

LOCATION: 6 Beechworth Close, London, NW3 7UT

REFERENCE: F/01083/13

Received: 16 March 2013

Accepted: 15 March 2013

WARD(S): Childs Hill

Expiry: 10 May 2013

Final Revisions:

APPLICANT: SIX BEECHWORTH PROPERTIES LTD

PROPOSAL: Erection of two new three-storey detached dwellings with basement accommodation using existing vehicular access from Beechworth Close, following demolition of an existing two-storey detached dwelling house. (EXTENDED CONSULTATION DEADLINE - AMENDED ADDRESS AND POST CODE)

RECOMMENDATION: Approve Subject to Conditions

1

The development hereby permitted shall be carried out in accordance with the following approved plans: BUR-PR-12, 000-00 rev A, 000-01 rev A, 000-02 rev G, 000-03 rev C, 005-04 rev B, 005-05 rev B, 005-06 rev B, 005-07 rev B, 005-08 rev B, 001-01 rev A, 001-02 rev A, 005-01 rev B, 005-02 rev B, 005-03 rev B, 010-00 rev E, 010-01 rev E, 010-02 rev E, 010-B1 rev E, landscape proposals, arboricultural method statement, arboricultural impact assessment report, construction method statement, transport statement and site investigation report received 15 March 2013.

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

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 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 DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

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 character and visual amenities of the site and wider area and to ensure that the building is constructed 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) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

- 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 in accordance with policies DM01, DM03, DM17 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

- 5 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).

- 6 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 side elevation facings 1 Elm Walk and 5 Beechworth Close.

Reason:

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

- 7 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) the building(s) hereby permitted shall not be extended in any manner whatsoever.

Reason:

To ensure the development does not prejudice the character of the locality and the enjoyment by existing and/or neighbouring occupiers of their properties and protect the health of protected trees in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD

- (2012).
- 8 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).
- 9 In the event of installations of any extraction and ventilation equipment, details shall be submitted to and approved by the Local Planning Authority before installation 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 in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.
- 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 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).
- 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 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.
- 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 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.
- 13 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 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.

- 14 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 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.

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

- 16 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.

- 17 The level of noise emitted from the any plant installed on site shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason:

To ensure that the proposed development does not prejudice the amenities of

occupiers of neighbouring properties in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

- 18 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 DM02 of the Adopted Barnet Development Management Policies DPD (2012), the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007) and policies 5.2 and 5.3 of the London Plan (2011).

- 19 Continued monitoring of ground water levels should be carried out throughout the development and the results provided at the request of the Local Planning Authority.

Reason:

To safeguard the risk of flooding to the site and neighbouring properties in accordance with DM01 of the adopted Local Plan.

- 20 A noise assessment, by an approved acoustic consultant, shall be carried out that assesses the likely impacts of noise on the development. This report and any measure to be implemented by the developer to address its findings shall be submitted in writing for the approval of the Local Planning Authority before the development commences. The approved measures shall be implemented in their entirety before (any of the units are occupied).

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 Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

- 21 Works to the basement shall be dealt with in accordance with the hereby approved Basement Impact Assessment and the basement construction shall be watertight in accordance with BS 8102, and the pile wall shall be adequately propped in accordance with the Basement Impact Assessment and Ground Stability Report.

Reason:

To safeguard the risk of flooding to the site and neighbouring properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 22 Before the development hereby permitted is occupied, vehicular and cycle parking spaces shall be provided in accordance with the hereby approved drawing submitted as part of the application and that area shall not thereafter be used for any purpose other than for the parking and turning of vehicles associated with the development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with policies DM17 of the Adopted Barnet

Development Management Policies DPD (2012), and CS9 of the Adopted Barnet Core Strategy DPD (2012).

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 Core Strategy (2012) and Development Management Policies DPD (2012).

