

MEETING

CHIPPING BARNET AREA PLANNING COMMITTEE

DATE AND TIME

WEDNESDAY 10TH JUNE, 2020

AT 7.00 PM

VENUE

VIRTUAL MEETING

WATCH THE AUDIO AND VIDEO OF THE LIVE STREAM HERE: <https://bit.ly/2XmEbjd>

TO: MEMBERS OF CHIPPING BARNET AREA PLANNING COMMITTEE (Quorum 3)

Chairman: Councillor Stephen Sowerby MA
Vice Chairman: Councillor Wendy Prentice

Laurie Williams
Richard Cornelius

Reema Patel
Roberto Weeden-Sanz

Tim Roberts

Substitute Members

Alison Cornelius
Thomas Smith
Lisa Rutter

Paul Edwards
Jo Cooper

Pauline Coakley Webb
Julian Teare

Please note that the below agenda may not reflect the order in which items will be heard at the meeting.

You are requested to attend the above meeting for which an agenda is attached.

Andrew Charlwood – Head of Governance

Governance Service contact: chippingbarnet@barnet.gov.uk

Media Relations contact: Gareth Greene 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of last meeting	5 - 10
2.	Absence of Members (if any)	
3.	Declaration of Members' Disclosable Pecuniary interests and Non Pecuniary interests (if any)	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	9 Grimsdyke Crescent Barnet EN5 4AH (High Barnet)	11 - 22
7.	Church End House 44 Totteridge Village London N20 8PR (Totteridge)	23 - 36
8.	25 Ravenscroft Park Barnet EN5 4NH (High Barnet)	37 - 46
9.	14 Woodside Avenue, London, N12 8BG (Totteridge)	47 - 58
10.	66 Woodside Park Road London N12 8RY (Totteridge)	59 - 84
11.	Applegarth Manorside Barnet EN5 2LD (Underhill)	85 - 98
12.	Any item(s) the Chairman decides are urgent	

FACILITIES FOR PEOPLE WITH DISABILITIES

Hendon Town Hall has access for wheelchair users including lifts and toilets. If you wish to let us know in advance that you will be attending the meeting, please telephone chippingbarnet@barnet.gov.uk. People with hearing difficulties who have a text phone, may telephone our minicom number on 020 8203 8942. All of our Committee Rooms also have induction loops.

FIRE/EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by uniformed

custodians. It is vital you follow their instructions.

You should proceed calmly; do not run and do not use the lifts.

Do not stop to collect personal belongings

Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions.

Do not re-enter the building until told to do so.

This page is intentionally left blank

Decisions of the Chipping Barnet Area Planning Committee

11 February 2020

Members Present:-

AGENDA ITEM 1

Councillor Stephen Sowerby (Chairman)
Councillor Wendy Prentice (Vice-Chairman)

Councillor Laurie Williams
Councillor Reema Patel

Councillor Roberto Weeden-Sanz
Councillor Paul Edwards (for Councillor
Tim Roberts)

Apologies for Absence

Councillor Richard Cornelius Councillor Tim Roberts

1. MINUTES OF LAST MEETING

RESOLVED that the minutes of the meeting held on 7 January 2020, be agreed as a correct record.

CHAIRMAN'S INTRODUCTION

The Chairman welcomed everyone to the meeting and outlined the revised running order.

The Chairman also reported that officers had withdrawn agenda item 9 (Church End House) from the agenda on the grounds that not all speakers had been informed of their right to speak on this item. This item would be referred back to this meeting on 19th March 2020.

2. ABSENCE OF MEMBERS (IF ANY)

Councillor Richard Cornelius and Councillor Tim Roberts.

3. DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)

None.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

Items contained within the addendum, would be considered under individual agenda items.

6. THE SURGERY 27 WOOD STREET BARNET EN5 4BB 195177LBC (UNDERHILL)

The Committee received the report and addendum and it was noted that both this application and the following application on Wood Street would be considered in tandem but voted on separately.

It was also noted that a letter in support had been received today from Theresa Villers MP and this had been summarised in the addendum.

Representations were heard from the agent on the first application and from the Applicant on the second application.

The Committee voted on the Officer report to **refuse** the application:

FOR (REFUSAL)	0
AGAINST (REFUSAL)	5
ABSTAINED	1

It was moved by Councillor Sowerby and seconded by Councillor Williams that the application be approved subject to conditions on the basis that the harm to the listed building and conservation area would be less than substantial and the community benefits would significantly outweigh any harm to the listed building and conservation area subject to standard conditions .

The Committee voted on the proposal to approve as follows:

For	5
Against	0
Abstained	1

RESOLVED that the application be approved subject to delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to impose appropriate conditions. This development must be begun within three years from the date of this permission. To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

7. THE SURGERY 27 WOOD STREET BARNET EN5 4BB 195176FUL (UNDERHILL)

It was noted that the presentations/discussions on this item had been conducted in tandem with the other Wood Street application. Consequently, the Committee moved straight to the voting process.

The Committee voted on the Officer report to **refuse** the application:

FOR (REFUSAL)	0
AGAINST (REFUSAL)	5
ABSTAINED	1

It was moved by Councillor Sowerby and seconded by Councillor Williams that the application be approved subject to the standard conditions on the basis that the harm to the listed building and conservation area would be less than substantial and the

community benefits would significantly outweigh any harm to the listed building and conservation area.

The Committee voted on the proposal to approve as follows:

For	5
Against	0
Abstained	1

RESOLVED that the application be approved subject to delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to impose appropriate conditions.

8. HIGH PROSPECT AND LAND REAR OF ROGATE AND SAXBY ARKLEY DRIVE BARNET EN5 3LN (HIGH BARNET)

The Committee received the report and addendum to the report.

Representations were heard from Sean Meadows, Councillor Longstaff and the Applicant's agent.

The Committee voted on the Officer recommendation to approve the application:

FOR	3
AGAINST	2
ABSTAINED	1

RESOLVED that the application be approved for the reasons set out in the officer's report, , subject to the conditions detailed in the report AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

9. GARAGES AT 1-4 PORCH WAY LONDON N20 0DS (OAKLEIGH)

The Committee received the report.

Representations were heard from Applicant's agent.

The Committee voted on the Officer recommendation to approve the report:

FOR	5
AGAINST	1
ABSTAINED	0

RESOLVED that the application be approved for the reasons set out in the officer’s report,, subject to the conditions detailed in the report **AND** the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

10. 25 RAVENSCROFT PARK BARNET EN5 4NH (HIGH BARNET)

The Committee received the report and addendum.

Representations were heard from Deborah Parrott and the Applicant.

The Committee voted on the Officer recommendation to approve the application:

For	2
Against	3
Abstained	1

Cllr Patel then proposed an alternative motion to **refuse** (seconded by Cllr Prentice) on the basis that the proposed roof lantern would have a harmful impact on the immediate outlook of the occupiers of 25A(first floor flat above) and would result in a harmful loss of amenity and light to the side facing bay window of the neighbour at 23B. The proposal is therefore detrimental to the residential and visual amenities of neighbouring occupiers contrary to Policy DM01 of Barnet’s Local Plan (Development Management Policies) DPD 2012, Residential Design Guidance SPD (Adopted October 2016) and Sustainable Design and Construction SPD (Adopted October 2016).

For (refusal)	4
Against (refusal)	2
Abstained	0

RESOLVED that the application be **REFUSED** for the reasons outlined above.

11. 272-276 FRIERN BARNET LANE LONDON N20 0NH (TOTTERIDGE)

The Committee received the report.

The Committee voted on the Officer recommendation to approve the report:

For	5
Against	1
Abstained	0

RESOLVED that the application be approved for the reasons set out in the officer’s report, , subject to the conditions detailed in the report **AND** the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum

provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

12. 183 VICTORIA ROAD BARNET EN4 9PA (EAST BARNET)

The Committee received the report.

Representations were heard from the agent.

RESOLVED that the application be approved for the reasons set out in the officer's report, subject to

1.the conditions detailed in the report, the s106 agreement AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

2. informatives that Swift boxes be provided via the Ecological enhancements condition and additional trees and landscaping be provided (on site) via the landscaping condition.

For	5
Against	1
Abstained	0

13. CHURCH END HOUSE 44 TOTTERIDGE VILLAGE LONDON N20 8PR (TOTTERIDGE)

Withdrawn.

14. ANY ITEM(S) THE CHAIRMAN DECIDES ARE URGENT

None.

The meeting finished at 20.47pm

This page is intentionally left blank

Location 9 Grimsdyke Crescent Barnet EN5 4AH

Reference: 20/1132/HSE

Received: 2nd March 2020

Accepted: 9th March 2020

Ward: High Barnet

Expiry 4th May 2020

Applicant: Mr Paul Collins

Single storey rear extension. Demolition and rebuild of existing garage. New hardstanding to provide off-street parking

Proposal:

The proposal consists of the demolition of the existing single storey rendered blockwork garage and the construction of a new garage and the formation of a rear extension following the same material appearance and forms of the existing main house.

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design and access statement

The site location plan

S101 Existing Ground Floor Plan

S102 Existing first floor plan

S103 Existing roof plan

S201 Existing elevations in context

S202 Existing front and rear elevations of the main house

SS301 Existing section AA

P101 REV:B Proposed Ground Floor Plan

P102 REV:B Proposed First Floor Plan

P103 REV:B Proposed Roof Plan

P201 REV:B Proposed elevations in context

P202 REV:B Proposed front and rear elevation (main house)

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 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 Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4 The use of the garage hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit or dwelling.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 5 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused

on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

Officer's Assessment

1. Site Description

The site contains a single storey detached bungalow located on the west side of the triangular block sandwiched between Grimsdyke Crescent and Kings Road. The site can be accessed from both sides of Grimsdyke Crescent to north and south. Its front entrance fronting north of Grimsdyke Crescent and the rear to the south. The property benefits from a small rear dormer and a single storey detached garage accessed from south side of Grimsdyke Crescent.

The application site is not located within a conservation area. There are no listed buildings on or adjacent to the site.

2. Site History

Reference: 19/5597/FUL

Address: 9 Grimsdyke Crescent, Barnet, EN5 4AH

Decision: Withdrawn

Decision Date: 23 December 2019

Description: Demolition of existing garage. Creation of new garage, including, first floor storage space, 4no. rooflights and side access step/ balustrade

Reference: 19/5601/192

Address: 9 Grimsdyke Crescent, Barnet, EN5 4AH

Decision: Unlawful

Decision Date: 10 December 2019

Description: Demolition of existing chimney. Roof extension, including enlargement of existing rear dormer window, insertion of new gable window, 2no. rooflights to front roof slope and 1no. rooflight to each side roof slope. Alterations to front and rear fenestration, including insertion of new doors and removal of corner brick details. Single storey front extension to facilitate new front porch.

Reference: 20/0823/192

Address: 9 Grimsdyke Crescent, Barnet, EN5 4AH

Decision: Lawful

Decision Date: 16 March 2020

Description: Demolition of existing chimney. Roof extension, including enlargement of existing rear dormer window, insertion of new gable window, 2no. roof lights to front roof slope and 1no. roof light to each side roof slope. Alterations to front and rear fenestration, including insertion of new doors and removal of corner brick details. Single-storey front extension to facilitate new front porch.

3. Proposal

Proposal involves a single storey rear extension. Demolition and rebuild of existing garage and new hardstanding to provide off street parking at front.

The proposal has been amended and the proposed garage height has been reduced.

The proposed single storey rear extension would extend 4m beyond the rear elevation of the property and would measure 11.7 in width and maximum of 3m in height with 2.5m eaves Height.

The new square shaped garage would replace the existing L shaped garage with a marginally bigger footprint to accommodate 2 cars parked side by side. The proposed garage would measure 7.3m in depth, 7.3 in width and 3.5m in height to the top of the crown roof with 2.7m eaves Height. The garage would be accessed from the rear of the site as per existing arrangement.

The proposal would also involve a new hardstanding to the front of the property with some landscaping on both sides. The proposed driveway would be accessed via the existing entrance.

4. Public Consultation

Consultation letters were sent to 8 neighbouring properties. 6 responses have been received, comprising 6 letters of objection,

The objections received can be summarised as follows:

- the proposed rear extension would be too close to neighbouring properties on both sides.
- the proposed extension would be out of character.
- the double garage will severely overcrowd the site.
- the proposed detached garage would be out of character within the direct vicinity.
- the site would be overdeveloped.
- there are some trees in the back garden.
- the raised roof will block the light to the rear windows.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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 revised National Planning Policy Framework (NPPF) was published on 19th February 2019. 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 NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

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 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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 London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 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 DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining

properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), 7.4 and 7.6 (both of the London Plan).

The Council's SPD 'Residential Design Guidance' states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. The Residential Design Guidance states "The depth of a single storey rear extension, normally considered acceptable for terraced property is 3m; for semi-detached property is 3.5 metres and for detached property is 4m."

The surrounding area is primarily residential consisting of a mixture in housing types, The surrounding dwellings consists mainly of two-storey detached houses. The neighbouring properties immediately to the west No. 7 is two storey dwelling and No.11 is a bungalow, both detached with single storey additions and roof extensions to the rear.

The proposed 4m deep single storey rear extension with a flat roof design would extend across the entire width of the dwelling. the proposal would not extend close to the boundary and would be in line with the flank walls of the original dwelling. The proposal is considered to be a reasonable and proportionate addition to the host property and is considered to be sympathetic and in keeping with the general appearance of the area.

Both neighbouring properties benefit from single storey rear additions as well as other properties within the immediate area. The proposed extension at 4m deep complies with the councils design guidance and is considered acceptable without detracting from the character and appearance of the host site nor from the character and appearance of the area.

The existing L shape garage measures 8.7m in depth, 4.8 m in width to the front of garage and 3m in height. The new square shaped garage would replace the existing L shape

garage with a marginally bigger footprint and slightly higher to accommodate 2 cars parked side by side. The proposed garage would measure 7.3m in depth, 7.3m in width and 3.5m in height to the top of the crown roof with 2.7m eaves Height. The garage would be accessed from the rear of the site as per existing arrangement. The new garage location will be shifted towards the street to allow more space to the rear garden and this would shorten the existing rear driveway.

It is noted that due to the topography of the application site the proposed garage would be on a higher level than the property itself. However, the Amendments which were sought which reduces the overall height of the proposed garage would not result in any harm to the street scene and is considered to have an acceptable impact on the character and appearance of the local area.

The proposed front hardstanding would increase the amount of paved area to provide a larger parking area to the front. It is noted that many properties within the immediate vicinity also have similar hardstanding areas to the front. The proposal would maintain some landscaping to both sides of the front garden. The proposed driveway is considered to have acceptable impact on the street scene.

Concerns have been raised that the double garage in combined with the rear extension will severely overcrowd the site. The proposed garage and the proposed rear extension would not occupy more than 50% of the private amenity space and as such the application site is not considered to be overdeveloped or overcrowded.

The scale and size of the proposed extensions are considered to be visually sympathetic and proportionate in the context of the host property and local area.

Whether harm would be caused to the living conditions of neighbouring residents

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

This approach is echoed under Policies CS5, DM01, DM02 DM04 of the Barnet Council Development Plan Document. These policies seek to manage the impact of new developments and ensure that there is not an excessive loss of amenity in terms daylight/sunlight, outlook and privacy for existing residential occupiers or gardens.

The Council's SPD 'Residential Design Guidance' states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. This is in accordance with paragraph 14.21 of the Residential Design Guidance SPD which stipulates a maximum depth of 4 metres is normally considered acceptable for a detached property to ensure the addition is subservient to the existing dwelling.

