

LOCATION: The Sparrow, Glengall Road, Edgware, Middx, HA8 8TE
REFERENCE: H/03790/12 **Received:** 08 October 2012
WARD: Edgware **Accepted:** 10 October 2012
Expiry: 05 December 2012

Final Revisions:

APPLICANT: Glengall Properties Ltd
PROPOSAL: Conversion of first floor to 4 self contained flats (2no. 2 bedroom and 2no. 3 bedroom). Two-storey infill side extension and first floor rear extensions. New vehicle access and creation of 15 car parking spaces. Alterations to fenestration.

Approve following completion of Section 106 Agreement
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 **Education Facilities (excl. libraries) £8,967.00**
A contribution towards the provision of Education Facilities in the borough.
- 4 **Libraries (financial) £417.00**
A contribution towards Library Facilities and Resources in the borough
- 5 **Health £3,716.00**
A contribution towards Health Facilities and Resources in the borough
- 6 **Monitoring of the Agreement £655.00**
Contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement the Acting Assistant Director of Planning and Development Management approve the planning application reference: H/03790/12 under delegated powers subject to the following conditions: -

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Transport Statement, Design and Access Statement Revision A, PL03 Rev A, PL04, PL05, PL06 Rev C, PL07rev A, PL08, PL09,

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

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

Reason:

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

- 3 Before the development hereby permitted is occupied the parking spaces shown on Plan PL07 Rev A shall be provided 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 in accordance with policies DM17 of the Adopted Barnet Development Management Policies DPD (2012) and 6.1, 6.2 and 6.3 of the London Plan 2011.

- 4 No structure or erection with a height exceeding 1.05m above footway level shall be placed along the frontage(s) of Glengall Road from a point 2.4m from the highway boundary for a distance of 2.4m on both sides of the vehicular access(es).

Reason:

To prevent danger, obstruction and inconvenience to users of the adjoining highway and the premises.

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

Reason:

To safeguard the visual amenities of the building and surrounding area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 6 Before the development hereby permitted commences, 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 and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

- 7 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.

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 Adopted Barnet Development Management Policies DPD (2012).

- 8 A scheme of hard and soft landscaping, 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).

- 9 All work comprised in the approved scheme of landscaping in relation to the roof top garden 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 in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 10 Any 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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 11 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.

- 12 Prior to the occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason:

To protect the amenities of future and neighbouring residential occupiers in accordance with policy DM02 and DM04 of the Adopted Barnet Development Management Policies DPD (2012).

- 13 Before the development hereby permitted is occupied; cycle parking and cycle storage facilities in accordance with Drawing No. PL07 Rev. A submitted with the planning application shall be provided and such spaces shall be permanently retained thereafter.

Reason: 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.

- 14 No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 7 am or after 6 pm 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.

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 Local Plan.

In particular the following policies are relevant:

Core Strategy (Adopted) 2012:

CS1, CS4, CS5, CS8, CS10, CS15

Development Management Policies (Adopted) 2012:

DM01, DM02, DM14

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

The proposal will regenerate an existing site, providing a mix-used development in appropriate location. The proposed development is not considered to have a detrimental impact on neighbouring residential and visual amenities.

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

iii) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.

- 2 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 3 In case if any modification is proposed or required to the existing access off the public highway then it will be subject to a detailed investigation by the Environment, Planning & Regeneration Directorate. This may involve relocation of any existing street furniture and would need to be done by the Highway Authority at the applicant's expense. Estimate for this and any associated work on public highway may be obtained from the Environment Planning & Regenerations Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP
- 4 The applicant is advised that the maximum width of crossover allow is 4.8m. A separate application will need to be made to Planning & Regenerations Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP for the provision of a new crossover.
- 5 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 Council of 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 email: street.naming@barnet.gov.uk or by telephoning: 0208 359 7294.

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 Government's 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."

NPPF retains 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

3.5, 7.4, 7.6

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.