In particular the following policies are relevant:

The Mayor's London Plan July 2011:

- Policy 3.3 – Increasing Housing Supply
- Policy 3.4 – Optimising Housing Potential
- Policy 3.5 – Quality and Design of Housing Developments
- Policy 3.8 – Housing Choice
- Policy 3.9 – Mixed and Balanced Communities
- Policy 5.2 – Minimising carbon dioxide emissions
- Policy 5.3 – Sustainable design and construction
- Policy 7.1 – Building London's Neighbourhoods and Communities
- Policy 7.2 – An Inclusive Environment
- Policy 7.3 – Designing Out Crime
- Policy 7.4 – Local Character
- Policy 7.6 – Architecture
- Policy 7.14 – Improving air quality

Core Strategy Policies 2012

- Policy CS 1 Barnet's Place Shaping Strategy – The Three Strands Approach
- Policy CS 3 Distribution of growth in meeting housing aspirations
- Policy CS 4 Providing quality homes and housing choice in Barnet
- Policy CS 5 Protecting and Enhancing Barnet's character to create high quality places
- Policy CS 6 – Promoting Barnet's town centres
- Policy CS 9 – Providing safe, effective and efficient travel
- Policy CS 15 – Delivering the Core Strategy

Development Management Policies 2012

- DM01 Protecting Barnet's character and amenity
- DM02 Development standards
- DM04 Environmental considerations for development
- DM06 Heritage and Conservation
- DM11 Development principles for Barnet's town centres
- DM17 Travel impact and parking standards

Supplementary Planning Documents (SPDs):

- Barnet SPD: Residential Design Guidance (2013)
- Barnet SPD: Sustainable Design and Construction (2013)

ii) The proposal is acceptable for the following reason(s): Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet Local Plan policies and guidance and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. The proposals are acceptable on highways grounds.

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.

iv) In this case, formal pre-application advice was sought prior to submission of the application.

- 2 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 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 council's supplementary planning document on Sustainable Design and Construction 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 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) - Description and & measurement of environmental noise; 2) BS 4142:1997 - Method of rating industrial noise affecting mixed residential and industrial areas; 3) BS 8223: 1999 - 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) Department of transport : Railway Noise and insulation of dwellings.

4 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 £40,425.

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.

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.

- 6 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day as calculated according to the Code for Sustainable Homes.
- 7 Wildlife and Countryside Act 1981 Obligations: Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.

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:

- Policy 3.3 – Increasing Housing Supply
- Policy 3.4 – Optimising Housing Potential
- Policy 3.5 – Quality and Design of Housing Developments
- Policy 3.8 – Housing Choice
- Policy 3.9 – Mixed and Balanced Communities
- Policy 5.2 – Minimising carbon dioxide emissions
- Policy 5.3 – Sustainable design and construction
- Policy 7.1 – Building London's Neighbourhoods and Communities
- Policy 7.2 – An Inclusive Environment

- Policy 7.3 – Designing Out Crime
- Policy 7.4 – Local Character
- Policy 7.6 – Architecture
- Policy 7.14 – Improving air quality

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.

The Council has also introduced a Community Infrastructure Levy. This applies from 1 May 2013 to most residential and retail developments in the Borough where the application is determined by the Local Planning Authority. The levy will be charged at a rate of £135 per square metre of net additional floorspace.

Barnet Local Plan

Core Strategy Policies 2012

- Policy CS 1 Barnet's Place Shaping Strategy – The Three Strands Approach
- Policy CS 3 Distribution of growth in meeting housing aspirations
- Policy CS 4 Providing quality homes and housing choice in Barnet
- Policy CS 5 Protecting and Enhancing Barnet's character to create high quality places
- Policy CS 6 – Promoting Barnet's town centres
- Policy CS 9 – Providing safe, effective and efficient travel
- Policy CS 15 – Delivering the Core Strategy

Development Management Policies 2012

- DM01 Protecting Barnet's character and amenity
- DM02 Development standards
- DM04 Environmental considerations for development
- DM06 Heritage and Conservation
- DM11 Development principles for Barnet's town centres
- DM17 Travel impact and parking standards

Local Supplementary Planning Documents (SPDs):

