

MEETING

PLANNING COMMITTEE A

DATE AND TIME

WEDNESDAY 21ST JULY, 2021

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

TO: MEMBERS OF PLANNING COMMITTEE A (Quorum 3)

Chairman: Councillor Wendy Prentice

Vice Chairman: Councillor Helene Richman BA (Engineering), JD (Juris Doctor),
Barrister (Middle Temple), TEP

Richard Cornelius
Danny Rich

Gill Sargeant
Elliot Simberg

Tim Roberts

Substitute Members

Paul Edwards
Thomas Smith
Eva Greenspan

Kath McGuirk
Reuben Thompstone

Mark Shooter
Zakia Zubairi

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: planning.committees@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 the last meeting	5 - 8
2.	Absence of Members	
3.	Declaration of Members' Disclosable Pecuniary Interests and Other Interests (if any)	
4.	Report of the Monitoring Office (if any)	
5.	Addendum (if applicable)	
6.	19/6590/FUL - 128 Holden Road, N12 7EA (Totteridge)	9 - 32
7.	20/5477/FUL - 79 Chandos Avenue London N20 9EG (Oakleigh)	33 - 52
8.	21/0872/FUL - 6A Russell Gardens London NW11 9NL (Golders Green)	53 - 62
9.	20/2558/FUL - Cromer Road Primary School Cromer Road Barnet EN5 5HT (High Barnet)	63 - 80
10.	20/4847/FUL - 60 Station Road, EN5 1QG (High Barnet)	81 - 108
11.	Any item(s) that 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 planning.committees@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 Planning Committee A

10 June 2021

AGENDA ITEM 1

Councillor Wendy Prentice (Chairman)
Councillor Helene Richman (Vice-Chairman)

Councillors:

Councillor Richard Cornelius
Councillor Danny Rich

Councillor Tim Roberts
Councillor Gill Sargeant

Councillor Elliot Simberg

1. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the meeting held on 27 April 2021 were approved as an accurate record.

2. ABSENCE OF MEMBERS

None.

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

None.

4. REPORT OF THE MONITORING OFFICE (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

The Committee noted that the addendum had been published and circulated. Items contained within the agenda would be dealt with under individual agenda items.

6. BARONS COURT 56 THE BISHOPS AVENUE LONDON N2 0BE - 21/0263/FUL

The Planning Officer presented the report.

A statement was read on behalf of Moris Mashali in support of the application

Jeffrey Kagan addressed the Committee in objection to the application.

Anil Varma, the applicant, addressed the Committee.

Following discussions, the committee request and it was unanimously agreed that officers would consult the Chairman on any application received to discharge the condition relating to materials.

The Chairman moved to the vote on the officer's recommendation.

The votes were recorded as follows:

For (approval) – 4

Against (approval) – 3

Abstained – 0

RESOLVED that the application was APPROVED subject to s106 and the conditions.

Following this item, the Chairman adjourned the meeting at 7:52pm to allow the public to leave before the next item.

7. LAND FRONTING ST ANDREW'S ROAD AND PORTSDOWN AVENUE GOLDERS GREEN LONDON NW11 0PJ - 20/5616/FUL

The Chairman resumed the meeting at 8:01pm.

The Planning Officer presented the report.

Jinesh Patel addressed the Committee in support of the application.

Jeffrey Kagan addressed the Committee in objection to the application.

Hanna Vitra, the agent for the applicant, addressed the Committee.

Following discussions, Councillor Simberg moved an amendment to condition 1 and condition 29, which was seconded by Councillor Cornelius, as follows:

Amendment to Recommendation 1 part 3:

Within 6 months of the exchange of contracts for the sale of the first two houses within the development and before the houses are first occupied or used, the following information relating to the tennis club shall be submitted to and approved by the Local Planning Authority.

- i) Details of marketing, including price, of the tennis courts including MUGA and club house
- ii) Details of the proposed MUGA, reinstatement of retained courts and clubhouse to include a timetable for their provision
- iii) Submission of a user agreement for the retained sports facility which shall include provision to ensure the facilities are available for public use in perpetuity
- iv) The development shall thereafter be implemented and retained thereafter in accordance with the approved details

Delete condition 29.

