

LOCATION: 2 Green Close, London, NW11 6UX
REFERENCE: F/04509/12 **Received:** 28 November 2012
Accepted: 16 January 2013
WARD(S): Garden Suburb **Expiry:** 13 March 2013

Final Revisions:

APPLICANT: Mr Franklin
PROPOSAL: First floor side extension (west side) including conversion of existing garage into a habitable room. First floor side extension (east side). Roof extension including 2no. rear dormer windows to replace existing rooflights. Associated works. (Additional information: Design & Access Statement and Heritage Asset Significance Appraisal)

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Photographic Description of Trees and Shrubs by Tretec Ref: 1112 P, Tree Survey from Tretec Ref:1112, 1157/S2 11, 1157/S2 01a, 1157/S2 02, 1157/S2 03, 1157/S2 04, 1157/S2 05, 1157/S2 06, 1157/S2 07, 1157/S2 7 08, 1157/S2 09, 1157/S2 10, RPAs Rev: b, 1157/AP2 01b, 1157/AP2 02a, 1157/AP2 03b, 1157/AP2 04a, 1157/AP2 05a, 1157/AP2 06a, 1157/AP2 07a, 1157/AP2 08a, 1157/AP2 09a, 1157/AP2 10 and a Design and Access Statement.
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 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).
- 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 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).

- 6 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.

- 7 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.

- 8 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), no windows shall be inserted into the new extensions hereby approved other than those shown on the approved plans.

Reason:

To protect the privacy and amenity of the adjoining property.

- 9 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).

- 10 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.

- 11 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.

- 12 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.

- 13 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.

- 14 No development or other operations shall commence on site in connection with the [demolition and] development hereby approved until a detailed tree felling / pruning specification has been submitted to and approved in writing by the local planning authority and all tree felling and pruning works shall be carried out in full accordance with the approved specification and the British Standard 3998: 2010 *Recommendation for Tree Works* (or as amended).

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.

- 15 Before the building hereby permitted is occupied the proposed window(s) in the side elevations facing properties in Wildwood Road 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.

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:
Design Guidance Note No.5 on Household Extensions.

Core Strategy (Adopted) 2012:
Relevant policies: CS NPPF, CS1, CS5 and CS7.

Development Management Policies (Adopted) 2012:
Relevant Policies: DM01, DM02 and DM06.

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 or the trees on or adjacent to the site.

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.

MEMBERS WILL RECALL THIS APPLICATION WAS REPORTED TO THE WEST AREA PLANNING SUB COMMITTEE DATED 8TH MAY 2013 IN WHICH MEMBERS RESOLVED THAT THE APPLICATION BE APPROVED SUBJECT TO CONDITIONS.

HOWEVER, IT CAME TO LIGHT POST COMMITTEE MEETING THAT THE APPLICATION WAS NOT ACCOMPANIED BY A DESIGN AND ACCESS STATEMENT AND HERITAGE ASSET SIGNIFICANT APPRAISAL MAKING THE APPLICATION INVALID.

IN THESE CIRCUMSTANCES THE ORIGINAL RESOLUTION IS NO LONGER VALID AND IT IS THEREFORE NECESSARY FOR THE MEMBERS OF THE WEST COMMITTEE TO MAKE A FRESH RESOLUTION TAKING INTO ACCOUNT THE ADDITIONAL STATEMENTS. MEMBERS ARE INFORMED THERE ARE NO OTHER CHANGES TO THE PROPOSED SCHEME.

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."

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:

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 Three Strands Approach

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.

Hampstead Garden Suburb Conservation Area Design Guidance

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).

Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS7.

Development Management Policies (Adopted) 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.

Relevant Development Management Policies: DM01, DM02, DM06.

The Hampstead Garden Suburb Character Appraisals and Design Guidance 2010 are also relevant.