Single storey rear extension:

The proposed rear ground floor extension will project beyond the original rear wall by 4 metres. The development would comply with the above policy. The height at 3m to a flat roof is considered subordinate.

Back gardens at this side of Grymsdyke Crescent are south oriented, as such the proposal is not considered to impact the daylight and sunlight of the neighbouring properties apart from very early morning and late afternoon.

Impacts on Property No. 7:

This neighbouring property forms an acute angle with the application site, this property is already beyond the proposed rear elevation of the proposed rear extension. however, the proposed rear extension would set in 1m from the shared boundary.

On balance, it is therefore considered that the extension at ground floor would be an acceptable addition to the host property and would not harmfully impact on the neighbouring visual and residential amenities at No.7 Grymsdyke Crescent.

Impacts On No. 11:

The proposed rear extension will benefit from a maximum height of 3 metres and will project 4m beyond the rear elevation, the extended flank elevation would be in line with the original flank elevation and would be set in by 1m from the shared boundary with No. 11.

it is not considered that this element of the proposal would impact on the living conditions of neighbouring property at 11 Grymsdyke crescent. The overall height of 3 metres and depth across the width of host property is not considered to result in an overbearing structure and therefore no appreciable adverse impact on this property.

Proposed Garage:

The proposed new garage would replace an existing garage to the rear of the application site, It is noted as stated above, that due to the topography of the application site the proposed garage would be on a higher level than the property itself. The proposal would not introduce any window either to the flank elevation or the back of the proposed garage, the reduced depth and height of the garage would minimize the impacts on the neighbouring property.

By virtue of its position and single storey height, the proposed garage would be set away from neighbouring properties and therefore is not considered to give rise to any undue impact upon neighbouring occupiers in terms of loss of light and outlook.

Impacts on No.3:

The proposed garage would be next to the neighbouring property No. 3 which has also a detached garage to the side. The proposed garage would leave a considerable distance from this property and would not result in more than existing impact from the existing garage. As discussed above the new reduced height with the new roof form is considered to be an improvement to the street scene and would not harm the residential amenities of the neighbouring properties.

The enlarged hardstanding area to the front would have no impact on the neighbouring residential amenities.

In summary, The proposal is not considered to have any impact on the neighbours residential amenities and considered acceptable subject to conditions.

5.4 Response to Public Consultation

Planning materials concerns have been addressed in the proposal assessment.

- There are some trees in the back garden.

The site has been checked by the planning officer and there are no protected trees within the site.

- The raised roof will block the light to the rear windows.

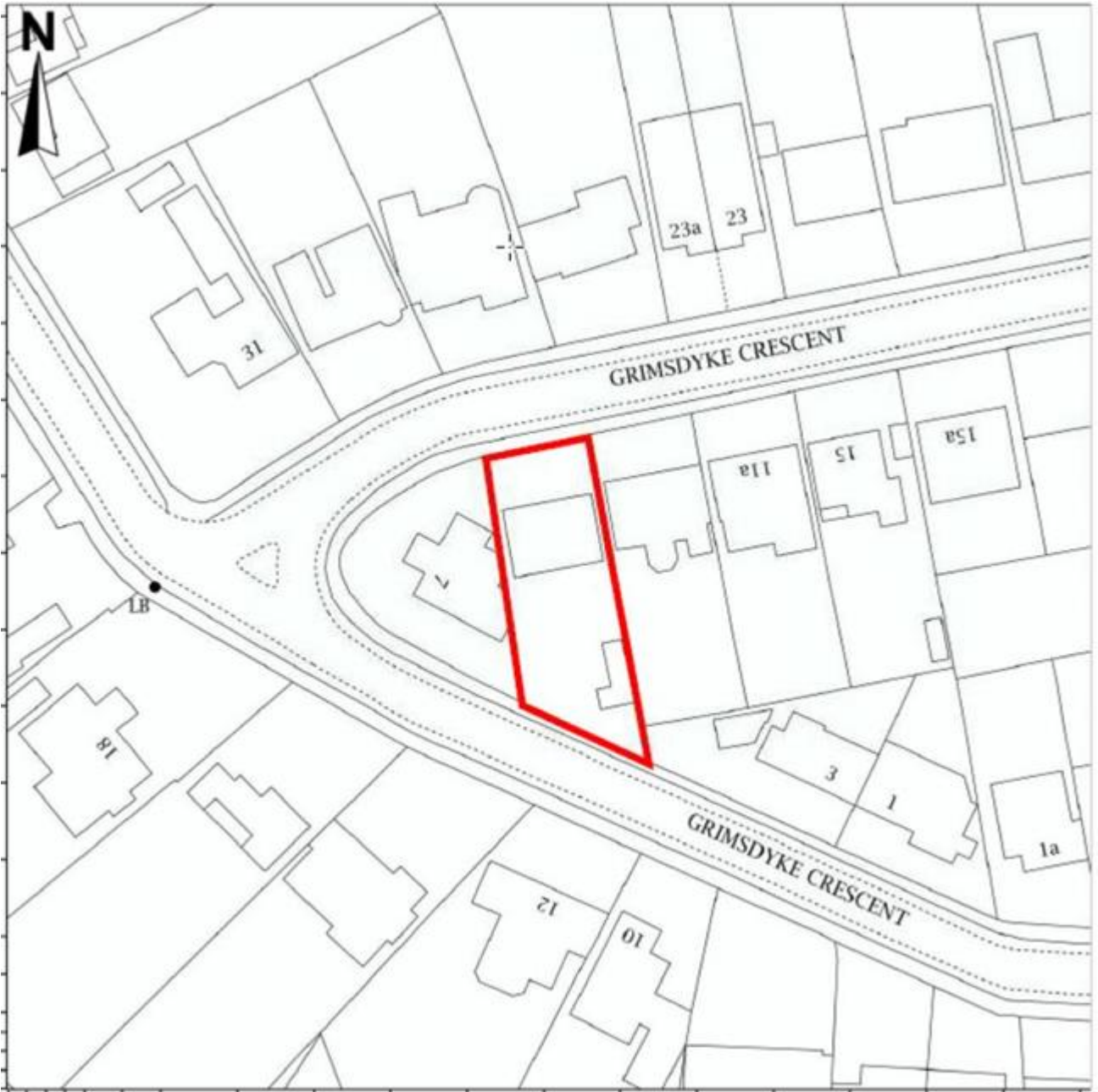
The roof development has been granted a certificate of lawfulness under General Permitted Development Order legislation under application with ref: 20/0823/192 and does not form part of this application.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



This page is intentionally left blank

Location	Church End House 44 Totteridge Village London N20 8PR	
Reference:	19/4514/HSE	Received: 14th August 2019 Accepted: 16th August 2019
Ward:	Totteridge	Expiry 11th October 2019
Applicant:	Mr Fausto Furlotti	
Proposal:	Demolition of existing garage. Erection of new garage with residential accommodation in roof space	

AGENDA ITEM 7

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

435315/1, 435315/2, TCP 7367 rev b, Arboricultural Impact assessment report (AIA 7367 rev b dated 09. 12. 19), Report Relating To An Outbuilding prepared by David Hornsby Conservation & Chartered Surveyors dated 6 December 2019, Planning Heritage and Design and Access Statement (August 2019), Supporting documents (attached to e-mail dated 20 January 2020).

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 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 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced

areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

4 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until 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) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. 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 at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

5 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

A landscape scheme of soft landscape must be provided to mitigate the impact of the scheme on the local area. This must include as a minimum: Provide x 3 new beech trees replace T4, this will re-instate the group TPO back to the original number, x 1 beech to replace T7 and X 1 scots pine to replace T8.

b) 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.

c) 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 CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

- 6 The use of the new garage with accommodation in roof space above, hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit or dwelling.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 7 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

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 CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

- 8 a) No development shall take place until details of the windows in the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The details should include plans at 1:10 including a section to demonstrate the thickness of the new unit.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 9 a) No site works or works in connection with the development hereby approved shall be commenced until details of the protective measures to be implemented for the wildlife species protected by law and details of any mitigation measures including the timing of development works and special techniques has been submitted to and approved in writing by the Local Planning Authority.

Ecological Enhancement measure should include: One bat box (e.g. 2F Schwegler or similar), suitable for a range of bat species, should be erected on retained standard trees in unlit parts of the site. One bird box (e.g. 2H Schwegler or similar), should be erected on retained standard trees in unlit parts of the site.

b) The development shall be implemented and thereafter maintained in accordance with the approved details.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.
"An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine."

Officer's Assessment

This application was WITHDRAWN from 11 Feb Committee as, not all speakers were informed of their right to speak.

Officers had WITHDRAWN this item from the 16th October 2019 committee so that the officers can investigate whether Listed Building Consent is also required for this application as new evidence suggested the garage subject of this application was on the ground prior to 1948. (Under the Planning, Listed Buildings and Conservation Areas Act 1990, the protection extends to any structure within the curtilage of the listed building which was on the ground of the listed building prior to 1st July 1948).

The applicant/agent has provided a "Report Relating to An Outbuilding prepared by David Hornsby Conservation & Chartered Surveyors dated 6 December 2019" and Confirmation that Listed Building Consent (LBC) is not required given the subject garage building was built after 1st July 1948. The findings of the surveyors report is discussed under "5.3 Assessment of the Proposal" but can be summarised as follows:

The report is accompanied by 3 historic maps. Figure 1 shows a map dated 1935 and figure 2 dated 1961 which shows the building roughly in the same position and footprint but figure 3 shows a map dated 1981 which shows a completely different footprint for the building which is smaller than that shown on the earlier maps with a modern roof frame and the use of its materials and methods of construction to be quite different from pre war construction. The report concludes that the above suggests that the existing building in its current form was constructed in the late 1960s-1980s.

1. Site Description

The application site is located within the Totteridge Conservation Area and Church End House is a listed building. It is not located within the Green Belt. Although majority of Church End House is situated in an Area of Special Archaeological Significance, the existing garage structure is outside of this area. The existing garage is not listed. The Western flank of the garage neighbours land designated as Metropolitan Open Land.

The site also contains a number of trees protected by Tree Preservation Orders located near the existing garage. It should be noted that notwithstanding this all trees are afforded protection by reason of being within a conservation area.

The Parish Church of St. Andrew and a private road is sited to the west and residential properties are to the east of the site. Parish hall and access road bounds the north boundary of the site.

2. Site History

16/1644/HSE: Church End House, 44 Totteridge Village, London, N20 8PR.

Erection of new garage with residential accommodation in the roof space for use ancillary to main house following demolition of existing garage.

Decision: Approved subject to conditions.

Decision Date: 13.05.2016

B/03989/13: Church End House, 44 Totteridge Village, London, N20 8PR
Internal alterations. Removal for door and reinstatement of brickwork. Alterations to down pipes and guttering.
Decision: Approved subject to conditions.
Decision Date: 11 October 2013

B/05623/13: Church End House, 44 Totteridge Village, London, N20 8PR
Erection of metal railings along the north-west boundary of the property and erection of a wrought iron electric gate.
Decision: Approved subject to conditions.
Decision Date: 5 March 2014

N02147E/02/TRE_B: Church End House, 44 Totteridge Village, London, N20 8PR, . Beech - remove 1 branch, thin 20% T19 of TPO.
Decision: Approved subject to conditions.
Decision Date: 18 April 2002

3. Proposal

The current proposal is identical to the previously approved scheme under 16/1644/HSE, dated 13.05.2016. This application also included the provision of residential accommodation in the roof space and the proposed plans and elevations of the current application are same as before. A new application has been submitted because the previous planning permission was not implemented on site within 3 years, which is a requirement of all consents. There appears to be no material, or policy change since the earlier decision was made.

This application proposes the erection of new garage with residential accommodation in the roof space for use ancillary to main house following demolition of existing garage.

The proposed garage will have a width of 15m and depth of 5.4m, supporting a gable pitch roof with a min. height of 2.8m and max. height of 5.8m. The garage roof will feature 4no. front facing dormers with hipped pitch roofs, measuring 1.75m in width, 1.55m in depth and 2.55m in height. There will be 4no. garage doors to the front elevation, each one measuring 2.6m in width and 2.10 in height. The first floor east elevation will contain one window located in the gable face.

Cllr Caroline Stock objected on the following grounds:

- Church End House is a Grade 2 Listed building and the garage is very much part of the site.
- Proposed garage is too large
- Overbearing and out of keeping
- Appears to be a self-contained dwelling with kitchen, bedroom and bathroom
- The structure would not add to the character
- Impact on TPO trees

Cllr Alison Cornelius objected on the following grounds:

- The garage pre dates July 1948 and to be treated as listed building

- Probability to use the garage as self-contained dwelling as layout shows bath, bedroom, lounge and kitchen
- Intensification of the site as back land development in Totteridge Conservation Area.
- Impact on TPO trees
- Dominating and out of keeping in the conservation area

4. Public Consultation

Consultation letters were sent to 5 neighbouring properties and a Site Notice was issued. 20 letters of objections have been received including 3 support.

The objections received can be summarised as follows:

- The proposed mass and bulk is excessive
- Potential damage to the TPO trees
- Out of Keeping with the locality and conservation area
- Proposal should not be used as separate unit
- The applicant should apply for Listed Building consent
- inappropriate intensification
- Impact on Parish Hall
- Convert the garage into new dwelling would not be appropriate
- Proposal would be larger than the existing garage
- impact on listed building

4.1 Other Consultation

Totteridge CAAC (2nd of September 2019): - The bulk, height and position of the proposal constitutes intensification of the use of the site. Trees on the sight need to be considered together with the rural aspect.

Urban Design & Heritage: - No objection in principle to the construction of a new garage; furthermore, a previous application was approved which was exactly same as the current proposal.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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 revised National Planning Policy Framework (NPPF) was published on 19th February 2019. 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 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'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

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 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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 London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM06.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 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 DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

DM06 states that, Development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet. Paragraph 7.2.2 mentions that, if a site lies within a Conservation Area or is located nearby, planning permission will not be granted where development proposals neither preserves nor enhances the character or appearance of that area. Proposals will need to consider the council's Conservation Area character appraisals and suite of Supplementary Planning Documents.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted April 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject

of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted April 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character, appearance and setting of the listed building, the street scene, the Totteridge Conservation Area and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether harm would be caused to the TPO trees within the vicinity of the development.

5.3 Assessment of proposals

Impact on Character:

The current proposal is exactly same as previously approved scheme under 16/1644/HSE in 13.05.2016.

The applicant has submitted a report prepared by David Hornsby Conservation and Chartered Surveyors who are specialist building conservation Chartered Surveyors accredited by Royal Institute of Chartered Surveyors. The report demonstrated whether the existing garage on site existed on 1st of July 1948. The surveyor analysed historic maps. The report mentions a 1935 map which shows an outbuilding. 1961 map shows an outbuilding roughly in the same position and with same footprint. However, a 1981 map shows a very different footprint which is smaller than shown in the earlier maps. The surveyor states that the later outbuilding is a modern construction. It uses materials and methods of construction which are different from pre-war construction. The report further states that, "This is illustrated in the bonding of the brickwork but also a modern roof frame and construction is present throughout the roof of the entire building which suggests that the existing building in its current form was constructed in the late 1960's or 1970's."

The submitted report concluded that the current modern building, based on the evidence available from the historic maps indicates that it was built sometime between 1961 and 1981. The style, materials and method of construction of the building would accord with the time scale given above for the construction. Therefore, the current building in its existing form, constructional and detailing didn't exist on 1st July 1948.