The amendments were unanimously agreed.

The Chairman moved to the vote on the officer's recommendation as amended.

The votes were recorded as follows:

For (approval) – 4

Against (approval) – 3

Abstained – 0

RESOLVED that the application was APPROVED subject to the amended above conditions and s106.

8. 9 CORRINGTON LONDON NW11 7ED - 21/0200/HSE

The Planning Officer presented the report.

Lynn Marcus the applicant, addressed the Committee.

Following discussions, the Chairman moved to the vote on the officer's recommendation, subject to the following amendment:

Amendment to condition 1:

Additional plan nos.

511 LBB01-DEM Rev. A: Ground Floor Demolition Plan

511 LBB02-DEM Rev. A: First Floor Demolition Plan

Amendment to condition 6

Add iii) details of the new suspended floor in the kitchen including method statement for installation

The votes were recorded as follows:

For (approval) – 7

Against (approval) – 0

Abstained – 0

RESOLVED that the application was unanimously APPROVED subject to the amended conditions.

9. 9 CORRINGTON LONDON NW11 7ED - 21/0201/LBC

The Planning Officer presented the report.

Lynn Marcus the applicant, addressed the Committee.

Following discussions, the Chairman moved to the vote on the officer's recommendation, subject to the following amendment:

Amendment to condition 1:

Additional plan nos.

511 LBB01-DEM Rev. A: Ground Floor Demolition Plan

511 LLB02-DEM Rev. A: First Floor Demolition Plan

Amendment to condition 6

Add iii) details of the new suspended floor in the kitchen including method statement for installation

The votes were recorded as follows:

For (approval) – 7

Against (approval) – 0

Abstained – 0

RESOLVED that the application was unanimously APPROVED subject to the amended conditions.

10. ANY ITEM(S) THAT THE CHAIRMAN DECIDES ARE URGENT

There were none.

The meeting finished at 9.15 pm

Location 128 Holden Road London N12 7EA

Reference: 19/6590/FUL

Received: 12th December 2019

Accepted: 3rd January 2020

Ward: Totteridge

Expiry 28th February 2020

Case Officer: Jonathan Martin

Applicant: Mr Musa Danjuma

Proposal: Demolition of the existing dwelling and erection of a two storey block with rooms in the roofspace to provide 5no self-contained flats. Associated refuse and recycling storage, amenity space and cycle storage and 5no on-site parking spaces. (AMENDED PLANS AND DESCRIPTION).

AGENDA ITEM 6

OFFICER'S RECOMMENDATION

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 their 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:
 - Existing Location Plan dated 18 December 2019
 - NBA/223/01a dated March 2019 Block Plan
 - NBA/223/02a dated March 2019 Existing Ground floor plan
 - NBA/223/03a dated March 2019 Existing first floor plan
 - NBA/223/04a dated March 2019 Existing roof plan
 - NBA/223/05 dated March 2019 - Existing front elevation
 - NBA/223/06 dated March 2019 Existing south elevation
 - NBA/223/07 dated March 2019 Existing rear elevation
 - NBA/223/08 dated March 2019 Existing North Elevation
 - NBA/223/11E dated March 2019 Proposed site layout

- NBA/223/12F dated March 2019 Proposed ground floor plan
- NBA/223/13F dated March 2019 Proposed first floor plan
- NBA/223/14G dated March 2019 Proposed second floor plan
- NBA/223/15 dated August 2015 Proposed roof plan
- NBA/223/16E dated April 2019 Proposed front elevation
- NBA/223/17F dated April 2019 Proposed rear elevation
- NBA/223/18E dated April 2019 Proposed south elevation
- NBA/223/19D dated April 2019 Proposed north elevation
- NBA/223/20B dated March 2019 comparison of heights
- Land Survey Plan Uploaded 12 December 2019
- Parking Survey prepared by Kronen dated October 2019
- Planning Statement uploaded 6 January 2020
- Preliminary Roost Assessment Survey prepared by Arbtech

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 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 D3, D4, D5 and GG2 of the London Plan 2021.