Relevant Local Plan (2012) Policies:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11th September 2012

Relevant Core Strategy Policies:

CS1, CS4, CS5, CS8, CS10, CS15

Relevant Development Management Policies:

DM01, DM02, DM14, DM17

Barnet's Draft SPD on Residential Design Guidance (December 2012)

Adopted Supplementary Planning Document Contributions to Education
Adopted Supplementary Planning Document Contributions to Health Facilities from Development
Adopted Supplementary Planning Document Contributions to Libraries
Adopted Supplementary Planning Document Planning Obligations

Relevant Planning History:

Application Planning
:
Validated: 16/09/2010
Status: DEC
Summary: APC
Number: H/03766/10
Type: APF
Date: 16/11/2010
Case Officer: Deirdre Jackman

Description Change of use from Public House to school (use Class D1).

Consultations and Views Expressed:

Neighbours Consulted: 60 Replies: 5
Neighbours Wishing To Speak 0

At the time of writing the report the neighbour consultation period had not yet finished. Any additional representations received will be reported at committee.

The objections raised may be summarised as follows:

- Increase in traffic, parking and congestion
- Not clear what the proposal is and what operating times the commercial use would operate
- Extra noise and disturbance from people living in the flats
- No need for more commercial properties in this road
- Has Environment Agency been consulted?
- Concerns about seasonal surface water flooding and drainage

Internal /Other Consultations:

- Environment Agency - No objection
- Highways - No objection subject to conditions and informatives

Date of Site Notice: 18 October 2012

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to The Sparrow pub located on the north side of Glengall Avenue which is of mixed character. The site adjoins Rosh Pinah primary school to the north and west, local shops to the east and residential properties to the south.

Proposal:

The application seeks permission for the conversion of the first floor to 4 self-contained flats. A two-storey side extension is proposed to the commercial unit and vehicle access is proposed with associated car parking spaces.

The physical changes to the building involve a small two storey infill extension measuring 6.5 metres in width, 2.1 metres in depth and 9.25 metres in height. Also, 2 first floor extensions, one infill at 5.8m wide, 4.1m deep and 9.6m high, the other 3.9m wide, 10m deep and 9.2m high.

2 no. 2 bedroom and 2 no. 3 bedroom self-contained units will be located on the first floor. Private amenity space will be provided at the first floor level with a roof garden enclosed with a 1.8m high fence.

5 no. residential car parking spaces will be located to the east of the site together with 6 bike store spaces. An additional 10 no. parking spaces are proposed for the commercial use.

Planning Considerations:

Policy Context

Relevant development management policies are identified above.

Of particular relevance are policy DM01 which requires that development respects local character, and policy DM02 which sets out standards for new development.

Policy DM08 sets out the Council's priorities for new dwellings.

Policy DM17 sets out requirements in terms of car parking for new development.

Principle of Development

The ground floor of the property will remain as existing and the first floor was always used as ancillary residential accommodation for staff. Given that residential use has always been prevalent at the first floor level, the conversion into 4 no. self-contained units is considered acceptable.

Residential Units

The proposal will introduce 2 no. 2 bedroom units and 2 no. 3 bedroom units to the site located on the first floor. In terms of stacking the proposals are considered acceptable with bedrooms on top of bedrooms and living space on top of living space. The proposed units meet the London Plan standards both in terms of density and minimum floor size requirements. Given the size and siting of the residential units it is not considered that the proposed flats will result in any noise and disturbance to the occupiers of neighbouring properties.

The plans have been amended from the originally submitted scheme to remove the ground floor flat from the plans. Concerns were raised regarding noise and disturbance for future occupiers of this unit as a result of being located immediately adjacent to a public house. As amended, the proposed units will be located entirely at the first floor level and a condition has been recommended regarding sound insulation between the first floor units and the Public House below. It is considered that adequate sound insulation will protect future occupiers from noise and disturbance.

Private amenity space will be provided to the residential units in the form of a first floor roof garden. This will be enclosed by 1.8m high fencing to ensure it does not result in any overlooking to the neighbouring properties.