Council's conservation officer confirmed that, the existing garage, which is proposed to be demolished, is not attached to the listed building and is clearly a more modern structure. Given the latter date of this garage addition and the fact that it is not listed it is not considered that a listed building consent would be required in this instance. Similarly Listed buildings consent was not required under the previously approved permission.

However, given the garage building is within the curtilage of a listed building, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires the decision maker to have special regard to the listed building or its setting, when granting planning permission for any structure within the curtilage of a listed building.

The Local Planning Authority have considered the impact of the proposal to the setting of the Listed Building and do not consider that the proposal will result in harm to the building of special historic interest or its setting.

During pre- app advice, it was indicated that, there is no objection by the council to the loss of the existing garage and for it to be replaced. The officer informed that, there is no objection in principle to the construction of a new garage replacing the existing as exactly same application was approved in 13. 05. 2016.

The proposed garage would be 4m wider and 1.4m higher than the existing garage on site, with the same depth as existing garage. Officers consider that the additional volume created by these dimensional increases are reasonable and therefore will result in a proportionate and congruent structure that relates well with the plot in which it is to be located. In addition to this, it is considered that the design in relation to its balanced symmetrical appearance will be an improvement over the existing garage, and with the provisionally suggested materials (which will be finalised by means of a condition), will not detract from the character, appearance or setting of the listed building that the proposed new garage will serve. The proposed dormers are complementary, subordinate features on the front roofslope which have appropriate spacing between them and will make a valuable contribution to the visual interest of the building.

Furthermore, the proposed new garage is sited at the rear at north west corner of the subject site away from the listed building and screened by existing mature trees along the west boundary and the additional bulk would not be apparent from the access road or from the path to the west.

The proposal is not for a self-contained residential accommodation replacing the existing garage, as objected by neighbours. The ground floor would be used as garage and the first floor would contain one bedroom with kitchen and bathroom facility to be used as ancillary to the main dwelling. The applicants agent has provided further supporting document from Barnet disabilities team confirming that this is a much required accommodation for the disabled son of the applicant as it has been difficult and there have been no flats available for people with disabilities available to live independently.

This self contained unit whilst would be independent would be used ancillary to the main house and will be accommodated by the applicants disabled son to assist him living independently within the grounds of their current home.

The use of the first floor of the garage as residential accommodation that is ancillary to the use of the main house is considered to be acceptable. This does not constitute the Local Planning Authority's acceptance of the accommodation's suitability as a separate self-contained unit. As such, a condition will be applied requiring that the use of the garage and its first floor accommodation remains ancillary to the use of the main house and not to be used as self-contained unit at any time.

Overall, Officers do not consider that the proposed garage would have an unacceptable impact on the character and appearance of the listed building, street scene, Totteridge Conservation area or the wider locality, because of it is siting and moderate increase in scale.

Impact on neighbouring amenity:

The proposal in this application is not located within the vicinity of any other residential properties where it would cause harm to their amenities.

It is noted that, Parish Hall is located on the north side of the proposal and separated by an access road. It is considered that; the increased bulk and height of the proposal would not appear significantly overbearing when viewed from rear than what is existing on site.

Furthermore, there would be no window in the north and west flank walls facing the access road and considered not to cause any overlooking impact for Parish Hall at the rear.

Impact on TPO trees:

Councils Tree officer was consulted on the proposal. Officer informed that, the application is a repeat of a previously approved scheme. There does not appear to be any change to submission approved under 16/1644/HSE.

The officer further informed that, two of the beech trees are reported to be in very poor condition this was evident from a site visit while assessing application 19/1318/HSE a subsequent visit on 5.09.2019 confirms this and the condition has worsened. T4 within the traffic island and T7 located to the south east of the garage. Subject to replacement planting of x 3 beech trees within the traffic island, and x 1 beech in a similar location to T7 this should be acceptable.

The loss of T8 the bay tree against the existing building is acceptable subject to replacement planting.

T37 a large mature ash tree is growing very close to the existing garage and further details of the construction and tree protection measures need to prevent harm to this TPO tree must be submitted. However, this tree is in poor condition. The applicant, in consultation with an engineer should consider the use of helical screw piles to help limit impacts

T8 bay, G37 holly and laurel would need to be removed to facilitate this proposal. The impact of this can be mitigated with replacement plantings.

T4 and T7 are proposed to be removed for health and safety reasons, which will also facilitate the installation of services to the garage.

A landscape scheme of soft landscape must be provided to mitigate the impact of the scheme on the local area. This must include as a minimum:

Provide x 3 new beech trees replace T4, this will re-instate the group TPO back to the original number, x 1 beech to replace T7 and X 1 scots pine to replace T8.

A revised tree plan and report indicates removal of 2 TPO trees which was recently approved under TPF/0763/19.

The officer has no objection to the proposal, subject to the submission of an arboricultural method statement and tree protection plan that details all the measures needed to ensure the safe retention of trees this application can be considered in accordance with local planning policy DM01.

Ecology:

The garage block provided Negligible bat roost potential. There were bat access points into the garage block; however, there was limited roosting potential inside the building. No bats or evidence of bats were observed during the survey.

The demolition of the building required for the construction phase should take place outside the bird breeding season of March to August inclusive, to prevent disturbance to birds, or if removed in that period, only after a survey has shown that no active nests are present. Alternatively, if the nesting bird season cannot be avoided then the building should be demolished following a nesting bird check. The building should only be demolished if no nesting birds are found during this check. If nesting birds are found, then the building cannot be demolished until the last chick has fledged.

Officers suggested Ecological enhancement measures as follows:

One bat box (e.g. 2F Schwegler or similar), suitable for a range of bat species, should be erected on retained standard trees in unlit parts of the site.

One bird box (e.g. 2H Schwegler or similar), should be erected on retained standard trees in unlit parts of the site.

Conditions are attached to address this issue.

5.4 Response to Public Consultation

Comments received during the consultation process have been considered and addressed in the above Officer's report.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character, appearance and setting of the listed building, the street scene, the Totteridge Conservation Area and the wider locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



This page is intentionally left blank

Location **25 Ravenscroft Park Barnet EN5 4NH**

Reference: **20/1143/FUL**

Received: 2nd March 2020

Accepted: 3rd March 2020

Ward: High Barnet

Expiry 28th April 2020

Applicant: Ms Marisol Borg

Proposal: Single storey rear extension

AGENDA ITEM 8

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Drw No: SK07 - Existing & Proposed Side Elevations
- Drw No: SK01 - Proposed Ground Floor Rev B
- Drw No: SK02 - Proposed Roof Plan Rev B
- Drw No: SK03 - Proposed Rear Elevation Rev B
- Drw No: SK04 - Existing Ground Floor
- Drw No: SK05 - Existing Roof Plan
- Drw No: SK06 - Existing Rear Elevation
- Location Plan dated 12/11/2019

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 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 Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

Officer's Assessment

1. Site Description

The application site is a two-storey semi-detached dwelling house which shares a party wall with No 23. The subject site has been converted in to 3 self-contained flats back in the 1970's comprising Ground Floor flat known as N025; first-floor flat known as No. 25A and the second floor flat known as No. 25B.

This application relates to the ground floor flat N0.25

The subject ground floor unit benefits from a part single storey rear extension which is set considerable distance from the neighbouring boundary and the rear garden is sub-divided into three parts. Each of the three flats has an area of the garden which are all separated by a wall/fence.

The immediate vicinity of the area comprises a mixture of residential dwelling houses and Flats.

The site is not within a conservation area (designated as Article 2(3) land in The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended) and is not within an area covered by an Article 4 direction.

Furthermore, the application site is not subject to a listed building. There are no further planning restrictions associated with the host dwelling.

2. Site History

Reference: N04264

Address: 25 Ravenscroft Park Barnet Herts

Decision: Approved subject to conditions

Decision Date: 16 October 1973

Description: Conversion of 3 self-contained flats, single storey extension, external staircase and provision of 2 car parking spaces.

Reference: 19/5832/FUL

Address: 25 Ravenscroft Park, Barnet, EN5 4NH

Decision: Refused

Decision Date: 25 February 2020

Description: Erection of a rear infill conservatory

3. Proposal

The application seeks planning permission for a single storey rear (infill) extension.

Dimensions:

The proposal would measure 3.5 metres in depth, 6.7 metres in width, 3 metres to the top of the flat roof and 3.5m to top of parapet wall.

It should be noted that a previous application ref: 19/5832/FUL for similar single storey rear extension was overturned at the 12th February 2020 Chipping Barnet Area Planning committee for the following reason:

The proposed roof lantern would have a harmful impact on the immediate outlook of the occupiers of 25A (first floor flat above) and would result in a harmful loss of amenity and light to the side facing bay window of the neighbour at 23B. The proposal is therefore detrimental to the residential and visual amenities of neighbouring occupiers contrary to Policy DM01 of Barnet's Local Plan (Development Management Policies) DPD 2012, Residential Design Guidance SPD (Adopted October 2016) and Sustainable Design and Construction SPD (Adopted October 2016).

This current application has been revised making the following changes to the previously refused scheme.

- Setting the proposed extension 0.5m off the boundary with the neighbouring property at N0.23B
- Removing the large roof lantern and replacing it with roof lights that are flush with the flat roof level.

4. Public Consultation

Consultation letters were sent to 14 neighbouring properties.
6 responses have been received, comprising 6 letters of objection.

The objections received can be summarised as follows:

- Design modifications needed to take into account style and character of existing extensions on neighbouring properties.
- Overlooking and security issues
- Guttering system - a greater separation distance required from neighbouring dwellings
- Intrusive rooflight and glare
- Height which would be over 3 metres and width are intrusive
- Loss of light which is further of detriment given neighbours medical condition
- 3 proposed roof lights of 1.5m x 1.5m are a concern over privacy and the visual amenity of neighbouring property

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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 revised National Planning Policy Framework (NPPF) was published on 19th February 2019. 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 NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

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 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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 London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 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 DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be

consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality:

- Whether harm would be caused to the living conditions of neighbouring residents:

5.3 Assessment of proposals

The subject site relates to the ground floor unit. This unit benefits from a part single storey rear extension and proposes a single storey rear extension to infill the area between the existing addition and the boundary.

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality:

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), 7.4 and 7.6 (both of the London Plan).

The Council's SPD 'Residential Design Guidance' states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. The Residential Design Guidance states "The depth of a single storey rear extension, normally considered acceptable for terraced property is 3m; for semi-detached property is 3.5 metres and for detached property is 4m."

The surrounding area is primarily residential consisting of a mixture in housing types, The surrounding dwellings consists mainly of two-storey semi-detached detached houses. The neighbouring properties immediately adjoining the site both benefit from single storey additions to the rear.

It is noted that the host property benefits from an existing part rear extension measuring 3.5m deep x 3.7m in width to a flat roof that is used as a kitchen. It is the interpretation of the LPA that this was constructed between 1951-1971 and as there are no planning records it is assumed that this has become lawful either through the PD route or through passage of time.

The proposed rear extension would infill the side extending up to the attached neighbouring property with N0.23 which is also converted to flats. The proposed rear extension would line up and link in to the existing projection extending up to almost the entire width of the property bar maintaining a 0.5m set back from the neighbouring boundary with N023B.

The proposal would measure 3m high to a flat roof and 3.5m to the top of the parapet wall. The proposal is considered to be a reasonable and proportionate addition to the host property and is considered to be sympathetic and in keeping with the general appearance of the area.

Both neighbouring properties although not extended across the full width benefit from single storey rear additions as well as other properties within the immediate area. The proposed extension at 3.5m deep complies with the councils design guidance and is considered acceptable without detracting from the character and appearance of the host site nor from the character and appearance of the area.

The roof extension would benefit from 3 rooflights and unlike the previously refused scheme the proposed roof lights are flush with the flat roof approximately set 1m below the first floor flat window cills as opposed to the refused scheme which proposed a larger lantern extending up to the first floor window cills.

The extension is considered not to detract from the established character of the host site and the wider locality and therefore is considered acceptable in this regard.

- Whether harm would be caused to the living conditions of neighbouring residents:
It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

This approach is echoed under Policies CS5, DM01, DM02 DM04 of the Barnet Council Development Plan Document. These policies seek to manage the impact of new developments and ensure that there is not an excessive loss of amenity in terms daylight/sunlight, outlook and privacy for existing residential occupiers or gardens.

The Council's SPD 'Residential Design Guidance' states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. This is in accordance with paragraph 14.21 of the Residential Design Guidance SPD which stipulates a maximum depth of 3.5m is normally considered acceptable for a semi-detached property to ensure the addition is subservient to the existing dwelling.

Whilst the proposed extension would be extended almost entire width of the property the proposal would maintain a 0.5m set back from the neighbouring boundary at No. 23. There are no side windows proposed towards this neighbour therefore no impact in terms of overlooking or loss of privacy. The proposed extension measures 3.5m deep, 3m to flat roof and 3.5m to top of the parapet wall with rooflights positioned at 3m flush within the flat roof level.

Previously refused scheme proposed a lantern roof light above the parapet wall which proposed to be positioned just underneath the first floor window cills. This element has now been replaced with flat roof lights that sits approximately 1m below the first floor window

cills flush with the 3m high flat roof level contained within the parameters of the 3.5m parapet wall.

Officers consider that the proposed amendments are considered to sufficiently address the reasons of previous refusal with regards to harmful outlook and loss of amenity and light to the neighbouring occupiers at No's 25A first floor flat at the subject site and 23B ground floor flat at the neighbouring site.

No. 27 which is the detached side, would not be impacted by the proposed extension as the proposal would be buffered by the existing single storey extension in situ and there would be no detrimental harm to amenity value of this neighbour.

In summary, the proposal as revised is not considered to have any impact on the neighbours residential amenities and considered acceptable subject to conditions.

5.4 Response to Public Consultation

Mainly addressed in the body of the report however further comments are made as follows:

- Design modifications needed to take into account style and character of existing extensions on neighbouring properties.

The previously refused application was considered acceptable on character grounds and this is the same for this application.

- Overlooking and security issues

The proposed rooflights are flush with the 3m high flat roof level therefore it not considered there would be any overlooking of Flat 23B and 25A resulting from these rooflights. In addition there are no windows proposed in the side elevation facing no 23B.

- Security issues is not a material planning consideration.

- Guttering system - a greater separation distance required from neighbouring dwellings

There is a 0.5 metre separation distance to the shared boundary although concerns in terms of guttering is not a planning consideration.

- Intrusive rooflight and glare

As discussed in the body of the report given the rooflight is flush with the flat roof level this would not be intrusive. Furthermore any light glare from these roof lights would be minimal and contained within the parameters of the parapet wall.

- Height which would be over 3 metres and width are intrusive

It is not unusual for an extension to have a 3m high flat roof design with a 3.5m high parapet wall. Whilst the extension has only marginally been set off the neighbouring boundary at N023 it is not unusual for an extension to extend up to the boundary. The size, scale, height of the proposed extension is modest in size and considered subordinate addition.

- Loss of light which is further of detriment given neighbours medical condition

Addressed in the body of the report.

- 3 proposed roof lights of 1.5m x 1.5m are a concern over privacy and the visual amenity of neighbouring property addressed in the report.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for APPROVAL.



This page is intentionally left blank

COMMITTEE REPORT

LOCATION: 14 Woodside Avenue, London, N12 8BG

REFERENCE: TPM/0919/19 **Received:** 12th December 2019
WARD: Totteridge **Expiry:** 6th February 2020
CONSERVATION AREA N/A

APPLICANT: Tally-Ho Landscape Contracts Ltd

PROPOSAL: 1 x Holly Oak (applicant's ref. T1) - Crown lift to 3m. Standing in group G131 of Tree Preservation Order;
1 x Acer (applicant's ref. T2) - Fell and treat stump. Standing in group G131 of Tree Preservation Order;
1 x London Plane (applicant's ref. T3) - Fell and treat stump. Standing in group G131 of Tree Preservation Order.