- 4 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 D1, D4, D5 and D6 of the London Plan 2021.

- 5 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 GG2, SI1, SI3, T1, T3, T4, T7 and D14 of the London Plan (2021).

- 6 a) Development shall not begin until a scheme for protecting the proposed development from vibration, has been submitted to and approved in writing by the Local Planning Authority.

The vibration protection scheme shall include such combination of land separation,

vibration control techniques and other measures, as may be approved by the Local Planning Authority, in the light of current guidance on vibration levels. The said scheme shall include such secure provision as will ensure that it endures for so long as the development is available for use and that any and all constituents parts are repaired and maintained and replaced in whole or in part so often as occasion may require.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic vibration in the immediate surroundings.

- 7 a) No development shall take place until a scheme of proposed noise mitigation measures against externally generated traffic/mixed use noise has been submitted to and approved in writing by the Local Planning Authority.

b) The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or the first occupation of the development and retained as such thereafter.

Reason: To ensure the amenities of occupiers are not prejudiced by traffic/mixed use noise in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013), and D14 of The London Plan 2021.

- 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 G7 of the London Plan 2021

- 9 a) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until details of temporary tree protection 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 scheme of temporary tree protection as 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.

Reason: To safeguard the health of existing tree(s) 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 (adopted September 2012) and Policy G7 of the London Plan 2021.

- 10 The development hereby approved shall not be occupied until the existing access has been closed, the highway reinstated and the new access has been constructed in accordance with the plans submitted to and approved by the Local Planning Authority.

Reason: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety on the public highway and 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 Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on Drawing No. NBA/223/11E 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 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.

- 12 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.

- 13 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).

- 14 Prior to occupation of the development the applicant must submit an application under Section 184/278 of the Highways Act (1980) for the proposed vehicular access and implement the highway works before the development is occupied. The proposed access design details, construction and location will be reviewed by the Highways Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.

Reason

To ensure that the works on public highway are carried out to the satisfaction of the highway authority in the interest of highway safety 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.

- 15 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 6% 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 development shall be maintained as such in perpetuity thereafter.

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) and policies SI1, SI2, SI3 of the London Plan (2021).

- 16 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).

- 17 The property shall be used as self-contained units as shown in 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.

- 18 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway 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 T1, T3, T4, T7 of the London Plan (2021).

- 19 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 SI5 of the London Plan 2021.

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

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 21 Prior to the occupation of the new units hereby approved, the habitat enhancements as detailed within Table 8 of the Preliminary Roost Assessment Survey prepared by Arbtech shall be implemented in full and retained thereafter on site.

Reason: To ensure that nature conservation interests are not prejudiced 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).

- 22 a) Before the development hereby permitted is first occupied, details of the sub-division of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 23 a) Prior to first occupation of the hereby approved development, a scheme of hard and soft landscaping to the front forecourt area, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, has be submitted to and agreed in writing by the Local Planning Authority.

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).

- 24 Before the building hereby permitted is first occupied the proposed windows on side flank elevations facing numbers 126 and 130 Holden 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 April 2013).

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 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 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."

- 4 The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed vehicular access. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.

To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section - Development and Regulatory Services, London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW.

- 5 The submitted Construction Method Statement shall include as a minimum details of:
- o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
 - o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.
 - o For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

- 6 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

- 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.

OFFICER'S ASSESSMENT

1. Site Description

The site is located along the northern side of Holden Road. At present the site consists of a large detached single-family dwellinghouse. The proposal property is not listed and does not fall within a conservation area.

To the rear of the existing site is a significant amount of vegetation backing onto the existing rail route used by the northern line tube.

The surrounding context is characterised by predominantly a mix of residential properties and purpose-built blocks along this part of Holden Road.