- Barnet SPD: Residential Design Guidance (2013)
- Barnet SPD: Sustainable Design and Construction (2013)

Relevant Planning History:

F/02630/12 Erection of two new three-storey detached dwellings and basement accommodation using existing vehicular access from Beechworth Close, following

demolition of an existing two-storey detached dwelling house. WITHDRAWN 201
Consultations and Views Expressed:

Neighbours Consulted: 27 Replies: 5
Neighbours Wishing To Speak 1

The objections raised may be summarised as follows:

Character and appearance

- Dwellings do not reflect the existing neighbouring properties.
- Overbearing and negative impact on streetscene.
- Overdevelopment and hugely exceed the requirements set out in the London Plan for a 5 bedroom house.
- Proposal is massive.

Impact on neighbouring properties

- Loss of privacy.
- Vegetation can not be relied upon as a sufficient privacy screen.
- No acoustic report to address the new plant for the swimming pools.

Traffic, access and parking

- Impact on further development on an area of limited resident parking with already over-used resident parking bays.
- Concern that there is a lack of sufficient parking proposed for the dwellings

Other matters

- Consultation letters were sent out with the address written as 6 Beechwood Close instead of Beechworth Close.
- Concerns relating to the impact on Beechworth Close during building works.
- Low level boundary landscaping which reinforces character of Beechworth Close will be harmed.

Internal /Other Consultations:

- Traffic & Development - No objections subject to conditions.
- Environmental Health - No objections subject to conditions.
- Urban Design and Heritage - No objection.
- Building Control - No objection.

Date of Site Notice: 28 March 2013

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a large detached two storey flat roof dwelling located on Beechworth Close in the Childs Hill ward, the back of the property backs onto Elm Walk. Beechworth Close is characterised by detached dwellings with flat roofs. There is an existing access point onto the site from the public highway. A group tree preservation order exists surrounding the site. The site is not located within a conservation area.

Proposal:

The application relates to the erection of two new three-storey detached dwellings and basement accommodation with new vehicular access from Beechworth Close, following demolition of an existing two-storey detached dwelling house.

The submission of the application follows lengthy pre-application discussions between the applicant and officers and the withdrawal of a previous application. The previous application was originally submitted with access from Elm Walk, however, during the life of the previous application this was amended to reutilise the existing access point from Beechworth Close. The current proposal does not have access from Elm Walk.

Planning Considerations:

The main issue in this case are considered to be covered under the following areas:

- The living conditions of neighbouring residents;
- Whether harm would be caused to the character and appearance of the area and street scene, having regard to the size, siting and design of the proposal.
- Impact on traffic, parking and vehicle movements.
- Impact of proposal on trees on site particularly protected trees.
- Impact on ground water and other hydrogeology as a result of the proposed basements.
- Financial Planning Obligations arising from the development.

Principle of development, character and appearance

The Government is committed to maximising the re-use of previously developed land and empty properties to minimise the amount of green field land being taken for development. One of the chief objectives of the NPPF is to provide sufficient housing for future needs, ensuring that as many of the new homes as possible are built on previously developed land. The NPPF advocates the adoption of a sequential approach to selecting sites for housing to ensure that green field sites are used only when no appropriate sites exist inside urban areas. The sequential approach identifies previously developed sites within urban areas as being the most suitable for development.

The site is previously developed land and therefore is sequentially preferable for residential development.

Policy CS5 states that the Council 'will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high

quality design'. Policy DM01 requires that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough. The development standards set out in Policy DM02: Development Standards are regarded as key for Barnet to deliver the highest standards of urban design.

Furthermore, the Residential Design Guidance SPD advises that the design and layout of new development should be informed by the local pattern of development. The continuity of building lines, forecourt depths, road layout, space about the building and rear garden areas are all likely to be significant factors when redeveloping sites within existing residential areas,

The principle of demolition is considered acceptable. The property is not within a conservation area and is not of particular architectural merit to warrant its retention.