RECOMMENDATIONS:

Recommendations are separate for each tree

A – Holly Oak

1 x Holly Oak (applicant's ref. T1) - Crown lift to 3m. Standing in group G131 of Tree Preservation Order;

APPROVE SUBJECT TO CONDITION

1. The branches shall be pruned in accordance with the recommendations in British Standard BS3998:2010 (Recommendations for Tree work).

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

B – Acer

1 x Acer (applicant's ref. T2) - Fell and treat stump. Standing in group G131 of Tree Preservation Order;

That Members of the Planning Committee determine the appropriate action in respect of the proposed felling of 1 x Acer (applicant's ref. T2), either:

REFUSE CONSENT for the following reason:

The loss of this Acer tree of special amenity value is not justified with regard to the condition of the tree or as a remedy for the alleged damage to the raised bed/boundary wall and driveway surface on the basis of the information provided.

Or:

APPROVE SUBJECT TO CONDITIONS

1. The species, cultivar, size and siting of [*one – for the Acer*] replacement tree[s] shall be agreed in writing with the Local Planning Authority and [this/these] replacement tree[s] shall be planted before the end of the next planting season following the commencement of the approved treatment (either wholly or in part). If within a period of five years from the date of any planting, the tree(s) is removed, uprooted or destroyed or dies (or becomes, in the opinion of the local planning authority, seriously damaged or defective), further planting of appropriate size and species shall be planted at the same place in the next planting season.

Reason: To maintain the visual amenities of the area.

2. Within 3 months of the commencement of the approved treatment (either wholly or in part) the applicant shall inform the Local Planning Authority in writing that the work has / is being undertaken.

Reason: To maintain the visual amenities of the area.

C – London Plane

1 x London Plane (applicant's ref. T3) - Fell and treat stump. Standing in group G131 of Tree Preservation Order;

That Members of the Planning Committee determine the appropriate action in respect of the proposed felling of 1 x London Plane (applicant's ref. T3), either:

REFUSE CONSENT for the following reason:

The loss of this London Plane tree of special amenity value is not justified as a remedy for the alleged damage to the raised bed/boundary wall and driveway surface on the basis of the information provided.

Or:

APPROVE SUBJECT TO CONDITIONS

1. The species, cultivar, size and siting of [*one – for the London Plane*] replacement tree[s] shall be agreed in writing with the Local Planning Authority and [this/these] replacement tree[s] shall be planted before the end of the next planting season following the commencement of the approved treatment (either wholly or in part). If within a period of five years from the date of any planting, the tree(s) is removed, uprooted or destroyed or dies (or becomes, in the opinion of the local planning authority, seriously damaged or defective), further planting of appropriate size and species shall be planted at the same place in the next planting season.

Reason: To maintain the visual amenities of the area.

2. Within 3 months of the commencement of the approved treatment (either wholly or in part) the applicant shall inform the Local Planning Authority in writing that the work has / is being undertaken.

Reason: To maintain the visual amenities of the area.

Consultations

Date of Press and Site Notices: 2nd January 2020

Consultees: Neighbours consulted: 6

Replies: None

MATERIAL CONSIDERATIONS

Relevant Previous Treework Applications:

- **TREN04373C** – *Remove - London Plane, Sycamore, Evergreen Oak - Standing in group G131 of TPO. Registered 7th October 1998. REFUSED 12th November 1998.*
- **TREN04373E** – *An application to undertake works to London Plane tree in Group G131 of Tree Preservation Order necessary to lay a duct within the adjacent footpath as indicated on Plan Dwg. No.R82 C08. Registered 27th June 1997. CONDITIONAL APPROVAL granted 1st September 1997.*
- **TREN04373F** – *Holm Oak - Reduce in size by 25%, thin and re-shape - Standing in group G131 of TPO. Registered 8th October 1998. REFUSED 20th November 1998.*
- **N04373G/00/TRE** – *Holm Oak, London Plane - remove deadwood, standing in group G131 of TPO. Registered 17th May 2000. EXEMPTION NOTICE issued 23rd May 2000.*
- **N04373H/00/TRE** – *Holm Oak, London Plane - reduce in size by 15%, thin and re-shape. standing in group G131 of Tree Preservation Order. Registered 17th May 2000. CONDITIONAL APPROVAL granted 19th July 2000.*
- **N04373K/04/TRE** – *London Plane, Holm Oak - Crown Thin 30% and Reshape. Standing in Group G131 of Tree Preservation Order. Registered 21st June 2004. CONDITIONAL APPROVAL granted 16th August 2004.*
- **N04373P/07/TRE** – *1 x Oak - Reduce back to Old Pollard Points. Standing in Group G131 of Tree Preservation Order. Registered 1st March 2007. CONDITIONAL APPROVAL granted 16th April 2007.*
- **N04373Q/07/TRE** – *1 x Oak - Remove. Standing in Group G131 of Tree Preservation Order. Registered 1st March 2007. REFUSED 16th April 2007.*
- **N04373R/07/TRE** – *1 x Acer - Crown Reduce by 3-4m to Old Pollard Points. 1 x Platanus Hispanica - Crown Reduce by 2-3m. Standing in Group G131 of Tree Preservation Order. Registered 1st June 2007. CONDITIONAL APPROVAL granted 10th July 2007.*
- **TPO/00234/12/B** - *1 x Plane (T2 Applicants Plan) - Reduce by 30%. 1 x Acer (T3 Applicants Plan) - Thin by 15% and remove dead stubs. Standing in Group G131 of Tree Preservation Order. Registered 12th April 2012. CONDITIONAL APPROVAL granted 29th May 2012.*

- **TPO/00238/13/B** - 1 x Sycamore, 1 x Plane and 1 x Evergreen Oak - Fell. Standing in Group G131 of Tree Preservation Order. Registered 30th April 2013. **REFUSED** 31st July 2013 (it should be noted that this application was determined by the Area Planning Committee).
- **TPO/00642/13/B** - 1 x Lime, 1 x London Plane and 1 x Evergreen Oak - Reduce, Thin, (Deadwood), Prune and Reshape - All of this remedial work amounts to an approx 25% Reduction. Standing in Group G131 of Tree Preservation Order. Registered 18th October 2013. **CONDITIONAL APPROVAL** granted 3rd December 2013. (n.b. see below for clarification as to the Sycamore/Acer being referred to as a Lime).

PLANNING APPRAISAL

1. Introduction

This application has been submitted by Tally-Ho Landscapes Contracts Ltd acting as agent on behalf of the owner of 14 Woodside Avenue and was registered upon receipt on the 12th December 2019.

The relevant Tree Preservation Order was made on the 18th October 1968 and confirmed by authority of the Secretary of State (Department of Environment) 13th September 1971. The first schedule of the Order describes Group G131 as including 1 London Plane, 1 Lime, 1 Yew, 1 Holly Oak. The Tree Preservation Order map shows Group G131 of the Order as being located adjacent to the front boundary of 14 Woodside Avenue. In accordance with legislative provisions, the map prevails if there is any discrepancy between the Tree Preservation Order map and Schedule.

The Acer tree subject of this application is standing within the boundary of Group G131 as shown on the Tree Preservation Order plan. It has a trunk diameter of a similar size to the Holly Oak (and slightly smaller than that of the London Plane). The three trees are considered to be of a similar age and they have clearly been growing together for a number of decades - forming a distinct grouping with a common crown. It appears that the Acer was mis-identified when the first schedule of the Tree Preservation Order was drafted (it is the same tree as that listed as a Lime tree for application TPO/00642/13/B). As noted in the "Relevant Previous Treework Applications" above, several previous applications have been determined on the basis of the Acer being included in group G131 of the Order.

In accordance with the submitted application form, this application was initially registered in respect of "1 x Holly (applicant's ref. T1) - Crown lift to 3m. Standing in group G131 of Tree Preservation Order; 1 x Acer (applicant's ref. T2) - Fell and treat stump. Standing in group G131 of Tree Preservation Order; 1 x London Plane (applicant's ref. T3) - Fell and treat stump. Standing in group G131 of Tree Preservation Order" in accordance with the specification given in the application form.

However, following a site visit it was confirmed that the tree marked as T1 on the submitted plans is a Holly Oak (*Quercus ilex*), not a Holly. The proposal has been amended accordingly.

2. Appraisal

Tree and Amenity Value

The mature Holly Oak (applicant's ref. T1) is about 11 metres in height with a trunk diameter of 53.5cm measured over the bark at 1.5 metres above ground level. It has had some previous reduction, lifting and thinning treatments from which there has been regrowth. It has a one-sided crown and form that is suppressed by the adjacent Plane tree. Foliage is of reasonable form, density and colour.

The mature Acer (applicant's ref. T2) is about 10 metres in height with a trunk diameter of 51.5cm measured over the bark at 1.5 metres above ground level. Previously lifted, reduced and thinned. There has been some regrowth from the previous treeworks. The tree has a form that is suppressed by the adjacent Plane tree, but the buds and fine branch structure of the Acer tree appeared of reasonable form and density given the previous works. There is a small cavity opening at the base of the trunk on the eastern side of the trunk (the side facing the house at 14 Woodside Avenue). Probing has found the cavity to be 22cm deep and the diameter of the trunk at the height of the cavity opening is 58cm.

The mature London Plane tree (applicant's ref. T3) is about 13 metres in height with a trunk diameter of 64cm measured over the bark at 1.5 metres above ground level. Previously lifted and reduced (there are two tiers of reduction) with significant vigorous regrowth. Buds and fine branch structure of reasonable form and density. No obvious major structural faults. Trunk lean away from the road which straightens by about 4 metres from the ground level.

This group of three trees appears to considerably predate the construction of the current front boundary wall and driveway at 14 Woodside Avenue. An estimate of their age suggests that these trees may have formed part of the original landscaping when the interwar property was built. The three trees form a distinct grouping with a common crown. They are some of the few large roadside trees left along the southern portion of Woodside Avenue and as such contribute significantly to softening the urban appearance of the residential properties and busy roadway. They are highly visible from along the roadway. Given its evergreen nature the Holly Oak also provides year-round interest.

The application

The application form indicates that both concern over the condition of the tree(s) and alleged damage to property are reasons for this application.

To support the application the agent has submitted:

- An Arboricultural Appraisal Report by Complete Tree Care Ltd dated 8th October 2019.
- A Structural Engineer's Report by Mint Structures dated 25th November 2019.
- A copy of the Decision Notice for application reference TPO/00238/13/B.
- A site plan (showing the position of the trees that are subject of this application).
- An "acceptance slip" indicating that the owner (applicant) has agreed to a quote from their tree surgeon (named agent of this application).

The beginning of the submitted Complete Tree Care Ltd Report has been disregarded as it is clearly part of a completely different report that had inadvertently not been deleted; however, the only trees subsequently referred to in the report are the three trees that are subject of this application - standing in the raised bed adjacent to the front boundary of 14 Woodside Avenue.

In the Complete Tree Care Ltd Report the treatments recommended to the Holly Oak and Acer (ref. T1 and T2) appear to relate to reasons other than alleged damage to the driveway and brick wall around the raised bed.

The Complete Tree Care Ltd Report states: *“The Quercus ilex [Holly Oak – ref. T1] has no significant defects, only a low crown over the driveway which should be crown lifted.”* The lifting treatment that is proposed to the Holly Oak is of a relatively minor nature involving removal of only small diameter regrowth from previous similar treatment. The proposed lifting should not be of significant detriment to the health and/or appearance of this tree.

The Complete Tree Care Ltd Report states: *“The Acer cappadocicum [Acer -ref. T2] has a large basal cavity 27cm deep (t/r ratio >30%), which in conjunction with cavities in the pollard head and crown die back makes the tree a high risk of failure. It should therefore be felled.”*

The “t/r ratio” is a method of assessing the risk of a tree with a cavity failing – taking account of the ratio between the “thickness of the remaining wall (t)” and the “external radius (r).” However, the Complete Tree Care Ltd Report provides no details of how and where such assessment was undertaken. No information has been submitted of any decay testing (such as Resistograph) which has been undertaken to measure the extent of the decay and thickness of the remaining healthy wood and thickness of the thinnest part of the “remaining wall” (which would be necessary for a true t/R ratio calculation). No decay testing results have been submitted as part of this application and in the absence of such it appears that the true t/R ratio cannot be calculated.

Although the Case Officer’s own measurement indicates the cavity to be smaller than suggested, with the t/r ratio greater, the Acer has a cavity at its base which extends across approximately 38% of the diameter of the trunk. The tree is within falling distance of the public highway and there are a number of previous pruning wounds with rot apparent. However, the physiological condition of the tree appears reasonable with healthy buds and fine branch structure having regrown from the previous reduction treatments. It should also be noted that the previous reduction of this tree will have given it a smaller wind resistance.

In the Complete Tree Care Ltd Report, concerns about property damage relate mainly to the London Plane (ref. T3) – the report notes: *“There are several areas of damage which were visually evident at the time of inspection. They are as follows:*

- 1. Cracking to the wall of the raised bed on all sides, ...,*
- 2. Significant cracking and deflection of the boundary wall with the pavement; includes the pier, wall and coping stones leaning out towards the pavement, ... caused by the stem of T3...,*

3. Deflection of the driveway surface at the entrances to the property, ...,”

The report contains a number of photographs of the trees and “areas of damage” in its “appendix 2.”

In respect of the London Plane (ref. T3), the Complete Tree Care Ltd Report comments that *“there is significant direct physical damage to the property; to the walls of the raised bed, boundary wall and the driveway surface. The boundary wall is of particular concern because it is leaning into the pavement and is a risk of injury if it failed. This damage is being caused by direct action of the London Plane where incremental growth of the stem is pushing against the wall and forcing it outwards. This process will continue until the wall fails. The damage to the retaining wall near the driveway entrance is also by direct action of the roots where they are growing against the masonry. Similarly the deflection of the driveway surface is being caused by root growth.”* Although all the trees are causing some degree of direct physical damage, it is only significant in the case of T3 which is causing the boundary wall to fail and should be removed. There is no engineering solution to retain the tree because it is located in a raised bed meaning the damaged section of wall cannot be removed. A lintel would also have no affect because the damage is from the stem pushing against the wall and not the roots lifting it.” However, the report also observes that the tree *“has a low crown over the pavement and road which should be crown lifted...”*

The Mint Structures Report, which includes 6 photographs, suggests *“The trees have caused historic damage to the brick walls, local hardstanding and drains... The brick Pavoir carriage driveway is noticeably out of level in a number of locations. In other areas the individual bricks of the Pavoir are out of level presenting a potential trip hazard to pedestrians... It is understood that the underground drainage has required regular maintenance due to the tree roots having penetrated in to the drainage system. The front retaining wall behind the pavement was noticeably out of level with the adjacent tree trunk continuing to apply lateral pressure to the retaining wall... The forward most tree is growing immediately behind the boundary retaining wall and therefore exerting pressure on the wall which will continue to push this wall out. If this problem is not addressed, ultimately the wall will collapse. This will result in potential danger to passing pedestrians.”*

Although raising most concern about the ‘forward most tree’ (i.e. the London Plane, ref. T3), the Mint Structures Report concludes:

“Based upon our single site visit and a review of the previous documentation, we would suggest that serious consideration should be given to felling the existing trees that are located within the island and replacing them with more suitable species. Alternatively as a lesser approach it may be deemed appropriate to remove two of the trees and retaining the lesser one.” However, “the lesser one” is not identified in their report.

