

2. This development must be begun within three years from the date of this permission.

Reason:

To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

3. The materials to be used in the external surfaces of the building and hardsurfaces shall match those used at No. 106 Shurland Avenue.

Reason:

To safeguard the visual amenities of the building and the surrounding area.

4. Before the building hereby permitted is first occupied the proposed window at first floor level in the east flank elevation 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.

5. 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, other than those expressly authorised by this permission, shall be placed at any time in the north east flank elevation of the proposed dwelling, or the south west flank elevation of the single storey rear projecting element.

Reason:

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

6. Prior to the first occupation of the dwelling hereby permitted, a 1.8 metre high opaque boundary screen shall be erected along the entire length of the common boundary with the approved dwelling and No. 106 Shurland Avenue. This boundary screen shall be retained as such thereafter.

Reason: To safeguard the amenities of the occupants of the approved dwelling and the neighbouring properties.

7. 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.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A to F of Part 1 to Schedule 2 of that Order shall be carried out within the curtilage of the dwelling hereby approved.

Reason:

To safeguard the amenities of neighbouring occupiers and the general locality.

9. Before the development hereby permitted is first occupied the parking spaces shown on Drawing 11005-P002-D (received 9 November 2012) shall be laid out as shown on the drawing and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason:

To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.

10. 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.

11. 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.

12. 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.

INFORMATIVE(S):

1. The reasons for this grant of planning permission 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 Development Plan.

In particular the following policies are relevant:

Core Strategy (Adopted September 2012): CS NPPF, CS1, CS5, CS10, CS11 and CS15.

Development Management Policies (Adopted September 2012): DM01, DM02, DM04 and DM17.

ii) The proposal is acceptable for the following reason(s):

The proposed development is considered to have an acceptable impact on the character and appearance of the application site and the general street scene. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This proposal is considered to accord with Council policies and guidance.

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. Your planning application has been assessed to require a charge of £3045.

This will be recorded to the register of Local Land Charges as a legal charge upon your site should you commence development. This Mayoral CIL charge will be passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

If Affordable Housing Relief or Charitable Relief applies to your development 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 will be sent a 'Liability Notice' that will provide 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, this is also available from the Planning Portal website.

The Community Infrastructure Levy 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 statutory requirements, such requirements will all be set out

in the Liability Notice you will receive.

If you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please contact us: cil@barnet.gov.uk

RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 5 March 2013, unless otherwise agreed in writing, the Acting Assistant Director of Planning and Development Management REFUSE the application ref: B/03338/12 under delegated powers for the following reasons:

The proposed development does not include a formal undertaking to meet the costs of extra education and health and associated monitoring costs arising as a result of the development, and therefore would not address the impacts of the development, contrary to Barnet Supplementary Planning Documents - Contributions to Education (2008), Health (2009), Libraries (2008) and Monitoring (2007), and Policies CS10, CS11 and CS15 of the Local Plan Core Strategy (Adopted September 2012).

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.

The 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. 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 London Plan is recognised in the NPPF as part of the development plan.

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". It retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

The Mayor's London Plan (July 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.

Local Plan Core Strategy (September 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). The Core Strategy was adopted by the Council on 11 September 2012 and replaces the

2006 Unitary Development Plan.

Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS10, CS11 and CS15.

Local Plan Development Management Policies (September 2012):

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies are used for day-to-day decision making. The Development Management Policies DPD was adopted by the Council on 11 September 2012 and replaces the 2006 Unitary Development Plan.

Relevant Development Management Policies: DM01, DM02, DM04, and DM17.

Adopted Supplementary Planning Guidance and Documents

The Council has also adopted (June 2007), following public consultation, a Supplementary Planning Document "Sustainable Design and Construction". The SPD provides detailed guidance that supplements policies in the Unitary Development Plan, and sets out how sustainable development will be delivered in Barnet. Part 6 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards. A consultation draft Sustainable Design and Construction SPD was published in 2012, to update the 2007 document. This 2012 consultation draft is a material consideration.

The following Supplementary Planning Documents are also relevant: Contributions to Education (2008), Health (2009), Libraries (2008) and Monitoring (2007).

Relevant Planning History:

None relevant to the current site.

Consultations and Views Expressed:

Neighbours Consulted: 137 Replies: 5 objections and 1 letter of comment received.

Neighbours Wishing To Speak: 0

The representations raised may be summarised as follows:

- Proposal would result in the felling of several trees, and change the outlook from neighbouring properties.
- Increased demand on schools, doctors and hospitals should be taken into account as these services are stretched.
- House will feel imposing when viewed from neighbours.
- Detrimental impact on traffic.
- Proposal will not benefit the community.