2. Site History

Reference: 15/06738/HSE

Address: 128 Holden Road, London, N12 7EA

Decision: Approved subject to conditions

Decision Date: 29 December 2015

Description: Extensions to roof involving hip to gable end, 3 no roof lights to front and rear elevations and removal of front chimney. Single storey rear extension. Conversion of garage into a habitable living space. New front porch. New windows to loft side elevations and changes in fenestration to all elevations

Reference: 17/7135/FUL

Address: 128 Holden Road, London, N12 7EA

Decision: Approved subject to conditions

Decision Date: 16 January 2018

Description: Demolition of an existing dwelling and erection of a two storey dwelling with rooms in roofspace

Reference: 18/6724/S73

Address: 128 Holden Road, London, N12 7EA

Decision: Approved subject to conditions

Decision Date: 14 December 2018

Description: Variation of condition 1 (Plan numbers) pursuant to planning permission 17/7135/FUL dated 16/01/18 for 'Demolition of an existing dwelling and erection of a two

storey dwelling with rooms in roofspace.` Amendments include removal of the loft accommodation and changes to the existing levels

Reference: 19/8265/QCE

Address: 128 Holden Road, London, N12 7EA

Decision: Pre-application advice issued

Decision Date: 25 June 2019

Description: Demolition of a 2 storey detached house and the erection of a 2 storey block with accommodation in the roof space to for 7 flats, with 5 on-site parking spaces, refuse and recycling storage, amenity space and cycle storage. The proposed development is substantially the same size and height as an approved scheme, ref: 17/7135/FUL. The site comprises a single household dwelling. It is now unoccupied and in a poor state of repair.

Reference: 19/8377/QCM

Address: 128 Holden Road, London, N12 7EA

Decision: Pre-application advice issued

Decision Date: 14 January 2020

Description: Follow-up meeting in relations to 19/8265/QCE - Demolition of a 2 storey detached house and the erection of a 2 storey block with accommodation in the roof space to for 7 flats, with 5 on-site parking spaces, refuse and recycling storage, amenity space and cycle storage. The proposed development is substantially the same size and height as an approved scheme, ref: 17/7135/FUL. The site comprises a single household dwelling. It is now unoccupied and in a poor state of repair.

3. Proposal

The development seeks consent for 'Demolition of the existing dwelling and erection of a two storey block with rooms in the roofspace to provide 5no self-contained flats. Associated refuse and recycling storage, amenity space and cycle storage and 5no on-site parking spaces. (AMENDED PLANS AND DESCRIPTION).'

The proposal would result in the creation of five self-contained units as follows;

Flat 1 - 4b8p - 176sqm

Flat 2 - 3b5p - 90sqm

Flat 3 - 2b4p - 73sqm

Flat 4 - 1b2p - 63sqm.

Flat 5 - 1b2p - 54sqm.

The development will provide 5 off-street parking spaces and will provide cycle parking spaces for the new units. A dedicated refuse store will be provided. The ground floor family unit will have 61sqm of amenity space with flats 2-5 having a communal area of 186sqm.

4. Public Consultation

Consultation letters were sent to 53 neighbouring properties. 1 letter of objection has been received and 1 petition letter objecting to the proposal with 20 signatures. The following concerns were raised in the objections:

- The front dormers are out of keeping with the streetscene
- The rear dormers are out of scale
- Lack of soft landscaping in the front forecourt
- Rear amenity area divided by fences
- Light to habitable rooms on the ground floor
- Flats have poor outlook to fences at amenity area

- Unusable space for flats in the loft
- Vehicles cant exit the site in forward gear
- Add to a congested street

Amended Drawings

The following amended drawings/additional information was received during the course of the application:

- 01a Block Plan
- 02a Existing Ground floor plan
- 03a Existing first floor plan
- 04a Existing roof plan
- 05 Existing front elevation
- 06 Existing south elevation
- 07 Existing rear elevation
- 08 Existing North Elevation
- 11E Proposed site layout
- 12F Proposed ground floor plan
- 13F Proposed first floor plan
- 14G Proposed second floor plan
- 15 Proposed roof plan
- 16E Proposed front elevation
- 17E Proposed rear elevation
- 18E Proposed south elevation
- 19D Proposed north elevation
- 20B comparison of heights

The plans have amended the number of units, the size of the units and provide clarity on amenity space.

