet UDP. This was adopted on 18 May 2006, replacing the original UDP adopted in 1991.

On 13 May 2009 the Secretary of State for Communities and Local Government issued a Direction "saving" 183 of the 234 policies within the UDP.

Relevant policies: GBEnv1, GBEnv2, D1, D2, D3, D4, D5, D11, D13, HC1, HC5, M11, M13, M14, H16, H17, H18, H21, CS2, CS8, CS13, IMP1 and IMP2.

In June 2005 the Council published its "Three Strands Approach", setting out a vision and direction for future development, regeneration and planning within the Borough. The approach, which is based around the three strands of Protection, Enhancement and Growth, will protect Barnet's high quality suburbs and deliver new housing and successful sustainable communities whilst protecting employment opportunities. The second strand of the approach, "Enhancement", provides strong planning policy protection for preserving the character and openness of lower density suburbs and conservation areas. The Three Strands Approach will form the "spatial vision" that will underpin the Local Development Framework.

The Council Guide 'Hampstead Garden Suburb Conservation Area Design Guidance' as part of the Hampstead Garden Suburb Character Appraisals was approved by the Planning and Environment Committee (The Local Planning Authority) in October 2010. This leaflet in the form of a supplementary planning guidance (SPG) sets out information for applicants on repairs, alterations and extensions to properties and works to trees and gardens. It has been produced jointly by the Hampstead Garden Suburb Trust and Barnet Council. This leaflet was the subject of separate public consultation.

Core Strategy (Adopted) 2012:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the Local Plan (Core Strategy and Development Management Policies documents) is complete, 183 policies within the adopted Unitary Development Plan (UDP) remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 16 policies in the CS. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1, CS5.

Development Management (Adopted) 2012:

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Development Management Policies was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 18 policies in the DMP. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01, DM02, DM06, DM17.

Relevant Planning History:

Application:	Planning	Number:	F/02405/10
Validated:	20/07/2010	Type:	APF
Status:	WDN	Date:	08/11/2010
Summary:	WIT	Case Officer:	David Campbell
Description:	Demolition of existing house and erection of a two storey detached dwelling including basement level and rooms in roofspace.		

Application:	Planning	Number:	F/02406/10
Validated:	20/07/2010	Type:	CAC
Status:	WDN	Date:	08/11/2010
Summary:	WIT	Case Officer:	David Campbell
Description:	Demolition of existing house and erection of a two storey detached dwelling including basement level and rooms in roofspace. (CONSERVATION AREA CONSENT)		

Application:	Planning	Number:	F/03639/11
Validated:	23/08/2011	Type:	CAC
Status:	REG	Date:	
Summary:	DEL	Case Officer:	David Campbell
Description:	Demolition of existing house and erection of new replacement house.		

Consultations and Views Expressed:

Neighbours Consulted:	17	Replies:	5
Neighbours Wishing To Speak	0		

The objections raised may be summarised as follows:

- There is nothing wrong with the existing property.
- The owner does not need more space.
- No design and access statement has been submitted.
- Impact on the water table of the basement
- It is not certain where the party wall is.
- Impact of the works on neighbouring properties.
- Loss of amenity.
- Security measures should be used during construction.
- Over development.
- Out of Character with the conservation Area.

- The building is too high
- Design
- There are too many chimneys.

Internal /Other Consultations:

- Urban Design & Heritage - No objections.
- The HGS CAAC have objected to the application on a lack of existing plans.

Date of Site Notice: 29 September 2011

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is located within the Hampstead Garden Suburb Conservation Area, on the north side of Neville Drive, within the Holne Chase and Norrice Lea Character Area, (Number 13). The Character Appraisal notes that 7 to 15 (odd) Neville Drive are examples of poorly-integrated 1950s homes, many of which have been substantially modified. These properties and number 3, were built by Bloom and Partners (1956-60) and are of typical 1950s contemporary style. All have large, front windows enhancing their flat, geometric appearance, wood boarding panels as a decorative feature and an open design. Some have been substantially modified and as a group they sit uneasily with the 1930s developments and do not add to the character of the area.

Neville Drive runs west-east and is gently curved, with an include towards the east. The two sides of the road have different ambiances. On the north side of the road, there is less greenery, boundaries are often marked by low stone walls; ion some cases the forecourts are open to the pavement. The architecture is much more varied and the open frontages do not reflect the Garden Suburb character. This road has an eclectic mixture of houses.