Although the Mint Structures Report refers to *“tree roots having penetrated in to the drainage system.”*, it is unclear whether this is a current or historic issue and the report states: *“we have not carried out any tests on the drains or other services or inspected other parts of the structure that were inaccessible or covered at the time of our inspection or tested any of the materials used in its construction. We are therefore unable to report that such parts are free from rot, beetle attack, insect*

infestation or other defects.” No evidence of any root ingress or defects with drainage have been submitted with this application and it would not be reasonable to allow the removal, or inappropriate treatment of TPO trees based on unsubstantiated claims/fears about root ingress/damage to the drainage system. It is likely that any defects that are present within the drainage system would need to be repaired regardless of the outcome of this application and such repairs could be undertaken without the need to prune the branches or remove any of the subject trees.

Although both the Complete Tree Care Ltd and Mint Structures reports include information about damage to the wall surrounding the raised bed at the front of the property, neither report contains any information about the foundations and design of the front boundary wall at 14 Woodside Avenue and, although a “crossover” was part of an application (reference N04373A) dating from 1974, the Council has no records specifically relating to the construction of the raised bed/front boundary retaining wall; nor to subsequent repairs and raising the pier height that were noted in 2013. An estimate of the age of the trees suggests that they clearly predate construction of the raised bed/front boundary wall and it appears that this structure has not been constructed with sufficient regard for the proximity and future growth of these trees.

The Mint Structures Report indicates that historic repairs have been undertaken to the “brick walls, local hardstanding and drains.” It also states: *“We understand that historically a root barrier has been introduced around the island in an attempt to prevent the roots affecting both the driveway and drains. This has proved ineffective.”* The Council has no record of any application for a root barrier at this property. Indeed, no details of any such repair/other works (e.g. when the work was undertaken and exactly what work was undertaken) have been submitted with this application. It is not therefore possible to assess whether the works referred to were appropriate/likely to be long lasting, or not.

The Mint Structures Report does not identify which trees roots have contributed to “the individual bricks of the Pavoir [being] out of level” in the driveway. However, it is considered that the driveway at 14 Woodside Avenue could be repaired (if necessary) without the need for the treeworks that are subject of this application – indeed the treeworks subject of this application appear excessive and inappropriate with regard to concerns about bricks being out of level in the driveway.

The Re Structural Engineer has previously visited the site in 2013 (in connection with the assessment of application TPO/00238/13/B). He has also reviewed the current application submissions. He has made the following comments:

The [London Plane] tree will continue to exert an increasing bearing pressure on the wall, and the lean to the wall will increase to a point where the wall becomes unstable and is a hazard to pedestrians. It is not possible to give an accurate timescale for when the wall will collapse, these type of walls tend to fail quite suddenly and a number of factors are involved such as, mortar strength, brick strength, weather conditions, ground conditions, overall deterioration as well as the lean of the wall.

The options to deal with this case would be as follows;

1. Remove the tree and rebuild the section of wall with an excessive lean, wall construction to be suitable to retain the ground.

2. *Regrade the level of the planter to the same level as the driveway and remove the boundary wall, note this would significantly reduce the ground level around all the trees in the front garden and the stability of the trees for this new condition would need to be assessed.*

3. *Replace the masonry boundary wall with a reinforced concrete wall on deep foundations constructed between the network of tree roots. This option would be more robust than the current construction but in time is also likely to suffer due to the effects of tree growth.*

The Re Structural Engineer's observations relate particularly to the London Plane (applicant's ref. T3). Two options have been suggested that may be sufficient to mitigate against damage to the wall without immediate removal of the London Plane. However, it should be noted that both of these options would result in damage to all retained tree(s) – such damage may be sufficient to necessitate the eventual removal of the London Plane (applicant's ref. T3) – and possibly also the other trees.

It should be noted that the three trees subject of this application have been growing together for a number of decades and have developed a common canopy. The loss of tree(s) within the group would have a negative impact on the visual appearance of and wind stresses acting upon the remaining tree(s) of the group and to public amenity.

However, given concerns about the condition of Acer (applicant's ref. T2) and the impact of London Plane (applicant's ref. T3) on the front boundary retaining wall – both in proximity to the public highway – Members may consider that removal of one, or both, of the tree(s) may be acceptable subject to appropriate replacement planting being undertaken.

3. Legislative background

As the three subject trees (Holly Oak, Acer and London Plane) are included in a Tree Preservation Order, formal consent is required for their treatment from the Council (as Local Planning Authority) in accordance with the provisions of the tree preservation legislation.

Government guidance advises that when determining the application the Council should (1) assess the amenity value of the tree(s) and the likely impact of the proposal on the amenity of the area, and (2) in the light of that assessment, consider whether or not the proposal is justified, having regard to the reasons put forward in support of it. It should also consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions. In this case, although the reasons differ for the proposed treatments, a single application has been submitted for the three trees. In accordance with the Tree Preservation legislation, the Council must either approve or refuse the treatments i.e. proposed lifting treatment to Holly Oak (applicant's ref. T1) and proposed felling of Acer (applicant's ref. T2) and London Plane (applicant's ref. T3). Given the circumstances, the recommendations at the beginning of this Committee report are separate for each tree – allowing Members the opportunity to make a split decision, part approval and part refusal, if considered appropriate.

The Town and Country Planning (Tree Preservation) (England) Regulations 2012 provide that compensation is payable for loss or damage in consequence of refusal of consent or grant subject to conditions. The provisions include that compensation shall be payable to a person for loss or damage which, having regard to the application and the documents and particulars accompanying it, was reasonably foreseeable when consent was refused or was granted subject to conditions. In accordance with the 2012 Regulations, it is not possible to issue an Article 5 Certificate confirming that the trees are considered to have 'outstanding' or 'special' amenity value which would remove the Council's liability under the Order to pay compensation for loss or damage incurred as a result of its decision.

The Council as Local Planning Authority has no powers to require lesser works or a programme of cyclical pruning management to the privately owned trees that may reduce the risk of alleged tree-related property damage. If it is considered that the amenity value of the subject tree(s) is so high that the proposed treework is not justified on the basis of the reasons put forward together with the supporting documentary evidence, such that TPO consent is refused, there may be liability to pay compensation. It is to be noted that the Re Structural Engineer has stated that the *"The [London Plane] tree will continue to exert an increasing bearing pressure on the wall, and the lean to the wall will increase to a point where the wall becomes unstable and is a hazard to pedestrians."*

The statutory compensation liability arises for loss or damage in consequence of a refusal of consent or grant subject to conditions - a direct causal link has to be established between the decision giving rise to the claim and the loss or damage claimed for (having regard to the application and the documents and particulars accompanying it). Thus, the cost of rectifying any damage that occurs before the date of the decision, or rectifying damage which is not attributable to the subject trees, would not be subject of a compensation payment. In addition, it should be noted that the compensation liability relates only to "loss or damage which, having regard to the application and the documents and particulars accompanying it, was reasonably foreseeable when consent was refused or was granted subject to conditions." Unlike subsidence applications, there is no statutory requirement to provide any indication of any potential compensation figure.

In considering the application submissions, if it is concluded on the balance of probabilities that the tree(s) are the 'effective and substantial' cause of damage or alternatively whether the tree(s) 'materially contributed to the damage' and that the damage would be addressed by the proposed treework, there may be a compensation liability if consent for the proposed treatment is refused.

As referred to above, although the reasons for proposed felling of the London Plane (applicant's ref. T3) include damage to the front boundary wall. The treatments recommended to the Holly Oak and Acer (ref. T1 and T2) appear to relate to reasons other than alleged damage to property.

This application is being referred to Members for decision because one of the exceptions to the Delegated Powers of the Service Director – Planning and Building Control relates to decisions which may result in the Council being made liable for

payment of compensation. In addition, a previous application to fell these three trees was refused by members at Committee (TPO/00238/13/B).

COMMENTS ON THE GROUNDS OF OBJECTION

N/A.

EQUALITIES AND DIVERSITY ISSUES

The Equality Act 2010 (the Act) came into force in April 2011. The general duty on public bodies requires the Council to have due regard to the need to eliminate discrimination and promote equality in relation to those with protected characteristics such as race, disability, and gender including gender reassignment, religion or belief, sex, pregnancy or maternity and foster good relations between different groups when discharging its functions.

The Council have considered the Act but do not believe that the application would have a significant impact on any of the groups as noted in the Act.

CONCLUSION

It is proposed to lift the crown of a Holly Oak (applicant's ref. T1) and fell two other trees (an Acer and a London Plane – applicant's ref. T2 and T3) standing in the front garden of 14 Woodside Avenue in a raised planting bed adjacent to the front boundary of the property. The reasons for the proposed treework can be summarised as:

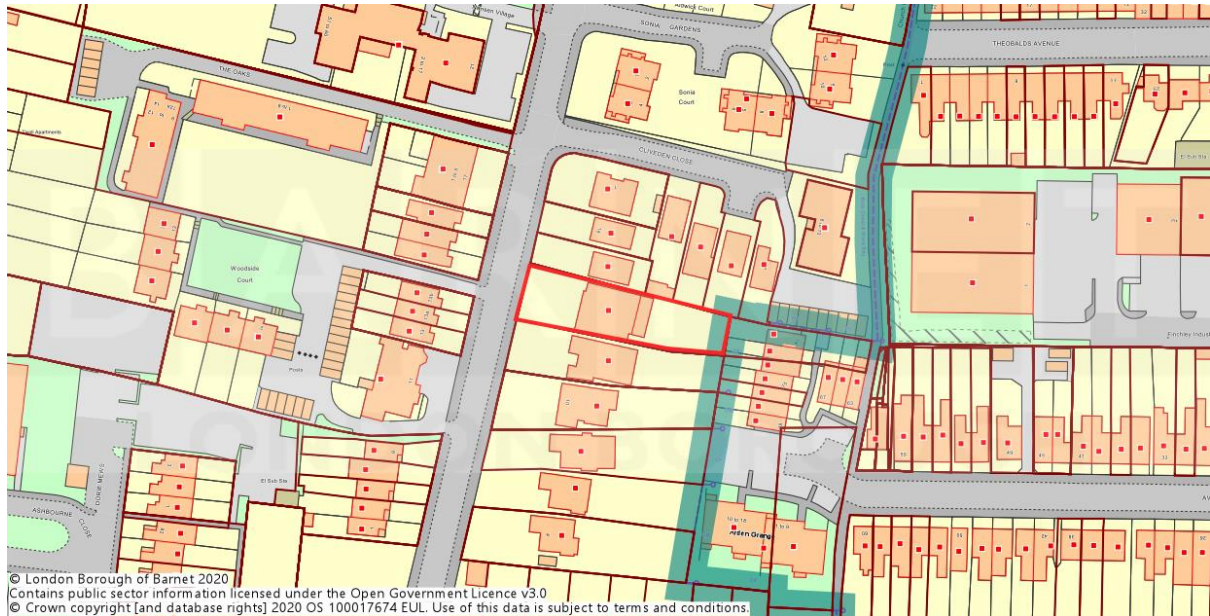
- The Holly Oak has a low crown.
- There is a cavity at the base of the Acer.
- The London Plane is causing direct physical damage to the front boundary retaining wall.
- The trees are implicated in damage to the surrounding driveway and other walls around the raised bed.

The trees are considered to be of public amenity value and the loss of particularly the London Plane would be of significant detriment to the character and appearance of Woodside Avenue.

The lifting treatment proposed to the Holly Oak is of a relatively minor nature and should not be of significant detriment to the health and/or appearance of the tree.

The Acer does have a cavity at its base and has rot apparent in previous pruning wounds. It stands close to the public highway and also has a suppressed form owing to the proximity of the London Plane. On the basis of the available information it appears that the tree could currently be safely retained with appropriate regular maintenance to lessen the wind resistance of the tree. However, Members may consider that in the circumstances public amenity may be better served in the long term by removal of this tree and planting of an appropriate replacement – which would be able to make a significant contribution to public amenity for longer than the current Acer.

The London Plane tree is causing damage to the front boundary retaining wall. If consent were to be refused for the proposed felling of this tree, options that may be sufficient to mitigate against the damage to the wall could result in significant damage to retained trees in the front garden of this site. Members may consider that in the circumstances public amenity may be better served in the long term by removal of this London Plane tree and planting of an appropriate replacement – which would be able to make a significant contribution to public amenity in future.



Location 66 Woodside Park Road London N12 8RY

Reference: 19/6833/FUL

Received: 27th December 2019

Accepted: 27th December 2019

Ward: Totteridge

Expiry 27th March 2020

Applicant: New Build Direct Ltd

Proposal: Demolition of the existing building and erection of a three-storey building plus basement level to provide 13no self-contained flats. Provision of 4 car parking spaces, refuse and recycling, cycle store and amenity space

AGENDA ITEM 10

Recommendation: Approve subject to s106

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

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. The applicant and any other person having a requisite interest in the site are invited to enter into a section 106 Agreement to secure the following:

1. 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. A financial contribution towards carbon off-setting of £24,282 in order to achieve net zero carbon dioxide emissions from the residential component of the development.

4. Meeting the Council's costs of monitoring the planning obligation -
£1,214.10

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control or Head of Strategic Planning approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director – Planning and Building Control or Head of Strategic Planning:

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

- SEP/RV/19-001 - Location Plan
- SEP/RV/19-002 - Proposed Site Plan, Rev 1 received 12.3.20
- SEP/RV/19-003 - Proposed Lower Ground Floor, Rev 1 received 12.3.20
- SEP/RV/19-004 - Proposed Ground Floor, Rev 1 received 12.3.20
- SEP/RV/19-005 - Proposed First Floor, Rev 1 received 12.3.20
- SEP/RV/19-006 - Proposed Second Floor Plan, Rev 1 received 12.3.20
- SEP/RV/19-007 - Proposed Roof Plan, Rev 1 received 12.3.20
- SEP/RV/19-008 - Proposed South Elevation
- SEP/RV/19-009 - Proposed East Elevation
- SEP/RV/19-010 - Proposed North Elevation
- SEP/RV/19-011 - Proposed West Elevation
- SEP/RV/19-012 - Proposed Section A-A
- SEP/RV/19-013 - Proposed Section B-B
- SEP/RV/19-014 - Proposed Section C-C, Rev 1 received 12.3.20
- SEP/RV/19-024 - Existing & Proposed Street Scape Elevation, WPR North
- SEP/RV/19-025 - Existing & Proposed Street Scape Elevation, WPR West
- SEP/RV/19-026 - Proposed South and North Elevation Images
- SEP/RV/19-027 - Proposed West and East Elevation Images
- SEP/RV/19-014 - Existing Site Plan
- SEP/RV/19-015 - Existing Lower Ground Floor
- SEP/RV/19-016 - Existing Ground Floor
- SEP/RV/19-017 - Existing First Floor
- SEP/RV/19-018 - Existing Loft Floor
- SEP/RV/19-019 - Existing Roof Plan
- SEP/RV/19-020 - Existing South Elevation
- SEP/RV/19-021 - Existing East Elevation
- SEP/RV/19-022 - Existing North Elevation
- SEP/RV/19-023 - Existing West Elevation
- Planning Statement & Design & Access Statement, Henry Planning
- Daytime Bat Survey, Ecology Network, February 2020
- Sustainable Drainage Strategy, MTC Engineering, 2441-DS Rev C - April 2020
- SUDS letter, MTC Engineering, 7th April 2020
- Arboricultural Impact Assessment (Landmark Trees - Ref: KSR/66WDP/AIA/01a - 17th April 2018)
- Proposed Services Report, BSE 3D Ltd, 17.12.2019
- Parking Survey (Caneparo Associates - 2nd October 2018)
- Energy and Sustainability Statement, 3D Consulting Engineers, Rev C, 17th December 2019

Updated Artist Impressions, KSR Architects, December 2019.