Highways - no objection subject to conditions

Tree Officer - no objection subject to conditions

EHO - no objections subject to conditions

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 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 2021

The London Plan 2021 was adopted on 02 March 2021 and is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth.

The Plan is part of the statutory development plan for London, meaning that the policies in the Plan should inform decisions on planning applications across the capital. Borough's Local Plans must be in 'general conformity' with the London Plan, ensuring that the planning system for London operates in a joined-up way and reflects the overall strategy for how London can develop sustainably, which the London Plan sets out.

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.

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, CS6, CS14, CS15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM08, DM17.

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.

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.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of the development is acceptable;
- 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 the development would provide a satisfactory level of accommodation for future occupiers.
- Highways
- Refuse and Recycling
- Impact on Trees and Ecology

5.3 Assessment of proposals

- Whether the Principle of the development is acceptable

Policy GG2 of the London Plan 2021 seeks to ensure that development explores the potential to intensify the use of the land to support additional homes. Policy CS3 of the Core Strategy sets out how the Council will provide 28,000 new homes throughout the lifetime of the Core Strategy 2011-2026.

The Council recognises that flatted developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land, particularly in town centre locations. However, they normally involve an intensification of use, creating more activity and which can adversely affect the appearance of a street through, for example, the provision of car parking and refuse facilities, which can have an unacceptable impact on the established character of an area.

The principle of flatted development is acceptable given the mixed nature of the road with purpose built blocks of flats opposite the application site and other flatted development is

evident along this part of Holden Road.

Policy DM08 seeks that development should provide an appropriate mix of dwellings. The boroughs most in demand properties are those that are 3 and 4 bedrooms suitable for families. The amended plans now provide a 4 bedroom family unit on the ground floor with a mix of 1x3, 1x2 and 2x1 bedroom units on the upper floors.

The addition of five residential units in this location is acceptable in principle subject to other material planning considerations which are discussed below.

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

All proposed developments should be based on an understanding of the local characteristics, preserving or enhancing the local character and respecting the appearance, scale, mass and height of the surrounding buildings, spaces and streets in accordance with DM01 of the Development Management Policies DPD (2012).

The proposal was subject to a pre-application advice in which officers were supportive of the proposed pre-app scheme on character and appearance but raised concerns with scale, form and massing in relation to the rear and front elevation. The proposed plans for this application have taken these comments on board and the proposal has been reduced in scale at the rear. As shown on the ground/first and second floor plans, the proposal is in line with the rear elevation of 126 Holden Road which is considered to be acceptable. With regards to 130 Holden Road, the proposal has been reduced from the pre-app scheme by 1.7m at ground floor level and 0.5m at first floor level. Following consideration of the original pre-application scheme, it is considered that proposed development is now more appropriate in terms of the building's siting and scale in relation to the site's spatial constraints.

The new building footprint is set off the neighbouring boundary with 130 Holden Road by 2m and 1m with 126 Holden Road. Therefore, the proposal sits well within the plot and will not be overbearing when viewed from the streetscene maintaining sufficient gaps between the neighbouring boundaries.

The rear dormers are considered to be acceptable as they are subordinate features within the roof slope and are set up from the eaves and down from the ridge of the main roof in line with guidance set out within the Residential Design Guidance SPD. The style and design of the windows on the rear elevation are considered to be acceptable.

With regards to the front of the property, the proposal will have a consistent building line with the neighbouring properties and is set back from Holden Road so that it is not dominant when viewed from the surrounding street scene. The proposed front dormers are acceptable as they are subordinate additions and are in keeping with the size and scale of dormers located on nearby properties 124-118 Holden Road.

The proposal will have an area of hardstanding to the front with a provision of 5 car parking spaces and the refuse store at the front of the property. The area of hardstanding will be broken up by soft landscaping. Given the front of 126 Holden Road is complete hardstanding, the proposal will be acceptable and provides an attractive street frontage.

The proposed front two storey bay element is considered to be acceptable as it is in keeping with the existing bay feature on the host property. This feature will also be in

keeping with neighbouring properties.