Relevant Planning History:

Site Address:	2 Green Close; Wildwood Road NW11
Application Number:	C05080
Application Type:	Full Application
Decision:	Approve with conditions
Decision Date:	08/01/1975
Appeal Decision:	No Appeal Decision Applies
Appeal Decision Date:	No Appeal Decision Date exists
Proposal:	formation of two rooms in the roof space and dormer windows
Case Officer:	

Site Address:	2 Green Close; Wildwood Road NW11
Application Number:	C05080A
Application Type:	Full Application
Decision:	Approve with conditions

Decision Date: 21/05/1975
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **formation of two dormer windows on front elevation**
Case Officer:

Site Address: 2 Green Close LONDON NW11
Application Number: C05080D
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 28/09/1994
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Alterations to front, side and rear elevations including new front door, new windows and bricking up of existing openings.**
Case Officer:

Site Address: 2 Green Close LONDON NW11
Application Number: C05080C
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 10/08/1994
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **External alterations incorporating new window to front elevation; replacement of a rear window with french doors, removal of first floor side window to south west elevation and alterations to ground floor windows and door**
Case Officer:

Site Address: 2 Green Close LONDON NW11
Application Number: C05080E
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 24/01/1995
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Landscaping of front and rear gardens incorporating hardsurfacing, steps, retaining walls, boundary walls, gates and a rear garden shed.**
Case Officer:

Site Address: 2 Green Close LONDON NW11
Application Number: C05080F
Application Type: Full Application
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Maple (dead) remove (EXEMPT)**
Case Officer:

Site Address: 2 Green Close NW11
Application Number: C05080B
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 28/03/1984
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey side extension and alterations to side elevation**

Case Officer:

Site Address: 2 Green Close, London, NW11 6UX
Application Number: F/01213/12
Application Type: Householder
Decision: Deemed Refusal
Decision Date: 14/12/2012
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Two storey side extension (west) including conversion of existing garage into a habitable room. First floor side extension (east side). Two storey side extension (ground) to create a new garage and (lower ground floor) to facilitate creation of a new basement. Roof extension including 2no. rear dormer windows to replace existing rooflights. Associated works.**

Case Officer: David Campbell

Site Address: 2 Green Close, London, NW11 6UX
Application Number: F/04509/12
Application Type: Householder
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Two storey side extension (west) including conversion of existing garage into a habitable room. First floor side extension (east side). Single storey side extension to create a new garage. Roof extension including 2no. rear dormer windows to replace existing rooflights. Associated works.**

Case Officer: David Campbell

Consultations and Views Expressed:

Neighbours Consulted: 15 Replies: 5
Neighbours Wishing To Speak 0

The objections can be summarised as follows:

- Impact on ground water flows may cause damage to neighbouring properties.
- 2 Green Close is at a higher level than neighbours, meaning water could flow down and cause damage/ flooding.
- Hydrological changes.
- Insufficient information has been provided with regards to the impact on ground water.
- Loss of visual amenity.
- Loss of neighbouring amenity.
- Impact on trees.
- The extensions are out of proportion with the area.
- Harm to the character and appearance of the conservation area.
- The proposals will set a precedent.
- Cars should not be parked in Green Close.
- The application does not comply with guidelines and policy.

- The resultant building will be too large.
- Case law has been provided on another property in the HGS.

One of the objections has been written on behalf of 12 local residents. Professional reports have also been submitted by objectors to contradict claims made by the applicant.

Other consultees:

The Hampstead Garden Suburb CAAC have objected to the application on the grounds the extension is too large and prominent to be acceptable.

The Trees and Landscaping Team have no objections to the application subject to conditions.

2. PLANNING APPRAISAL

Site Description and Surroundings: The site is located within the Hampstead Garden Suburb Conservation Area, created in 1968 as one of the first five Conservation Areas in the Borough. The site is also within an Area of Special Character designated in the Greater London Development Plan of July 1976 and carried over in the adopted Unitary Development Plan of 2006. The Hampstead Garden Suburb is covered by an Article 4 Direction covering Schedule 2 Parts 1 and 2 of the Town and Country Planning Control of Development Regulations 1988. Trees around the site have Tree Preservation Orders (TPOs).

The property is a detached house located at the end of Green Close in the HGS Conservation Area. The property is at a higher level than its neighbours in both Green Close and Wildwood Road.

The Conservation Character Appraisal states, 'Nos. 1 and 2 Green Close are substantial Neo-Georgian houses, designed in Soutar's Office in 1935. No. 2 terminates the steep driveway. No. 3 Green Close by James in 1930, fronts on to Wildwood Road and has a large side extension in the same style, unbalancing the composition.'

Proposal:

The application seeks consent for a first floor side extension (west side) including conversion of existing garage into a habitable room, a first floor side extension (east side), roof extensions including 2no. rear dormer windows to replace existing rooflights and associated works.

The application differs from the previous scheme which is subject to a current appeal, in that it does not contain the basement or the garage to the side of the property. These have been removed following concerns that the proposals would have had a negative impact on the trees on site.