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 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 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.21, 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

4 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until 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) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. 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 at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

5 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

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 CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

6 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

7 a) Before the development hereby permitted is first occupied, 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.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

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).

8 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

b) 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.

c) 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 CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

9 Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on the hereby approved drawings 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 Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

10 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and 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.

11 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments and the sub-division of the amenity area, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

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 Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

12 Prior to the first occupation of any of the flats they shall be constructed to incorporate carbon dioxide emission reduction measures which achieve an improvement of not less than 10% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The building shall be maintained as such for the life of the development.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

13 Prior to the first occupation of any of the flats, each unit shall have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures equivalent to 105 litres per person per day maximum indoor water consumption. The implemented measures shall remain operational for the life of the development.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

14 Notwithstanding the details shown in the submitted drawings, all of the residential units shall be constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The building shall be maintained as such for the life of the development.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

15 No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be

carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement."

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.

16 a) No development other than demolition work shall take place unless and until a Drainage Strategy detailing all drainage works to be carried out in respect of the development hereby approved and all Sustainable Urban Drainage System features to be included in the scheme has been submitted to and approved in writing by the Local Planning Authority.

b) The development hereby approved shall not be first occupied or brought into use until the drainage works and Sustainable Urban Drainage System features approved under this condition have been implemented in their entirety.

Reason: To ensure that the development provides appropriate drainage infrastructure and to comply with Policy CS13 of the Local Plan Core Strategy (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.13 and 5.14 of the London Plan 2016.

17 Prior to the erection and installation of photovoltaic panels, details of the size, design and siting of all photovoltaic panels to be installed as part of the development shall be submitted and approved in writing by the Local Planning Authority. Calculations demonstrating the additional carbon emission reductions that would be achieved through the provision of additional panels shall also be submitted. The development shall be carried out and constructed in accordance with the approved details.

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 CS5 and DM01 of the Barnet Local Plan and policies 1.1, 7.4, 7.5 and 7.6 of the London Plan.

18 Before the building hereby permitted is first occupied the proposed window(s) in the west elevation elevation (at Ground, First and Second Floors) facing No. 68 Woodside Park 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 in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

RECOMMENDATION III:

1 That if the above agreement has not been completed or Section 106 agreement has not been submitted by 10.09.2020, unless otherwise agreed in writing, the Service Director

for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

1. The proposed development does not include a formal undertaking to meet the costs of the required carbon off-set provision. The proposal would therefore not address the impacts of the development, contrary to Policy 5.2 of the London Plan (2016), Policy CS13 of Barnet's Local Plan Core Strategy (2012) and Policy DM04 of the Barnet's Adopted Development Management Policies Document DPD (2012).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides 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, which is also available from the Planning Portal website.

The CIL 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 other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

3 Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning->

yourdevelopment/Working-near-or-diverting-our-pipes. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.

- 4 As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 5 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 6 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
- 7 The applicant is advised that 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 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 street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 8 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 9 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 10 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.

Officer's Assessment

1. Site Description

The application site is a two-storey (plus rooms at roof and basement level) detached late Victorian house located on the northern side of Woodside Park Road at the junction with Woodside Avenue. The property is sub-divided into 3.no self-contained flats.

The application site has a prominent gable-ended pitched roof form, with a two-storey bay window feature to the front elevation. The site also has a prominent single-storey integral garage with a steep pitched roof. The rear of the property has a somewhat confused form, incorporating a mixture of different roof pitches, angles and window siting. There is an external metal staircase serving the application site located between the application site and adjacent property on Woodside Park Road. Given the site's corner plot location, the building and rear garden are visually prominent within the streetscene.

The surrounding area is characterised predominantly by residential dwellings and flats. On the south side of Woodside Park Road, there are a number of purpose-built apartment blocks of three to five storeys, with adjacent properties on the north of Woodside Park Road and along Woodside Avenue constituting more two to three storeys in scale. As a result, there is a mixture of different architectural forms and styles.

The site is not located within a conservation area and is neither a statutory or locally listed building. The site has a TPO tree registered on the site, but upon a site visit the tree appears to have been removed some time ago. The application site is in Flood Zone 1.

2. Site History

Reference: 18/3499/FUL

Address: 66 Woodside Park Road

Decision: Recommended for approval, refused at Committee, allowed at appeal.

Decision Date: Refused 21st November 2018. Appeal allowed 11th April 2019.

Description: Demolition of existing building and erection of a three storey building plus basement level to provide 9no self-contained flats. Provision of 4 car parking spaces, refuse and recycling, cycle store and amenity space.

Reason for refusal:

1. The proposed development by reason of its size, siting, bulk, design and massing would result in an unsatisfactory development of the site. The proposal would be unduly obtrusive, out of scale and appear as a prominent and intrusive feature within the street scene, with its prominence exacerbated by the large gable fenestration and the three storey rearward projection. The proposal would be detrimental to the character and appearance of the site, the immediate street scene and would not relate sympathetically to the adjacent properties contrary to policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), policy DM01 of the Adopted Development Management Policies DPD (2012) and the Adopted Residential Design Guidance SPD (2016).

3. Proposal

- Demolition of existing two-storey (plus habitable rooms at roof and basement level) building;

- Construction of a new 3 storey building (plus habitable rooms at basement level) to accommodate 13.no self-contained flats;
- 4.no on-site parking spaces;
- Private and communal amenity space via balconies and a rear garden;
- 18 onsite cycle parking spaces;
- Onsite refuse storage.

Following submission of the application an amendment to the scheme was requested by Officers and agreed by the applicant's agent. The amendment involved removing the additional lightwell to the east of Duplex Unit 3 resulting in the loss of a bedroom meaning Unit 3 changes from a 3 bed unit to a 2 bed unit. The extent of the lightwell to the west of the building was also reduced resulting in the third bedroom in Duplex Unit 1 getting smaller; going from a double to a single room.

Amended (Rev 1) drawings showing these amendments were provided by the applicant's agent on 12th March 2020. No re-consultation was carried out as the changes reduced the impact of the proposed scheme compared to that originally submitted.

13 residential units are proposed (1 x 3 bed, 4 x 2 bed and 8 x 1 bed) as follows:

- Unit 1, 3-bed 105.7m², amenity 34.9m² (3b4p, 2 storeys, ground, lower ground, 5HR)
- Unit 2, 1-bed 62.7m², amenity 9.0m² (1b2p, 2 storeys, ground, lower ground, 3HR)
- Unit 3, 2-bed 84.7m², amenity 48.8m² (2b3p, 2 storeys ground, lower ground, 4HR)
- Unit 4, 2-bed 62.5m² (2b3p, ground, 4HR)
- Unit 5, 1-bed 51.4m² (1b2p, ground, 3HR)
- Unit 6, 2-bed 62.5m², amenity 7.6m² (2b3p, first, 4HR)
- Unit 7, 1-bed 51.4m², amenity 4.8m² (1b2p, first, 3HR)
- Unit 8, 1-bed 56.4m², (1b2p, first, 3HR)
- Unit 9, 1-bed 62.0m², amenity 4.1m² (1b2p, first, 3HR)
- Unit 10, 2-bed 62.5, amenity 7.6m² (2b3p, second, 4HR)
- Unit 11, 1-bed 51.4m², amenity 4.8m² (1b2p, second, 3HR)
- Unit 12, 1-bed 56.4m², (1b2p, second, 3HR)
- Unit 13, 1-bed 62.0m², amenity 4.1m² (1b2p, second, 3HR)

Total private amenity space - 113.3m²

Total communal amenity space - 254.0m²

Total amenity space provision - 367.3m²

Total number of habitable rooms proposed is 45.

45HR x 5 sq m = 225 sq m.

When compared to the 9 unit scheme approved on appeal (planning permission ref:18/3499/FUL), the current scheme differs as follows:

- Reconfigured to provide 13 units (increase by 4 additional units)
- lightwell extended to both sides
- rear access to the communal garden moved closer to the side boundary
- disabled parking provided
- capacity of bin and bicycle storage increased
- internal layouts changed
- Solar PV panels added to the roof
- East elevation: 2 x long windows moved
- North elevation: 2 x windows slightly enlarged
- West elevation: window with obscure glass added

4. Public Consultation

Consultation letters were sent to 380 neighbouring properties. 6 responses were received comprising 6 letters of objection. The concerns raised can be summarised as follows:

- Insufficient car parking proposed
- Highway safety concerns
- Lack of affordable housing
- Impact on trees and ecology
- Not a serious attempt at sustainable design
- Against the demolition of a perfectly good house
- Area already overdeveloped.

Consultees:

Highways: Approve subject to conditions

Environmental Health: Approve subject to conditions

Arboriculturalist: Approve subject to conditions

Fire Service: No objection

Thames Water: No objection, subject to conditions

SUDS Drainage: No objection, subject to condition

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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 revised National Planning Policy Framework (NPPF) was published on 19th February 2019. 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 NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

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 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The Mayor's Draft London Plan

Whilst capable of being a material consideration, at this stage limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses towards adoption, applications should continue to be determined in accordance with the 2016 London Plan.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS14.
- Relevant Development Management Policies: DM01, DM02, DM03, DM08, DM17.

Supplementary Planning Documents

Residential Design Guidance SPD (October 2016)

Sustainable Design and Construction SPD (October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development;
- Affordable Housing
- Whether harm would be caused to the character and appearance of the application site, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether adequate amenity would be provided for future occupiers;
- Impact on highways;
- Trees and Ecology
- Sustainability
- Provision of refuse storage

5.3 Assessment of proposals

Principle of development

As outlined in the site description section above, the predominant character of Woodside Park Road is residential, with a range of single-family dwellings, purpose-built flats and lodges. The application site is a two-storey (plus habitable rooms at basement and loft level) residential property containing three self-contained flats. The proposed development comprises 13 self-contained flats. Given the character of the area and the appeal decision the in-principle of the proposed scheme is considered acceptable and in keeping with the residential character and use along the street and the wider area.

The application site is neither a statutory or locally listed building and therefore benefits from no planning protection. Therefore, its demolition and subsequent redevelopment for flats is considered acceptable in-principle.

Affordable Housing

The application proposes 13 residential units.

London Plan Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought when negotiating on individual residential schemes, having regard to:

- Current and future requirements for affordable housing at local and regional levels identified in line with Policies 3.8 and 3.10 and 3.11.
- Affordable housing targets adopted in line with Policy 3.11.
- The need to encourage rather than restrain residential development (Policy 3.3).
- The need to promote mixed and balanced communities (Policy 3.9).
- The size and type of affordable housing needed in particular locations.
- The specific circumstances of individual sites.
- The resources available to fund affordable housing and maximise affordable housing output
- The priority accorded to family housing provision

It identifies that negotiations should take account of a site's individual circumstances, including development viability, the resources available from registered providers, the implications of phased development and other scheme requirements. It also makes it clear that affordable housing should normally be provided on site and off-site contributions to affordable housing will only be accepted in exceptional circumstances.

This approach is reflected in Local Plan policy DM10 which requires the maximum reasonable amount of affordable housing to be provided on site, subject to viability, having regard to a borough wide target that 40% of housing provision should be affordable. Local Plan policy CS4 identifies that on sites which are suitable for the provision of an element of affordable housing the Council may, in exceptional cases, accept the provision of off-site affordable housing or a commuted payment instead of such provision.

The Policy sets a target of 40% affordable housing on sites of 10 units or more or covering 0.4 hectares or more.

As the proposed scheme would involve more than 10 residential units, the development would be subject to affordable housing provision.

The applicant has provided a Viability Assessment (Avison Young) which has been independently reviewed on the Council's behalf (BNP Paribas).

Following the initial review by BNP Paribas it was clear that there was a disagreement between the two consultants on Build Costs and as such a Cost Plan was requested by Officers and provided by Avison Young along with an updated version of their Viability Appraisal to reflect the agreed amendments to the scheme which had resulted in the loss of a bedroom to Unit 3 and the reduction in size of one of the bedrooms in Unit 1.

Following receipt of this additional information on 24th March 2020, BNP Paribas instructed a Cost Consultant (RLF) to review Avison Young's Cost Plan and then ran an updated Appraisal.

Having done this additional work, BNP Paribas concluded as follows:

"Given the outcome of our updated appraisal, which is based upon the assumptions outlined above, the proposed scheme generates a deficit of c. £0.25m. As such, we consider the proposed scheme cannot viably deliver any affordable housing."

Following this robust examination of the applicant's viability case and Build Costs Officers are satisfied that the proposed development cannot viably provide any affordable housing.

Character and appearance

All new development is expected to preserve and respect the established character and appearance of the surrounding area. Policy DM01 states that:

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.

The proposed development comprises of a three-storey (plus habitable rooms at basement level) residential building accommodating 13 self-contained flats. It has been designed with a contemporary aesthetic, but one which draws upon the more traditional pitched front gable roof form of the adjacent building at no.68. This consequently provides a degree of visual and architectural relevance when viewed within the wider streetscene of Woodside Park Road. There are a number of examples surrounding the application site where purpose-built flatted development has moved away from the traditional pitched roof form that is characteristic of Woodside Park Road, but the proposed development has been designed to better respond to this predominant visual aesthetic. The building wraps around onto Woodside Avenue where the main residential entrance is proposed, with the gable roof form evident on the Woodside Park Road elevation also replicated on this elevation too. This visual consistency is to ensure the building as a corner plot more effectively relates to both Woodside Park Road and Woodside Avenue and creates a greater sense of visual engagement and street activity. This is compliant with Policy DM01 which states:

Development proposals should ensure attractive, safe and, where appropriate, vibrant streets which provide visual interest, particularly at street level and avoid blank walls.

The scale and massing of the building is an increase from the existing building, but these increases have been designed and subsequently revised, to ensure the increase is proportionate and has an acceptable visual impact when viewed within the streetscene. Indeed, the proposed ridge height is only 1m above the existing ridge height and the width of the front elevation is only 0.8m wider than the existing. It is acknowledged that the proposed development does contain greater massing than the existing building, but a large portion of this is set-back from the Woodside Park Road elevation to maintain a more slender twin gable form when viewed from the Woodside Park Road. This scale and form is comparable to the adjacent building at no.68.

Under application ref: 18/3499/FUL, the building line along Woodside Avenue was set-back by 1.5m to reduce the width of the front gables when viewed from Woodside Park Road, and to decrease the visual bulk along Woodside Avenue. This also serves to lessen the visual prominence of the building which resides on a corner plot and allows it to better visually relate with no.68 and its surrounding streetscene. Therefore, the proposed development is considered to have a measured increase in visual bulk and scale that is not deemed to appear overly dominant, or overbearing when viewed within the streetscene

and in relation to no.68. It is also worth noting that directly opposite the application site is St Johnstone House and Greville Lodge that are both built to four-storey level. Therefore, while it is considered that the proposed scale is acceptable on its own merits, it is acknowledged that it is located within a section of Woodside Park Road where there are four and five storey buildings present. Consequently, the proposed development is considered proportionate and in keeping with the visual character of this section of Woodside Park Road and Woodside Avenue.