For the reasons highlighted above, officers consider that the proposal would protect and respect the existing architectural style of the property, respect the context of its surroundings, with particular regard to height, scale and massing. The proposal would not have detrimental impact on the character of the existing site, street scene and the wider locality compliant with Policy DM01 of the Development Management Policies DPD.

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

Policy DM01 of the Local Plan states that any schemes must protect the amenity of neighbouring residents. It is necessary to assess the impact of all new development on neighbouring amenity, including impact on light, outlook, privacy and causing a feeling of overbearing.

Privacy is an important design issue and the positioning of homes, including their windows and balconies, should be carefully considered to ensure that adequate privacy is maintained. In particular, habitable rooms and areas of private gardens close to dwellings should not be excessively overlooked by windows or elevated amenity areas such as balconies/terraces. Screening can reduce overlooking in these instances. Privacy can be safeguarded by achieving adequate window to window, or window to balcony distances between buildings (both existing and proposed).

The proposal will have a height of 10.2m which is similar to the previously approved 10m building under permission 17/7135/FUL. The increase in 0.2m will not adversely impact on neighbouring amenity. The new building has a total width of 15m and will be set off the neighbouring boundary with 126 by 1m and 130 by 2m. The new building will not extend beyond the rear elevation of 126 but will extend beyond the rear elevation of 120 by 5m. The 5m extension beyond 130 is considered acceptable as the gap between the two storey flank wall of 130 and 128 is 4m. 130 benefits from rear extensions and therefore the proposal will not have an overbearing impact on the amount of light reaching the habitable rooms of neighbouring properties.

Residential Design Guidance sets minimum requirements on the distances from habitable rooms to other neighbouring habitable room windows to avoid overlooking. There are no residential properties to the rear of the site. The proposal has a similar front building line to the existing and neighbouring properties and therefore the proposal would not result in increased overlooking to the properties on the other side of Holden Road when compared with the existing arrangement.

Across all three floors, there are no side facing habitable windows and therefore there will be no loss of privacy to neighbouring properties. All side facing windows serve bathrooms and therefore a condition will be added to ensure all side facing windows are obscurely glazed.

Due to the reduction in the depth of the ground and first floor on the proposal, the new building will not result in overshadowing to neighbouring habitable rooms or rear garden areas.

The application site is set within a residential area and there are examples of flatted development within the vicinity of the site. Therefore, the introduction of 5 flats is not out of character with the area and will not result in unacceptable levels of noise and nuisance to neighbouring residents.

Overall, it is considered that the proposed development would not cause unacceptable harm to the living conditions of neighbouring residents.

- Whether the development would provide a satisfactory level of accommodation for future occupiers.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough.

Bedroom sizes:

Table 2.2: Internal layout and design requirements of Barnet's Sustainable Design 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.

The proposed units meet the above standards

Floor Area:

The London Plan (2021) and Barnet's policies and Sustainable Design SPD (Oct 2016) set out the minimum GIA requirements for residential units as follows:

- Flat 1 - 4b8p - 176sqm (required 117sqm)
- Flat 2 - 3b5p - 90sqm (required 86sqm)
- Flat 3 - 2b4p - 73sqm (required 70sqm)
- Flat 4 - 1b2p - 63sqm (required 50sqm)
- Flat 5 - 1b2p - 54sqm (required 50sqm)

All five units would meet and exceed the minimum GIA requirement. Policy D6 of the London Plan 2021 requires a minimum ceiling height for at least 75% of the GIA. The proposal would provide a 2.5m floor to ceiling height throughout in accordance with policy D6.

Light/Outlook:

Policy DM01 states that 'Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users'.

In addition to this, Section 2.4 of the SPD for sustainable design and construction states that "the impact of development on the availability of daylight / sunlight and privacy to the occupants of existing buildings and the occupants of new development is strongly influenced by design and contributes significantly to the quality of life. The amount of daylight available in buildings enhances people's quality of life and reduces energy use. The Mayor's Housing SPG standard 5.5.2 recommends that development should preferably have direct sunlight in living areas and kitchen dining spaces and all homes should provide for direct sunlight to enter at least one habitable room for part of the day. Overheating should be considered when designing for sunlight".