The location of this site within a residential area, on a sufficiently large plot makes the principle of two new units on the site in keeping with Council Policies relating to new developments.

When assessed against the London Plan's density matrix, the scheme provides 14.29 units per hectare and 178.57 habitable rooms per hectare, in an area where 35-55 units per hectare and 150-200 habitable rooms per hectare would be acceptable. The scheme is therefore less dense than the London Plan policies normally recommend and as such there are no objections on the proposed density. It is considered that as there is one property on site at the moment, the scheme could not be refused on the shortfall in the number of units, when compared to the requirements of the density matrix on this occasion.

Council Policies state that new residential developments must harmonise with and respect the character of the area. Whilst the proposal is of a contemporary design it is not considered the design of the two dwellings would be out of character with the area. The property as existing is a box shape with flat roof and the proposed dwellings would continue this general design principle. The proposal would adhere to policies recommending the infill of sites in residential areas.

It is considered that the design of the proposed dwelling would complement the design of neighbouring existing buildings with a number of other box design buildings on Beechworth Close and it would not have any adverse visual effect on the character of the locality or the street scene generally. The success of the building will depend on the quality of the materials to be used and the materials to be used in the construction of the dwelling will have a condition to this recommendation to ensure that the proposed materials are acceptable.

The Urban Design team support the proposals.

Living conditions of neighbouring residents

In considering Policy DM01 of the Development Management Policies (Adopted) 2012, given the distance between the proposed buildings and neighbouring buildings, it is considered that the proposals would not detract from the amenities of adjoining occupiers in terms of the loss of light, outlook or privacy to an unacceptable level.

In addition to the requirements of Policy DM01 in respect of providing adequate daylight, sunlight, privacy and outlook for neighbouring properties, the Sustainable Construction and Design SPD (2013) states that the privacy of existing and future development should be protected and gardens and windows to habitable rooms should not be significantly overlooked. Furthermore the Residential Design Guidance SPD (2013) advises that 'Privacy is an important design issue and all residents should feel at ease within their home. Design can create privacy in a number of ways, including the careful positioning of buildings in relation to one another, internal layouts (positioning of windows and rooms requiring more privacy) and through screening and landscaping.'

The development would not be obtrusive and would preserve an adequate outlook for the neighbouring occupiers in accordance with adopted policies.

Privacy can be safeguarded by achieving window to window distances between buildings (both existing and proposed). In new residential development there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden.

Windows are proposed in the side elevation facing towards 1 Elm Walk the distances above are not met, however, the side windows are not principal windows and as such a condition requiring these to be obscure glazed has been suggested to overcome this concern.

It is considered that there is sufficient distance between the application site and 5 Beechworth Close to ensure the proposal does not result in any demonstrable loss of amenity to the neighbouring residential occupiers.

Living conditions of future occupiers

The minimum space standards for new development is laid out in table 3.3 of the London Plan 2011. The requirements for houses is set out below:

3 storey houses
3 bed 5 people 102m²
4 bed 5 people 106m²
4 bed 6 people 113m²

Each house proposes 5 bedrooms whilst this is not covered in the London Plan table the pre-amble suggests that when designing homes for more than 6 persons/bedspaces, developers should allow approximately 10 square metres per extra bedspace/person.

Each house complies with the minimum space standards.

Table 2.3 of the cBarnet's supplementary planning document sustainable design and construction (2012) indicates outdoor amenity space requirements. For houses of this type the standard is set at 85m². Each dwelling meets the requirements of on site usable amenity space.

Impact on traffic, parking and vehicle movements.

The traffic and development team have reviewed the planning application and consider that based on observations the proposal is acceptable subject to conditions. Sufficient parking are provided for each of the houses which is appropriate provision for the area. Cycle parking spaces are also proposed.

The site is located within a one Hour Controlled parking Zone. Appropriate level of parking is provided in this location.

Vehicular accesses to both properties are proposed from Beechworth Close including the existing access which is being retained. The vehicular accesses are to be provided via ramps from the public highway and the ramp gradient as proposed in the drawings submitted with the application should be provided.