This site slopes downwards from the road towards the rear of the rear garden.

Proposal:

The proposal relates to the demolition of No 11 Neville Drive and the erection of a replacement detached dwellinghouse (14.9m wide, 14.7m deep, 9.7m tall), with a red-brick two storey property with a pitched roof and two front and one rear facing gable.

Associated works include installation of a rear terrace, accessed from the ground floor (14.7m wide, 3.6m deep and has six bedrooms with accommodation at basement and roof level

Planning Considerations:

The main issue in this case is whether or not the alterations would be visually obtrusive forms of development which would detract from the character and

appearance of the street scene and this part of the Hampstead Garden Suburb Conservation Area and have an adverse and visually obtrusive impact upon the amenity of the occupiers of the neighbouring property.

The supplementary planning guidance for the Suburb is the Hampstead Garden Suburb Design Guidance which has been the subject of public consultation and Local Planning Authority approval. The guidance says:-

Hampstead Garden Suburb is one of the best examples of town planning and domestic architecture on a large neighbourhood or community scale which Britain has produced in the last century. The value of the Suburb has been recognised by its inclusion in the Greater London Development Plan, and subsequently in the Unitary Development Plan, as an "Area of Special Character of Metropolitan Importance". The Secretary of State for the Environment endorsed the importance of the Suburb by approving an Article 4 Direction covering the whole area. The Borough of Barnet designated the Suburb as a Conservation Area in 1968 and continues to bring forward measures which seek to preserve or enhance the character or appearance of the Conservation Area.

The ethos of the original founder was maintained in that the whole area was designed as a complete composition. The Garden City concept was in this matter continued and the architects endeavoured to fulfil the criteria of using the best of architectural design and materials of that time. This point is emphasised by the various style of building, both houses and flats, in this part of the Suburb which is a 'who's who' of the best architects of the period and consequently, a history of domestic architecture of the period of 1900 – 1939.

The choice of individual design elements was carefully made, reflecting the architectural period of the particular building. Each property was designed as a complete composition and design elements, such as windows, were selected appropriate to the property. The Hampstead Garden Suburb, throughout, has continuity in design of doors and windows with strong linking features, giving the development an architectural form and harmony. It is considered that a disruption of this harmony would be clearly detrimental to the special character and appearance of the Conservation Area. The front of the properties being considered of equal importance as the rear elevation, by the original architects, forms an integral part of the whole concept.

The Conservation Area Advisory Committee for Hampstead Garden Suburb comments are noted above.

Council's policies and guidelines in respect of alterations to residential properties seek to ensure that they respect the scale, character and design of any building on which they are to be placed and are compatible with the character of the locality. Alterations will not be permitted if they do not have regard to the amenities enjoyed by neighbours.

Policy Context:

The proposed development is considered to be compliant with national policy

(NPPF), the London Plan, and local policy within the UDP. The general message of policy 57 advises 'It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes'.

Policy HC1 is a Historic Conservation policy stating that the Council will refuse planning permission for development proposals which fail to preserve or enhance the character or appearance of Conservation Areas. When considering development proposals the Council will give special consideration to advice provided within the Council's Conservation Area Character Appraisal Statements and other supplementary design guidance.

Policy HC5 is a Historic Conservation policy stating that the Council will refuse development proposals which fail to safeguard and enhance the landscape and townscape features which contribute to the identity of Areas of Special Character.

Policy DM01 of the Development Management Policies (Adopted) 2012 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 DM06 of the Development Management Policies (Adopted) 2012 states that development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet.

There is no in principle objection to the proposed demolition and replacement of the property..

Character and Appearance

The proposed building lines are considered acceptable in that it would respect the building lines created by other houses on this part of Neville Drive. It is considered that the footprint of the proposed new dwelling respects the constraints of the site even though it is larger than the existing. The scale and mass of the replacement dwelling compliments the character of other properties within the immediate vicinity and poses no significant detriment to the setting of the neighbouring buildings. The proposed basement would not be visible from the road.

The proposed design is considered acceptable and has been the subject of a number of discussions and amendments since the application was submitted. Overall the proposed house would achieve an acceptable height/width relationships with the neighbouring houses and it is considered that it would enhance the character and appearance of this part of the conservation area.