Planning Considerations:

In determining the application, the council is mindful of Central Government advice and the Council's planning policies. It is recognised that the Local Plan provides the essential framework for planning decisions and that is the starting point in the consideration of planning applications for the development of land, unless material considerations indicate otherwise.

Character and Appearance

The London Borough of Barnet is considered to have an attractive and high quality environment and the Council views it as important to protect this environment. Therefore the *London Borough of Barnet adopted Core Strategy 2012 and Development Management Policies 2012* contain a number of policies aimed at the preservation of the character and appearance of the Borough.

Policy CS5 'Protecting and enhancing Barnet's character to create high quality places' is also relevant, stating: *We will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design. Developments should.....respect and enhance the distinctive natural landscapes of Barnet; protect and enhance the gardens of residential properties...* It should be noted that the 'Residential gardens' preamble to this policy notes at 10.7.1 that "The NPPF sets out the definition of previously developed land and specifically excludes private residential gardens. This protection enhances the important contribution of gardens to the suburb and its quality of life." 10.7.4 noting that "We will assess proposals involving gardens according to DM01 Protecting Barnet's Character and Amenity."

Policy DM01 of the adopted Development Management Policies 2012 states:

- 'a. All development should represent high quality design which demonstrates high levels of environmental awareness and contributes to climate change mitigation and adaptation.
- b. 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 DM06 states, 'Development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet.

The adopted HGS Design Guidance Note states in section 6.1, 'For an extension to be acceptable, it should be designed to harmonise with, and be inspired by, the original form and character of the house. In most cases roof forms, building materials and fenestration should respond to the original building.'

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.

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 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.

This application proposes a first floor extensions, the conversion of the garage and new dormer windows which are addressed separately. Firstly a first floor side extension (west side) including conversion of the existing garage into a habitable room. This has been set down, from both the front of the property and from the main roofslope. The materials and the style of window match those on the existing property. It is considered that as the house is a 'stand alone' feature in the street scene, the extensions cannot be deemed out of character. The house is considered to be far enough away from neighbouring properties not to cause loss of amenity, even though 2 Green Close sits at a higher level. There are no objections on the grounds of design, character or neighbouring amenity to this part of the application. (Issues concerning trees are discussed below). The first floor side extension to the east is also considered to be acceptable for the same reasons as above. It is also considered that this part of the extensions will assist in balancing the elevation. It is acknowledged that exact symmetry will not be achieved, but this is not considered to be an issue.

The side ground floor extension to create a new garage was considered to be acceptable in terms of the visual appearance. However, there were concerns that the proposal would have had a negative impact on a Poplar and a Laburnum on adjacent properties. This part of the proposal has therefore been removed from the application.

The proposed roof extensions including 2no. rear dormer windows to replace existing rooflights are considered to be acceptable additions to the dwelling and conform to the design guidance note. There are no objections to this part of the application either. The grounds of objection on the grounds of design and size are noted but it is not considered the council would have refused the application on these grounds.

These proposed alterations are considered to ensure that this proposal 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, conservation area and area of special character.

Impact on Water Flow

Some concerns have been raised by the residents with regards to water flow.

The applicant submitted a Desk Study and Ground Investigation Report to demonstrate the previous application would not give rise to any issue concerning impact on the water table, stability or harm to neighbouring properties. An objector has also submitted evidence which contradicts these claims.

The Council's Structural Engineer reviewed the information submitted and did not

consider that the basement would have an impact in this respect. Thames Water did not object either.

With the above in mind, it is not considered that the council could refuse the current application on these grounds, given the basement has been removed from the application.

Impact on Trees

Paragraph 12.8.1, the preamble to Policy CS7 of the Core Strategy states, 'Trees are important for their historic and aesthetic values. They also provide habitat, shading, cooling and air filtering. With 36,000 street trees in Barnet, the second highest number in London, they make an important contribution to quality of life'.

DM01 of the Development Management Policies, states: 'Protecting Barnet's character and amenity', which states "...g. *Development proposals should retain outdoor amenity space having regard to its character...*

j. Development proposals will be required to include hard and soft landscaping that:

- *i. Is well laid out in terms of access, car parking and landscaping*
- *ii. Considers the impact of hardstandings on character*
- *iii. Achieve a suitable visual setting for the building*
- *iv. Provide an appropriate level of new habitat including tree and shrub planting*
- *v. Make a positive contribution to the surrounding area*
- *vi. Contributes to biodiversity including the retention of existing wildlife habitat and trees*
- *vii. Adequately protects existing trees and their root system.*

k. Trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate."