Trees related issues

The trees and landscaping team have reviewed the planning application and consider that the proposal is acceptable in compliance with arboricultural information submitted with the application. In addition, conditions have been attached to the application to ensure the safeguarding of the health of the trees of special amenity value and to ensure that a suitable scheme of landscaping is implemented for the two new dwellings. It is considered that a sufficient level of replacement planting is proposed in place of soft landscaping and trees which are to be removed as part of the development.

Impact on hydrological issues as a result of the proposed basements.

The Council's Building Control Department Principal Structural Engineer agrees with the applicant's conclusion that the construction of the basement is unlikely to have a significant impact on groundwater flows, and provided normal good practice is used in the construction of the basement ground stability problems are unlikely.

The Local authority's building control department principal structural engineer has reviewed the information submitted in relation to impact of the basement on hydrological issues. Following a review of the information submitted and additional information provided by Chelmer and the contractors it is considered that the proposal to create new basement accommodation will not result in any significant disturbance that would warrant a refusal of the application on these grounds. It has been suggested that conditions are attached to ensure the monitoring of the drainage and future ground water monitoring is conducted as per the basement impact assessment. It has been confirmed that the ground water will be dealt with in accordance with the Basement Impact Assessment and the basement construction

will be watertight, this should be in accordance with BS 8102, and the pile wall will be adequately propped.

A condition has also been imposed to carry out monitoring for the basement construction.

Sustainability:

Sustainable development is a key priority of Central Government and the Council. Any new residential development in Barnet is expected to meet Code Level 3 of the Sustainable Homes – whilst the applicant has not indicated in the design and access statement that this will be achieved; a condition is recommended.

The Community Infrastructure Levy Regulations 2010:

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. The charge will be £40,425.

The Council has also introduced a Community Infrastructure Levy. This applies from 1 May 2013 to most residential and retail developments in the Borough where the application is determined by the Local Planning Authority. The levy will be charged at a rate of £135 per square metre of net additional floorspace. The charge will be £150,882.75

3. COMMENTS ON GROUNDS OF OBJECTIONS

Character and appearance

- The character and appearance of the property is considered to be appropriate within its setting.

The site is considered large enough to facilitate the level of development proposed. Whilst less dense than the London Plan policies normally recommend it is considered that as there is one property on site at the moment, the scheme could not be refused on the shortfall in the number of units, when compared to the requirements of the density matrix. In addition, a more dense proposal would not be appropriate in the context of Beechworth Close, which is a road characterised by large dwellings set within large plots.

Impact on neighbouring properties.

- The proposed dwellings are not considered to give rise to any loss of amenity to the neighbouring residential occupiers, the scheme has been amended since the initial submission, to create one column of windows in the side elevation of the nearest property facing 1 Elm Walk. These windows are to be obscure glazed being secondary windows. This along with the screening between the two dwellings is considered to be sufficient to ensure there is no loss of privacy.

Traffic, access and parking

- The application has been reviewed by the traffic and development team and it is considered that the proposal is acceptable on highways grounds.
- The application differs from the previous submission and provides access from Beechworth Close. Access to house 2 will utilise the existing drive and one new access point will be created for house 1.

Other matters

- A basement impact assessment has been carried out and reviewed, exploring ground water levels and any potential impact of the basement.
- The proposal differs from the previous submission as it has removed the vehicular access points from fronting Elm Walk to the opening of a new access point on Beechworth Close and use of the existing access.
- A construction method statement has been submitted as part of the application which has been reviewed and is considered appropriate to ensure building works do not result in undue harm to the residents of Beechworth Close during building works.
- The trees and landscaping team have reviewed the application and are satisfied the proposal has suitable measures to safeguard the protected trees and provides a suitable landscaping scheme.

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, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet Local Plan policies and guidance and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. This application is therefore recommended for **APPROVAL**.

SITE LOCATION PLAN: 6 Beechworth Close, London, NW3 7UT

REFERENCE: F/01083/13



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