The proposed facing materials, including brick and clay shingles, have been chosen to provide a high-quality finish that respects the brick cladding that is characteristic within building designs along Woodside Park Road and Woodside Avenue, whilst providing a more contemporary brick and shingle patterning and texturing to provide visual interest. More contemporary designed dormers, balconies and window detailing have been sensitively applied to provide a contrast to the more traditional brick and clay shingle cladding. It is considered that the visual appearance of the proposed development would have a positive impact on the mixed character of Woodside Park Road and Woodside Avenue, providing a well-considered and designed building which both maximises the development of the site, whilst providing a scale, massing and form which respects the adjacent streetscene. Indeed, this section of Woodside Park Road contains a range of architectural forms and facing materials including a yellow and red banded brick-clad building at Emerald Court, a mansard style roof form at St Johnstone House and flat roofed, light yellow and grey brick-clad buildings at Greville Lodge and Ashborne Court. Within this context, it is considered that the proposed design is acceptable.

The proposed development extends beyond the adjacent property at no.68 by 8m, but at a set-back from the site boundary at its deepest extent of 5.5m at ground floor level and 6.5m at first and second floor. There would be a set-back of 8.9m from the nearest habitable window at no.68. This provides an unhindered 45-degree range of outlook for occupiers of the neighbouring property at no.68. These set-backs are the result of design revisions made following the formal submission of application 18/3499/FUL which are now considered appropriate in view of their visual impact on no.68.

The proposed development will result in the loss of trees to the front of the site facing onto Woodside Park Road. However, a landscaping plan will be secured via condition to provide appropriate mitigation. It is worth noting that the trees that are proposed to be removed are not protected by a Tree Preservation Order (TPO).

Application 18/3499/FUL was recommended for approval but refused at the Chipping Barnet Area Planning Committee meeting on 13th November 2018 by reason of its size, siting, bulk, design and massing.

The proposal was subsequently allowed at appeal in March 2019 with the Inspector concluding as follows on the subject of Character and Appearance:

Para 10: "I have also had regard to the overall character of the area where there is a trend towards domestic scale properties to the east of Woodside Avenue. However, I consider that the appeal development would not be excessive in its size, height or scale and would provide a suitable transition between the larger buildings to the west and the dwellinghouses to the east. This is particularly the case given the space between the respective buildings as a result of the highway of Woodside Avenue and the rising land levels."

Para 11: "The overall design of the building would have a modern appearance. However, it would also include gable walls to the Woodside Park Road and Woodside Avenue elevations which would take cue from the gable features of the existing building and that at No 68. To my mind, these gable features add interest to the overall design of the proposed building. I also acknowledge that there would be large areas of glazing on the north and south elevations together with balconies. However, none of these design features would appear as being excessive (in terms of the amount of them or their size) and the building as a whole would comfortably sit within the existing streetscene."

Para 12: "In coming to the above conclusion, I acknowledge that views of the rear and east side of the development would also be prominent given the land levels along Woodside Avenue. However, whilst the development would present a change in the streetscape views given the siting and height of the proposal, it would not appear as a harmful development in the area."

It is not considered that the minor design amendments to the approved 18/34/99/FUL scheme proposed by the current application change any of the previous conclusions of Officers or the Planning Inspectorate in terms of Character and Appearance.

Based on the above, it is considered that the proposed development would have an acceptable impact on the character and appearance of both Woodside Park Road and Woodside Avenue. Indeed, it is deemed that the increase in building scale, massing and footprint is measured and respects the adjacent building forms and lines. The proposed building form and facing materials are considered appropriate and reflect the pitched roof form and brick and clay cladding characteristic along Woodside Park Road and Woodside Avenue. Given the mixed character and varied building forms, scale and massing surrounding the application site, it is considered that the proposed development would have an acceptable and positive visual impact within the streetscene. Consequently, it is considered that the proposed development complies with Policy DM01 and is therefore recommended for approval on character and appearance grounds.

Neighbouring Amenity

Paragraph 2.7.1 of Policy DM01 states that:

Schemes which significantly harm the amenity of neighbouring occupiers will be refused planning permission. Protecting amenity helps to protect the well-being of the boroughs residents. It is important to ensure that developments do not significantly overshadow neighbouring buildings, block daylight, reduce sunlight, or result in a loss of privacy or outlook.

It is considered that the proposed development would have an acceptable impact on the residential amenity of neighbouring occupiers by way of outlook, daylight / sunlight provision, privacy and enclosure. Regarding no.64 Woodside Park Road located on the opposite side of Woodside Avenue from the application site, there is a distance of 22.2m between facing windows. This would comply with paragraph 7.3 of the Residential Design Guidance SPD (2016) which states that:

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.

As outlined above, the proposed development was amended post formal submission of application 18/3499/FUL, to set the building back by 1.5m from Woodside Avenue. This was done for both character and amenity purposes, with the amenity consideration being the necessity to provide a 21m set-back for facing windows between the application site and no.64 Woodside Park Road. This is still the same under this current application and considered to have an acceptable impact.

Regarding the adjacent property at no.68, the proposed scheme was also revised post formal submission of application 18/3499/FUL to increase the set-back between the proposed flank wall and the site boundary with no.68. There is now a 5.5m set-back from the site boundary at ground floor level and a 6.4m set-back at first and second-floor levels at the furthest extent of the building's northern projection. This ensures that there is a minimum 45-degrees of unhindered outlook for the closest rear windows serving habitable rooms at no.68. This is considered acceptable in relation to neighbouring occupier outlook and daylight provision.

The proposed northern projection is likely to result in some overshadowing to the rear garden of no.68, but not to a level which is considered unacceptable. Indeed, it is considered that the stated set-backs are reasonable and would have an acceptable impact on the rear garden of no.68 by way of overbearing and overshadowing. Any overshadowing would be limited to the morning given the rear gardens north-facing orientation.

On the subject of privacy, it is considered that only one of the proposed rear balconies would provide opportunities for overlooking into the rear garden of no.68, and this balcony is located on ground floor level and set-back 5.9m from the site boundary. This balcony (serving Unit 1) would not provide opportunities to look back into window serving habitable rooms at no.68. The other rear balconies proposed are located 17.4m from the site boundary with no.68 and are therefore not expected to result in a harmful level of overlooking into no.68. Given the above, it is deemed that the proposed development would not result in significant harm to the privacy of neighbouring residential occupiers at no.68.

The proposed development will result in an increased level of site occupancy and comings and goings, but not to a level which is considered unreasonable, or out of keeping with the wider context of this part of Woodside Park Road. Indeed, as stated above, there are a number of four and five storey purpose-built blocks of flats located directly opposite and adjacent to the application site which result in more site activity and comings and goings than the proposed development would cause. Furthermore, the proposed development only provides 4 onsite parking spaces, 2 less than the 6 that can be accommodated at no.68. Therefore, comings and goings to the application site from cars and the associated noise and disturbance, is less than the amount currently experienced at no.68. Lastly, site access for vehicles and residents is dispersed across the site, with residential access located on Woodside Avenue and vehicular access on Woodside Park Road. Based on the above, it is considered that the proposed increase in comings and goings to the site and any associated noise and disturbance is reasonable in view of wider occupancy levels within surrounding buildings on Woodside Park Road and the fact vehicular access to the site is less than experienced at the adjacent property at no.68.

The approved scheme 18/3499/FUL has no flank wall windows facing no.68 above ground floor level and the one included at ground floor level is to be obscured glazed.

The current proposal includes two additional windows on the west side of the building at first and second floor levels. The submitted planning statement says that these windows will be obscure glazed and fixed shut up to 1.7m in height to ensure no overlooking into the neighbouring garden of No. 68. The application drawings do not include an annotation stating the windows will be obscure glazed and therefore a condition will be attached to ensure no overlooking or loss of privacy arises.

It is not considered that the minor design amendments to the approved 18/34/99/FUL scheme proposed by the current application changes any of the previous conclusions of Officers in terms of Residential Amenity.

Based on the above, it is considered that the proposed development would have an acceptable impact on the residential amenity of neighbouring occupiers by way of overlooking, daylight / sunlight provision, privacy and enclosure. The proposed building set-backs, distance from facing windows, the location of balconies and lack of flank wall windows facing no.68, is considered to result in a design which would have an acceptable impact on neighbouring amenity. Consequently, this application is considered in compliance with Policy DM01 and is therefore recommended for approval on amenity grounds.

Living standards for future occupiers

Floor Area:

The London Plan (2016) and Section 2.1 of the Sustainable Design SPD (Oct 2016) set out the minimum gross internal area (gia) space requirements for residential units. A bedroom measuring 11.5m² and above is calculated as a two-person room. Each of the proposed units meets these standards as evidenced below:

- Unit 1, 3-bed 105.7m², amenity 34.9m² (3b4p, 2 storeys, ground, lower ground, 5HR). Minimum 84 sqm.
- Unit 2, 1-bed 62.7m², amenity 9.0m² (1b2p, 2 storeys, ground, lower ground, 3HR). Minimum 58 sq m.
- Unit 3, 2-bed 84.7m², amenity 48.8m² (2b3p, 2 storeys ground, lower ground, 4HR). Minimum 70 sq m
- Unit 4, 2-bed 62.5m² (2b3p, ground, 4HR). Minimum 61 sq m
- Unit 5, 1-bed 51.4m² (1b2p, ground, 3HR). Minimum 50 sq m.
- Unit 6, 2-bed 62.5m², amenity 7.6m² (2b3p, first, 4HR). Minimum 61 sq m.
- Unit 7, 1-bed 51.4m², amenity 4.8m² (1b2p, first, 3HR). Minimum 50 sq m.
- Unit 8, 1-bed 56.4m², (1b2p, first, 3HR). Minimum 50 sq m.
- Unit 9, 1-bed 62.0m², amenity 4.1m² (1b2p, first, 3HR). Minimum 50 sq m.
- Unit 10, 2-bed 62.5, amenity 7.6m² (2b3p, second, 4HR). Minimum 61 sq m.
- Unit 11, 1-bed 51.4m², amenity 4.8m² (1b2p, second, 3HR). Minimum 50 sq m.
- Unit 12, 1-bed 56.4m², (1b2p, second, 3HR). Minimum 50 sq m.
- Unit 13, 1-bed 62.0m², amenity 4.1m² (1b2p, second, 3HR). Minimum 50 sq m.

Table 2.2 contained within the Sustainable Design and Construction SPD (Oct 2016) states that bedrooms should meet the following requirements.

- Single bedroom: minimum area should be 7.5 m² and is at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 m² and is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

All proposed bedrooms meet the above standards.

Floor to ceiling height:

Table 3.3 of Policy 3.5 of the London Plan states that a minimum ceiling height of 2.3 metres is required for at least 75% of the gross internal area of a dwelling.

All proposed units meet the above standard.

Light/outlook:

Barnet's Sustainable Design & Construction SPD (Oct 2016) section 2.4 states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room and that bedrooms and living rooms /kitchens should have a reasonable outlook with clear glazed windows.

All flats except for Units 1 and 2 are either dual aspect, or south-facing and therefore provide sufficient outlook and daylight / sunlight for future occupiers. While Units 1 and 2 are primarily north-facing, it is considered they provide sufficient daylight for future occupiers, and given their direct access to external balconies, would have access to direct sunlight at both morning and evening times. Therefore, while single-aspect north-facing units are not normally supported, in this instance it is considered that both units would provide unhindered outlook, acceptable levels of daylight, and direct sunlight via external balconies directly access via living rooms.

Amenity Space:

Section 2.3 of the Sustainable Design & Construction states that for flats, 5m² of usable external amenity space should be provided per habitable room. A room of 20m² or more is calculated as two habitable rooms.

The proposed development includes 45 habitable rooms.

45HR x 5 sq m = 225 sq m is the minimum amenity space requirement.

The proposed development provides 113 sq m of private and 254m² of communal amenity space to the rear of the site. Conditions to agree the means of sub-division and soft landscaping will be attached to ensure suitable privacy protection, particularly at lower ground and ground floor levels.

It is considered that through the provision of both private and communal amenity space, the proposed development complies and indeed well exceeds the stated standards.

Based on the above, it is considered that the proposed development would provide an acceptable level of amenity for future occupiers and therefore, this application is recommended for approval on amenity for future occupier grounds.

Highways

Based on the proposed floor plans and Policy DM17, the proposed development would have a parking requirement of 5 to 15.5 spaces. The PTAL rating for the site is 3 which represents an average level of accessibility. Both Woodside Park Road and Woodside Avenue surrounding the application site are subject to Controlled Parking Zones (CPZ).

The proposed development would provide 4 onsite parking spaces which in view of the stated parking requirement, would represent an insufficient provision of parking contrary to Policy DM17.

Highways Officers have stated that with a PTAL score of 3, pro rata 9 no car parking spaces would be acceptable.

As only 4 parking spaces are proposed, this leaves a shortfall of 5 spaces.

The applicant has undertaken two overnight parking surveys which show that there were at least 26 spaces available on-street within a 200metre distance of the site.

Based on the results of the parking survey, it is considered that the number of vehicles potentially displaced by the site can be easily be accommodated on-street. Highways would therefore raise no objection to the proposed parking provision.

No objection was made by the Highways Officer regarding highways safety issues resulting from the proposed development. A separate dropped kerb application will be required to alter site access.

A cycle store is proposed adjacent to the site boundary with no.68. The store is able to provide secure and weatherproofed parking for 18 cycles.

Therefore, based on the above, it is considered that the proposed development is acceptable on highways grounds. Indeed, while an insufficient amount of onsite parking has been provided, it has been demonstrated to the satisfaction of the Council's Highways Officer that there is sufficient on-street capacity to accommodate any over spill parking from the proposed development.

Consequently, this application is considered acceptable on highways grounds and recommended for approval.

SUDS

Following receipt of the Rev C, April 2020 version of the Drainage Strategy, Capita SUDS team provided a response stating that they have no objection to the proposal subject to a pre-commencement condition requiring SUDS detailed design drawings to be submitted and approved. A condition has been proposed accordingly.

Trees and Ecology

The Tree Officer commented as follows:

"The proposal for 13no self-contained flats on the site of 66 Woodside Park Road replaces the existing building and seems to replicate permission 18/3499/FUL.

This application will require the removal of T6, 8 trees within G7, T8 and T9. The loss of 8 pollarded lime trees along the frontage will impact on the local visual amenity. The landscape plan must seek to mitigate this loss.

Two street trees shown as T11 Cat B ash and T12 Cat C lime. Both these trees have significant public amenity and are prominent part of the street scene.

No outline landscape plan has been produced to support this application.

New trees must be planted to replace those removed to facilitate the development replacement pollarded or pleached lime trees would be appropriate. These should be of a size that would provide immediate visual impact.

Climbing plants should be provided around the new block of flats to help mitigate the scale of the building and provide new wildlife habitats.

No objection (Arboriculture)

Reason: The loss of pollarded lime trees at the front of the development can be offset with replacement tree planting. Subject to replacement tree and shrub planting and ecological enhancements the development is in accordance with local planning policy DM10."

Landscaping and Tree Protection conditions were recommended and have been attached.

A Bay Survey was provided by the applicant on 18th February 2020. This report dismissed the subject building as a bat roost and concluded that, whilst no special measures are required in advance of or during the demolition, should a bat be encountered during the demolition process, all work should be suspended pending the advice of a licensed bat worker. All contractors need to be informed of this ahead of the work commencing.

The Bat Survey Report (Daytime Bat Survey, Ecology Network, February 2020) will be listed within the approved documents condition in the event that planning permission is granted requiring that its recommendations are adhered to.

Sustainability

The Energy and Sustainability Statement states the proposed development will deliver a site wide carbon emission reduction of 37.33% overall.