Trees at and adjacent to 2 Green Close are included within the following Tree Preservation Orders: The London Borough of Barnet Tree Preservation Order – Wildwood Road, NW11 Ref: TRE/FI/30, made on the 20th April 1978. The trees in question are Group 8 consisting of 28 Lombardy Poplar, Group 9 comprising of a Rowan and a Birch and Tree 18 which is also a Birch. An Exemption Notice was issued for the removal of the Birch in Group G9 (TRE406189H). There is an obligation to plant a replacement for the tree. Other trees are protected by virtue of being in a conservation area.

It is considered that since the removal of the basement and the garage from the current application the proposals will have an acceptable impact on tree grounds. A number of conditions have been attached to safeguard the trees.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The grounds of objection are addressed below

- The application is considered to be acceptable in terms of the impact on ground water flows. The previous basement has been withdrawn from the application so the application is considered to be acceptable. The previous reports submitted with the concerning ground water have not been submitted with this application. Given that the council does not normally expect this level of detail for householder extensions without basements it is considered that this would be unreasonable to request the same is done for this application. (In the previous application for a basement it was considered to be necessary and the submitted report was considered to be acceptable. No objections were raised to this part of application on this previous scheme.
- It is not considered that the application will lead to detrimental loss of visual amenity to neighbouring properties or indeed any other issues concerning loss of neighbouring residential amenity. The application is therefore considered to be acceptable on these grounds also.
- It is considered that as amended the application will have an acceptable impact on the trees in the area.
- It is considered that the extensions are not out of proportion with the area as explained in the main report.
- It is not considered that the application will cause harm to the character and appearance of the conservation area as explained above.
- Each application will be determined on their own merits so the proposals are not considered to set a precedent. The property is also considered to be a stand alone house particularly with regards to its setting, and is not directly comparable to any others in the immediate area
- There are no objections to the loss of the garage or to the parking on site.
- The application is considered to comply with guidelines and policy.
- The size of the resultant building is considered to be acceptable.
- Case law has been provided relating to another site, however each case must be determined on its own merits. It is not therefore considered that this is a reason to refuse the application.

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.

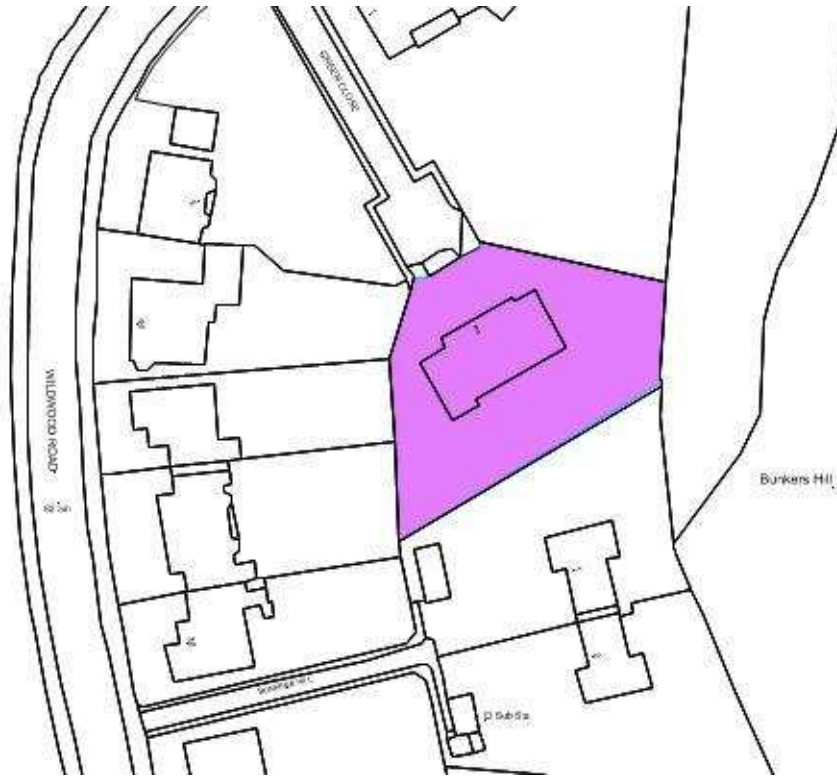
5. CONCLUSION

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: 2 Green Close, London, NW11 6UX

REFERENCE: F/04509/12



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