Internal /Other Consultations:

Traffic and Development: The parking provision is in accordance with the Development Management Policies DPD and the proposal is considered acceptable on highways grounds.

Date of Site Notice: 13 September 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site contains a two storey detached dwelling, located to the north-eastern side of Shurland Avenue. The application site is large when compared to the neighbouring plots, and relatively flat in the vicinity of the existing building. The site then slopes down toward the north-east of the site toward the rear gardens of properties fronting Cranbrook Road. The front elevation of the existing dwelling faces northwest, with the garden area extending to the south east. The existing dwelling is relatively isolated in nature, being visually distinct from the two storey dwellings to the south and the three storey block of flats to the east.

Proposal:

This application proposes the construction of a two storey dwelling adjoining the existing dwelling at No. 106, to form a pair of semi-detached dwellings. The proposed dwelling would measure 6 metres in width, 7.3 metres in depth, and have both eaves and ridge heights matching those of No. 106. It would incorporate a single storey rear projection, extending 3.5 metres rear of the main two storey dwelling and No. 106, and extend across the entire width of the proposal.

Planning Considerations:

As noted above, the application site contains a two storey detached dwelling, located in a fairly isolated plot and not directly adjacent to any neighbouring properties. It has a pitched roof, with flank gable facing Shurland Avenue. The proposed additional dwelling would extend to the north east from this dwelling, set further from Shurland Avenue. It would have a height and width matching that of the existing dwelling. However, it would have a greater depth as a result of the single storey rear projecting element. The proposed dwelling would reflect the scale and design of the existing property at No. 106. It would not project any closer to Shurland Avenue than the existing property, and given the size of the site and the proposed plot, space would remain about the building such that the proposal would not appear cramped within its plot. Given its size, design and siting, it is considered that the proposal would appear as a logical extension to the existing dwelling. Given its siting, it would not appear as a prominent or obtrusive structure within the street scene, and is not considered to be detrimental to the character and appearance of the dwelling or the wider locality.

The proposed dwelling would be located at least 45 metres away from the nearest neighbouring property at Cranbrook Road. It is noted that the dwelling would be at a higher level than the properties at Cranbrook Road. However, given the separation distance between the properties, it is not considered that the proposal would appear overbearing or visually intrusive when viewed from the properties to the western side of Cranbrook Road. Furthermore, the proposed dwelling would not adversely affect the privacy of the occupants of these neighbouring properties.

The proposed dwelling would be located approximately 20 metres from No. 104 Shurland Avenue. It would face the side elevation of No. 104, and given the distance between the buildings and the rear garden area at No. 104 would not appear overbearing when viewed from this neighbouring property, and would not adversely affect the privacy of the occupants of No. 104.

Parking spaces are proposed to be provided for two vehicles for the existing dwelling and two for the proposed. This would comply with the requirements of the Council's parking policies, and no objections are raised with regard to parking provision.

The size of the proposed dwelling would comply with the minimum size requirements as set out in The London Plan. Similarly, the proposed rear garden area would comply with the requirements of the Council's policy. As such, it is considered that the proposal would provide a satisfactory level of amenity for future occupants. Whilst the size of the plot serving No. 106 would be reduced, there would remain sufficient garden space to the rear of No. 106 to comply with the relevant policy.

The proposal would introduce a new three bed dwelling to the locality. It is considered that this would result in additional pressures on health, library and educational facilities within the Borough. As such, it is considered reasonable to require financial contributions towards these facilities to be provided as part of this application.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The Traffic and Development team have not raised any objections with regard to the impact of the proposal on highway safety. The trees referred to are not located in close proximity to the proposed build, and the attached landscaping condition will give the Council greater control over any additional landscaping proposals. The impact of the proposal on schools, healthcare and libraries is to be addressed by a legal agreement to secure financial contributions toward such facilities. The issue regarding the appearance of the building when viewed from neighbours is dealt with above. Rights of access are not a material planning consideration.

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

The proposal is considered to be acceptable in terms of its impact on the application site, the general locality and the amenities of neighbouring residents. The proposal accords with council policy and guidance and will provide additional family accommodation in accordance with policy DM08 and the application is subsequently recommended for **approval** subject to conditions.

SITE LOCATION PLAN: 106 Shurland Avenue, Barnet, Herts, EN4 8DD

REFERENCE: B/03338/12



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