Impact on Neighbours

Policy D5 of the adopted *Unitary Development Plan* is a Design policy states that new developments should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

The plans show that the proposed replacement building at 11 Neville Drive is 1.1m

from the boundary with 9 Neville Drive and 1.3m from the boundary with 15 Neville Drive (excluding chimneys). The house would be approximately 2.9m away from 9 Neville Drive and 2.1m away from 15 Neville Drive. This is considered to be an acceptable relationship between the proposed property and the two adjoining neighbours.

The proposed building would also have an approximate depth of 14.7m at the ground floor which is comparable to other properties in Neville Drive and is not considered to cause harm to either neighbour.

Conditions have been recommended that seek to further protect the amenities of the neighbours, with obscure glazing to all new side windows and a condition preventing other side windows being inserted into the flank walls. A condition has also been recommended that seeks to protect the character and appearance of the existing building by ensuring that the materials used on the external surfaces are submitted to the Local Planning Authority and approved before any works commence.

There are therefore no objections on these grounds, and it is considered that the policy requirements of policy D5 have been met.

Trees

Trees contribute significantly to the character and appearance of the Hampstead Garden Suburb Conservation Area.

As is self-evident from the name, trees and the landscape are of particular importance to the design and philosophy of the Hampstead Garden Suburb. In many of their writings, Parker and Unwin (the founding architects / planners of the Hampstead Garden Suburb) referred to the importance of trees, green spaces, and landscape, together with the critical relationship between site and design (e.g. *The Art of Building a Home* (1901) Longmans).

Wherever possible, in laying out the design for “the Garden Suburb” particular care was taken to align roads, paths, and dwellings to retain existing trees and views. Extensive tree planting and landscaping was considered important when designing road layouts in Hampstead Garden Suburb, such that Maxwell Fry, one of the pioneer modernists in British architecture, held that “Unwin more than any other single man, turned the soulless English byelaw street towards light, air, trees and flowers.”

Guidance for building in juxtaposition to trees is given in the British Standard: Trees in relation to construction - Recommendations. The British Standard recommends that in order to avoid damage to the roots or rooting environment of retained trees, a root protection area (RPA) of area equivalent to a circle with a radius 12 times the stem diameter (measured at 1.5m above ground level), should be left undisturbed around each retained tree.

The protected trees on site are to the back of the rear garden where it is not considered that they would be harmed by the development. However, to ensure this is the case, conditions which seek to provide further protection to the trees on site

have been attached.

Contributions

As the house is a replacement dwelling, it is not considered that any contributions towards education libraries and healthcare would be required on this occasion.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The grounds of objection have been addressed below:

- *There is nothing wrong with the existing property* - It is considered that the existing property does not significantly contribute to the character and appearance of the conservation area and can be demolished.
- *The owner does not need more space* - this is not for the council to decide.
- *No design and access statement has been submitted* - A design and access statement has been submitted.
- *Impact on the water table of the basement* - It is not considered that there is any evidence demonstrating that this would be a reason to refuse permission.
- *It is not certain where the party wall is* - Party wall matters are no material planning considerations.
- *Impact of the works on neighbouring properties* - Development during construction is not a planning consideration. Conditions on hours of works and wheel washing have been attached to the application.
- *Loss of amenity* - It is not considered that the property will lead to neighbouring loss of amenity.
- *Security measures should be used during construction* - An enclosure condition has been attached to the application. This is also covered under the building regulations.
- *Over development* - It is not considered that the application represents over development.
- *Out of Character with the conservation Area* - This is not considered to be the case
- *The building is too high* - It is considered that the height of the building is comparable to the neighbour at 15 Neville Drive. It is noted that the road does slope down towards 9 Neville Drive, however given there is an existing property on site at the moment, it is not considered that this would result in any loss of light or amenity.
- *Design* - It is considered that the design of the scheme is acceptable.
- *There are too many chimneys* - It is considered that the chimneys are acceptable also.

4. EQUALITIES AND DIVERSITY ISSUES

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

5. CONCLUSION

Having taken all material considerations into account, the proposal would not detrimentally impact on the qualities of both buildings and protect the character of this part of the Hampstead Garden Suburb Conservation Area. The proposed alterations are such that, subject to a number of conditions to control the quality of materials and detailing the proposal would preserve the character of the area. The proposed development is not considered to have a detrimental impact on the residential amenities of neighbouring developments. This application is considered to comply with National, London Plan, and Council Policies and Guidelines and is recommended for **APPROVAL**.

SITE LOCATION PLAN: 11 Neville Drive, London, N2 0QS

REFERENCE: F/03638/11



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