Traffic, Access and Parking

It is proposed that 5 no. parking spaces will be allocated for the residential units and an additional 10 no. parking spaces will be provided for the commercial unit. In addition, two crossovers are proposed to the site to allow for safe access and egress to the different parking areas. The Council's Highways officers have raised no objections to the scheme (subject to the insertion of relevant conditions and informatives) and it is not considered that the proposed development will have a detrimental impact on traffic, access and parking in the area.

Extensions

A small two storey extension infill extension is proposed on the south east elevation which will enclose an existing external stair case area. The proposed extension will not project further than the existing flank elevation of the building and will be located 6.8 metres away from the boundary with No 4 Broadfields Parade. 2 further first floor extensions are also proposed, one projecting up to the existing rear elevation and the other an infill set well back from the rear. Given the size and siting of the proposed extensions they are not considered to have a detrimental impact on the character and appearance of the property or the amenities of any neighbouring residential property.

Flood Risk

The Environment Agency were consulted as part of this proposal and states that the main flood risk issue at this site is the management of surface water run-off and ensuring that drainage from the development does not increase flood risk either on-site or else where. As the proposal will only result in minor changes to the footprint on site it is not considered that the proposal will increase the risk of flooding or have a detrimental impact on drainage in the area.

Section 106 Contributions

Financial Contributions

The proposed development would place additional pressures on education, health and library provision in the borough. To accord with the relevant SPD's and core strategy policies the proposed scheme would require a contribution of £8,967 for education, £3,716 for health, £417 for libraries and £655 toward the council's costs of monitoring the proposal and fulfillment of the financial obligations.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The objections have been addressed in the above report.

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

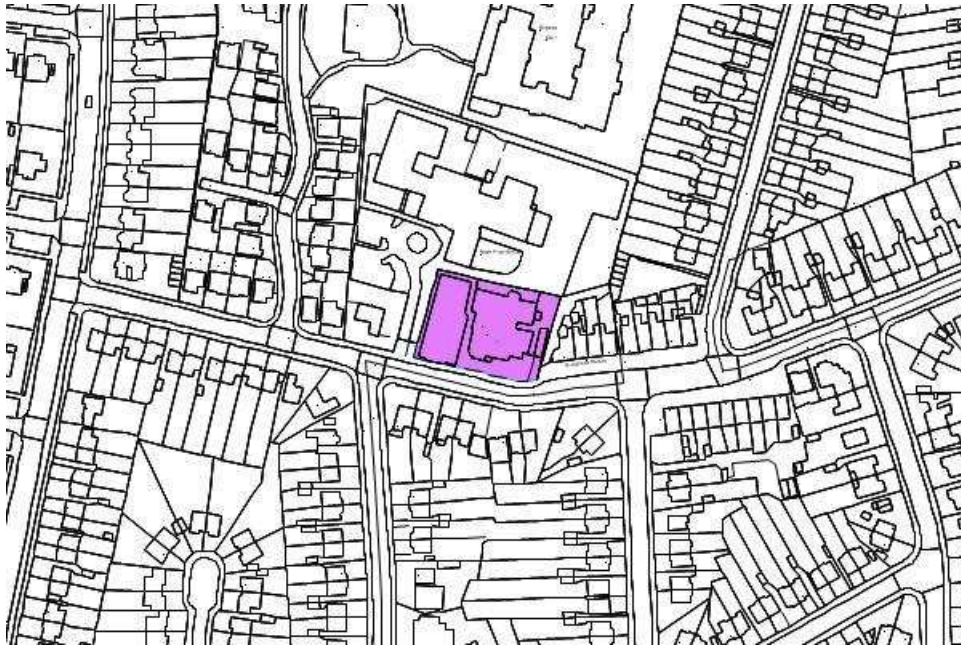
The application is recommended for **APPROVAL**.

**SITE LOCATION PLAN:
HA8 8TE**

The Sparrow, Glengall Road, Edgware, Middx,

REFERENCE:

H/03790/12



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