The Energy and Sustainability statement indicates that the Zero Carbon target for the development will not be achieved; the developer will therefore seek to make a payment to local authority to cover the shortfall. Based on the calculations outlined in the Energy and Sustainability Statement the corresponding carbon dioxide offset payment would be £24,282 (13.49 x 30 x 60) based on a payment of £60 per tonne of carbon per year over a 30-year period.

The Carbon offset payment of £24,282 will be secured by a legal agreement.

Refuse

The proposed development is required to comply with Barnet's Waste and Recycling Strategy (2018). Refuse and recycling storage has been located to the front of the site adjacent to the 4 onsite parking spaces for easier access and collection. Other parts of the site were explored as locations for the bin store, but due to site levels and topography it was concluded that its siting to the front of the site was the only viable option. Final details of the bin store in terms of size and external finish will be secured via condition, as will a site landscaping plan with the aim of screening the bin store from the public highway. It is considered that there is sufficient capacity to provide a policy compliant provision of refuse and recycling storage at the proposed location on site.

Legal agreement

A legal agreement will be required in order to secure the £24,282 carbon off-set payment. A S106 monitoring contribution comprising 5% of the total financial contributions is also required to be paid by the applicant = £1,214.10.

5.4 Response to Public Consultation

Public comments have been received and where appropriate have been addressed in the report above.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set out in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

The proposed development is considered to have an acceptable impact on the character and appearance of the application site and the wider street scene of Woodside Park Road and Woodside Avenue. Furthermore, it is considered that the proposed development would have an acceptable impact on the residential amenity of neighbouring occupiers and would provide sufficient amenity for future occupiers. The proposed development is also considered acceptable on highways grounds. Consequently, this application is recommended for approval.



Location **Applegarth Manorside Barnet EN5 2LD**

Reference: **19/6383/S73**

Received: 29th November 2019

Accepted: 4th December 2019

Ward: Underhill

Expiry 29th January 2020

Applicant: Mr L Pratap

Proposal: Variation of condition 1 (Approved Plans) of planning permission reference 16/3156/OUT dated 21/10/2016 for 'Construction of new roof, first and second floor side extension and conversion of the building in to 5no self contained flats. Associated off street parking (OUTLINE APPLICATION)'. Amendments to include, revision of roof with reduced pitch and higher eaves line, removal of projecting second floor balcony to Manor Road elevation, increase in width of bay projections facing Manorside, alteration of roof pitch to dormer windows, alterations to ground floor fenestration and internal layouts (amended description)

AGENDA ITEM 11

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

1 The development hereby permitted shall be carried out in accordance with the following approved plans in this application:

- A1 4238 PLA 3.06 - Street View
- A3 4238 PLA 3.00 A - Proposed floor plans
- A3 4238 PLA 3.01 C - Proposed Elevations sheet 1 of 2
- A3 4238 PLA 3.02 D - Proposed Elevations sheet 2 of 2

and should be read in conjunction with the plans approved under 16/3156/OUT and 17/4076/RMA as follows:

- 440115/3, Revision E
- Site location plan
- 440115/10
- 440115/11

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 The development shall be implemented in full accordance with the details of the proposed car parking layout as approved under 18/0267/CON, dated 28 March 2018 prior to the first occupation and retained as such thereafter and shall not be used for any purpose other than the parking of vehicles in connection with the approved 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 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).

- 3 The development shall be implemented in full accordance with the details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes in the levels of the site as approved under 18/0267/CON, dated 28 March 2018 prior to the first occupation and retained as such thereafter.

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 CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

- 4 a) The development shall be implemented in full accordance with the details of the hard and soft landscaping to the site, including details of existing trees to be retained and size, levels around the retained trees, species, planting heights, densities and positions of any soft landscaping, as approved under 18/0267/CON, dated 28 March 2018.

b) 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.

c) 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 CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

- 5 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 6 The development shall be implemented in full accordance with the details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas as approved under 19/4103/CON, dated 15 October 2019 prior to the first occupation and retained as such thereafter.

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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 7 The development shall be implemented in full accordance with the measures detailed within the Demolition and Construction Method Statement as approved under 19/4103/CON, dated 15 October 2019.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 8 The development shall be implemented in full accordance with the details of the enclosures and screened facilities for the storage of recycling and refuse bins as approved under 19/4103/CON, dated 15 October 2019 prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted 2016).

- 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 pm 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 Development Management Policies DPD (adopted September 2012).

- 10 The development shall be implemented in full accordance with the details of the drainage strategy as approved under 19/4103/CON, dated 15 October 2019, prior to the first occupation and retained as such thereafter.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 11 The property shall be used as self-contained units as shown on the hereby approved drawings under Class C3 (a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area to comply with policy DM01 of the Barnet Development Management Policies Document (2012).

- 12 The development shall be implemented in full accordance with the details of the means of enclosure, including boundary treatments, as approved under 19/4103/CON, dated 15 October 2019, prior to the first occupation or the use is commenced and retained as such thereafter.

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 Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 13 Before the building hereby permitted is first occupied the proposed first floor and roof level windows and dormer windows in the northern elevation facing Vanburgh Court 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 in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted 2016).

Informative(s):

- 1 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase

to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a payment under Barnet CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides 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, which is also available from the Planning Portal website.

The CIL 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 other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories 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 can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 2 This decision should be read in conjunction with the decision notice issued in respect of Barnet planning ref 16/3156/OUT dated 21/10/16 subject to conditions, to which construction works have considerably commenced.
- 3 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 4 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.
- 5 The applicant is advised that 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 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 street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 6 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.

Officer's Assessment

1. Site Description

The application site contains a two storey, detached dwellinghouse, dating from the early 1960s, located on the northern side of Manorside on a corner plot on the junction with Manor Road. The surrounding area comprises a mixture of both single family units and purpose built flatted development. The plot is on a steep slope with a change in levels of 1.43m between the north and south boundaries of the site.

The subject site is not located within a Conservation Area, is not a listed building or subject to any other relevant planning restrictions.

2. Site History

Reference: 15/05033/FUL

Address: Applegarth, Manorside, Barnet, EN5 2LD

Decision: Refused

Decision Date: 27 October 2015

Description: First floor side extension, creation of a second floor with a flat roof and conversion of garage into a habitable living space to facilitate a conversion of 1 no residential dwelling into 6 no self-contained flats with parking, refuse, amenity space, associated vehicular access and alterations to hard and soft landscaping . New front porch including alterations to front canopy. Changes to fenestration to the front, side and rear elevations.

Reference: 16/0285/FUL

Address: Applegarth, Manorside, Barnet, EN5 2LD

Decision: Refused

Decision Date: 17 March 2016

Description: First floor side extension, creation of a second floor with a flat roof and conversion of garage into a habitable living space to facilitate a conversion of 1 no residential dwelling into 6 no self-contained flats with parking, refuse, amenity space, associated vehicular access and alterations to hard and soft landscaping . New front porch including alterations to front canopy. Changes to fenestration to the front, side and rear elevations

Reference: 16/3156/OUT

Address: Applegarth, Manorside, Barnet, EN5 2LD

Decision: Approved subject to conditions

Decision Date: 21 November 2016

Description: Construction of new roof, first and second floor side extension and conversion of the building in to 5no self contained flats. Associated off street parking (OUTLINE APPLICATION) (AMENDED DESCRIPTION).

Reference: 17/4076/RMA

Address: Applegarth, Manorside, Barnet, EN5 2LD

Decision: Approved

Decision Date: 28 March 2018

Description: Reserved matters application seeking approval for landscaping pursuant to outline permission reference 16/3156/OUT dated: 04.10.2016, for 'Construction of new roof, first and second floor side extension and conversion of the building in to 5no self contained flats. Associated off street parking'

Reference: 17/7811/CON

Address: Applegarth, Manorside, Barnet, EN5 2LD

Decision: Refused
Decision Date: 12 January 2018
Description: Submission of details of condition 4 (Parking Layout) 5 (Levels) 6 (Landscaping) pursuant to planning permission 16/3156/OUT dated 21/10/16

Reference: 18/0267/CON
Address: Applegarth, Manorside, Barnet, EN5 2LD
Decision: Approved
Decision Date: 28 March 2018
Description: Approval of details of parking layout, levels and landscaping pursuant to conditions 4, 5 and 6 of planning permission 16/3156/OUT dated 21/10/2016

Reference: 19/3945/NMA
Address: Applegarth, Manorside, Barnet, EN5 2LD
Decision: Approved
Decision Date: 7 August 2019
Description: Non material amendment to planning permission 16/3156/OUT dated 21/10/16 for `Construction of new roof, first and second floor side extension and conversion of the building in to 5no self contained flats. Associated off street parking.` Amendments include alterations to fenestration

Reference: 19/4103/CON
Address: Applegarth, Manorside, Barnet, EN5 2LD
Decision: Approved
Decision Date: 15 October 2019
Description: Submission of details of conditions 8 (External Materials) 9 (Demolition and Construction Method Statement) 10 (Refuse/recycling) 12 (Drainage) 14 (Enclosure/boundary treatment) pursuant to planning permission 16/3156/OUT dated 21/10/16

Reference: 19/4630/S73
Address: Applegarth, Manorside, Barnet, EN5 2LD
Decision: Refused
Decision Date: 23 October 2019
Description: Variation of condition 1 (Plan Numbers) pursuant to planning permission 16/3156/OUT dated 21/10/16 for `Construction of new roof, first and second floor side extension and conversion of the building in to 5no self contained flats. Associated off street parking.` Amendments include increase in depth and width of two proposed front bay projections, revision of roofline over bay projections, reduction in height of two windows at first floor level within bay projections and removal of projecting balcony on second floor to Manor Road elevation

3. Proposal

The application seeks planning consent for the variation of condition 1 (Approved Plans) of planning permission reference 16/3156/OUT dated 21/10/2016 for 'Construction of new roof, first and second floor side extension and conversion of the building in to 5no self contained flats. Associated off street parking (OUTLINE APPLICATION)'.

The amendments within this application are as follows:

- Revision of roof with reduced pitch and higher eaves line;
- Increase in width of bay projections facing Manorside;
- Removal of projecting second floor balcony to Manor Road elevation;

- Alteration of roof pitch to dormer windows
- Alterations to ground floor fenestration and internal layouts.

4. Public Consultation

Consultation letters were sent to 114 neighbouring properties. 7 letters of objections have been received and can be summarized as follows:

- new positioning of dormers at odds with all other properties in the vicinity
- The higher eaves on the elevation to Manorside will increase the height of the frontage and the amount of brickwork above the first floor windows which will not relate sympathetically to the neighbouring properties.
- the heightened eaves level will increase the height of the frontage and therefore totally out of keeping with neighbouring properties.
- Wider bay projections will increase the overall bulk and mass of the building especially when viewed from Manorside
- Construction work is/will create traffic, congestion and compromise safety of pedestrians. Needs to be closely monitored during construction phase.
- Large windows facing Manor Road from 3 flats will result in overlooking and loss of privacy to neighbouring occupiers on the adjacent side of the road.

5. Planning Considerations

5.1 Policy Context

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 19 February 2019. 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 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'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

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 and is recognised in the NPPF as part of the development plan.

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 11 September 2012.

- Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.

- Relevant Development Management DPD (2012): Policies DM01, DM02

Barnet's Local Plan (Reg 18) 2020

Barnet's Local Plan -Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's emerging Local Plan. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

6 Main Issues for Consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether satisfactory living standards would be provided for future occupiers;

6.1 Assessment of proposals

The principle of the development and other planning issues have been previously considered when assessing the approved scheme under reference 16/3156/OUT, dated 18/0615/FUL and as such the following assessment relates only to the amendments proposed by the current S73 application.

It is noted that the time limit for the consented scheme has now lapsed, however, it has been confirmed in writing that the development has already commenced and given that the proposed amendments within this application would not materially alter the description of the approved scheme, the proposal can be dealt within the scope of this section 73 application.

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
Policy DM01 of the Development Management Policies (Adopted) 2012 states "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."

The amendments within this application are as follows:

- Revision of roof with reduced pitch and higher eaves line;
- Increase in width of bay projections facing Manorside;
- Removal of projecting second floor balcony to Manor Road elevation;
- Alteration of roof pitch to dormer windows
- Alterations to ground floor fenestration and internal layouts.

Revision of roof with reduced pitch and higher eaves line;

The revised roof pitch would result in an increased eaves height of approximately 0.65m to facilitate extra headroom in the second floor unit. This element of the proposal does not alter the footprint nor the ridge height of the approved scheme. A street scene plan has been submitted to demonstrate the effect this would have on the proposal in relation to neighbouring properties. Although the approved scheme is representative of the decline to which the road sits on by way of its visibly lower eaves height, the amendment proposed would still be considered to maintain this visible relationship, as the eaves height would not exceed the eaves height of neighbouring property, Vanburgh Court, but would approximately align. This minimal incremental change is considered to have an acceptable impact on the appearance of the property, neighbouring properties and street scene.

Increase in width of bay projections facing Manorside;

The two projecting bays fronting Manorside would be increased in width from 2.8m to 3.4m at both ground floor and first floor level.

Application reference 19/4630/S73 previously refused incorporated an increase in the depth and width of the projecting bays, this was considered to add undue bulk and mass and would further constrain the area for parking and soft landscaping. Considering the proposed amendment within this application is limited to the width of the bays and of a minimal proportion when in context, it is not considered to significantly detract from the appearance of the approved scheme nor add sizeable undue mass and bulk to the building and therefore acceptable.

Removal of projecting second floor balcony to Manor Road elevation;

The removal of the projection balcony at second floor level facing Manor Road and replacement with a Juliette balcony is not deemed to harmfully impact the character and appearance of the property nor compromise their outdoor amenity space.

Alteration of roof pitch to dormer windows

During the course of the application, plans were amended to retain a central position of the consented dormers on the roof slope (previously aligning with the eaves) thereby providing

adequate roof slope above and below the dormers in accordance with Council guidance, this was facilitated by alterations to the roof pitch of the dormers. Given the amended plans, no adverse impact would be sustained to the host property, neighbouring properties and general locality in this respect.

b Alterations to ground floor fenestration and internal layouts.

Alterations to fenestration details and the internal layout would not materially alter the scheme nor would these result in any change of material substance. Layout alterations would maintain like for like stacking and minimum space standards and therefore acceptable.

- Whether harm would be caused to the living conditions of neighbouring residents;
Development Management Policies (Adopted 2012) in section 2.7.1 states: "It is important to ensure that developments do not significantly overshadow neighbouring buildings, block daylight, reduce sunlight, or result in a loss of privacy or outlook."

The proposed amendments to the approved scheme do not raise any new concerns that would cause harm to the residential amenities of neighbouring occupiers and therefore acceptable on these grounds.

- Whether satisfactory living standards would be provided for future occupiers;
The proposed amendments do not materially alter the living standards for future occupiers and therefore acceptable in this respect.

6.2 Response to Public Consultation

Mainly addressed in the body of the report.

-In relation to construction work, the development will need to accord with the details of the demolition and construction method statement as approved under reference 19/4103/CON.
-In relation to overlooking and loss of privacy to residents on Manor Road, the distance maintained by way of the highway accords with Council policy and guidance and would therefore largely mitigate any impact sustained.

7. Equalities and Diversity Issues

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

8. Conclusion

Having taken all material considerations into account, it is considered that the proposed variation to the approved plans would have an acceptable impact on the character and appearance of the site and would not result in an adverse impact for neighbouring residents nor future occupiers. This application is therefore recommended for approval.