All five units are dual aspect and it is considered the units would benefit from an acceptable level of light and outlook.

Room Stacking:

The Residential Design Guidance SPD (October 2016) requires that the vertical stacking of rooms between flats should as far as practical ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors.

The proposed layout is considered to provide adequate stacking provision ensuring bedrooms for the most part are stacked above bedrooms and kitchen and living areas likewise.

Sound insulation between units should be incorporated into the scheme, which should be in compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission). This is due to its relationship both horizontally and vertically to neighbouring residential units. The applicant should achieve the required sound insulation levels; this will be enforced by an appropriate condition attached to the decision.

Outdoor space:

Section 8.4 of Barnet's Local Plan SPD: residential design guidance states: "in designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to outdoor amenity space that is not overlooked from the public realm and provides reasonable level of privacy".

Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats, outdoor amenity space should be 5 m² per habitable room. Habitable rooms of over 20sqm in size count as two for the purpose of this calculation.

The ground floor flat provides 61sqm of amenity space with the flats having a communal area of 186sqm. The proposed development would provide sufficient and good quality outdoor amenity space resulting in good quality of accommodation for future residents which would be compliant with policies CS NPPF, CS1 and CS5 of the Barnet's Local Plan (Core Strategy) DPD (September 2012), Policies DM01 and DM02 of the Barnet's Local Plan (Development Management Policies) DPD (September 2012), the Adopted Residential Design Guidance SPD (2016) and the Sustainable Design and Construction SPD (2016).

- Highways

The site lies within a PTAL 2 zone, which means that it has less than average transport accessibility. The applicant is proposing to make provision for 5 off-street car parking spaces. In accordance with policy DM17 the proposal should provide between 5.5 - 7 car parking spaces. There is likely to be some overspill onto the surrounding highway network. The applicant has submitted a car parking survey and this survey shows there is adequate on street provision for any potential overspill. The Council's Highway Engineer has reviewed the proposal and the survey and has no objections subject to conditions. In order to access the off street parking spaces, a vehicle crossover will need to be constructed under a S184 agreement with the highway authority. A suitable condition will be added to this effect.

- Cycle Parking

Cycle storage is provide in the rear communal garden area. A condition would be attached to any permission for the provision of cycle parking in accordance with the standards set out by the London Plan 2021.

- Refuse and Recycling

A dedicated bin storage and recycling area is to be provided at the front of the site. This in principle is considered acceptable however, further details in the event of an approval would be required to ensure the number and capacity of bins provided is adequate for the five residential properties.

- Impact on Trees and Ecology

Policy DM01 of the Adopted Barnet Development Management Policies advises that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. High quality landscape design can help to create spaces that provide attractive settings for both new and existing buildings, contributing to the integration of a development into the established character of an area. The council will seek to retain existing wildlife habitats such as trees, shrubs, ponds and hedges wherever possible. Where trees are located on or adjacent to a site the council will require the submission of a tree survey with planning applications indicating the location, species, size and condition of trees. Trees should be retained wherever possible and any removal will need to be justified in the survey. Where removal of trees and other habitat can be justified appropriate replacement should consider both habitat creation and amenity value.

The tree officer has reviewed the proposal and made the following comments:

"Along the front of the property is an overgrown leylandii hedgerow, which is of little arboricultural merit, low value ecological habitat and of no long-term benefit to the character of the local area. In the rear garden there are established trees growing on the railway line embankment, these trees must not be harmed during the construction phases. A tree protection plan must be submitted to ensure the exclusion of construction works close to these trees."

The tree officer has no objections subject to appropriate conditions.

The applicant provided a Preliminary Roost Assessment Survey prepared by Arbtech. The survey concluded that the building has a negligible likelihood of supporting roosting bats and no further surveys are required but enhancements are recommended in line with Table 8 of the survey. Breeding birds/barn owls could not nest on the building or within the trees on site. No further surveys are required but habitat enhancements are recommended in line with table 8 of the survey. A suitably worded condition will be attached to the permission to ensure these enhancements are provided.

5.4 Response to Public Consultation

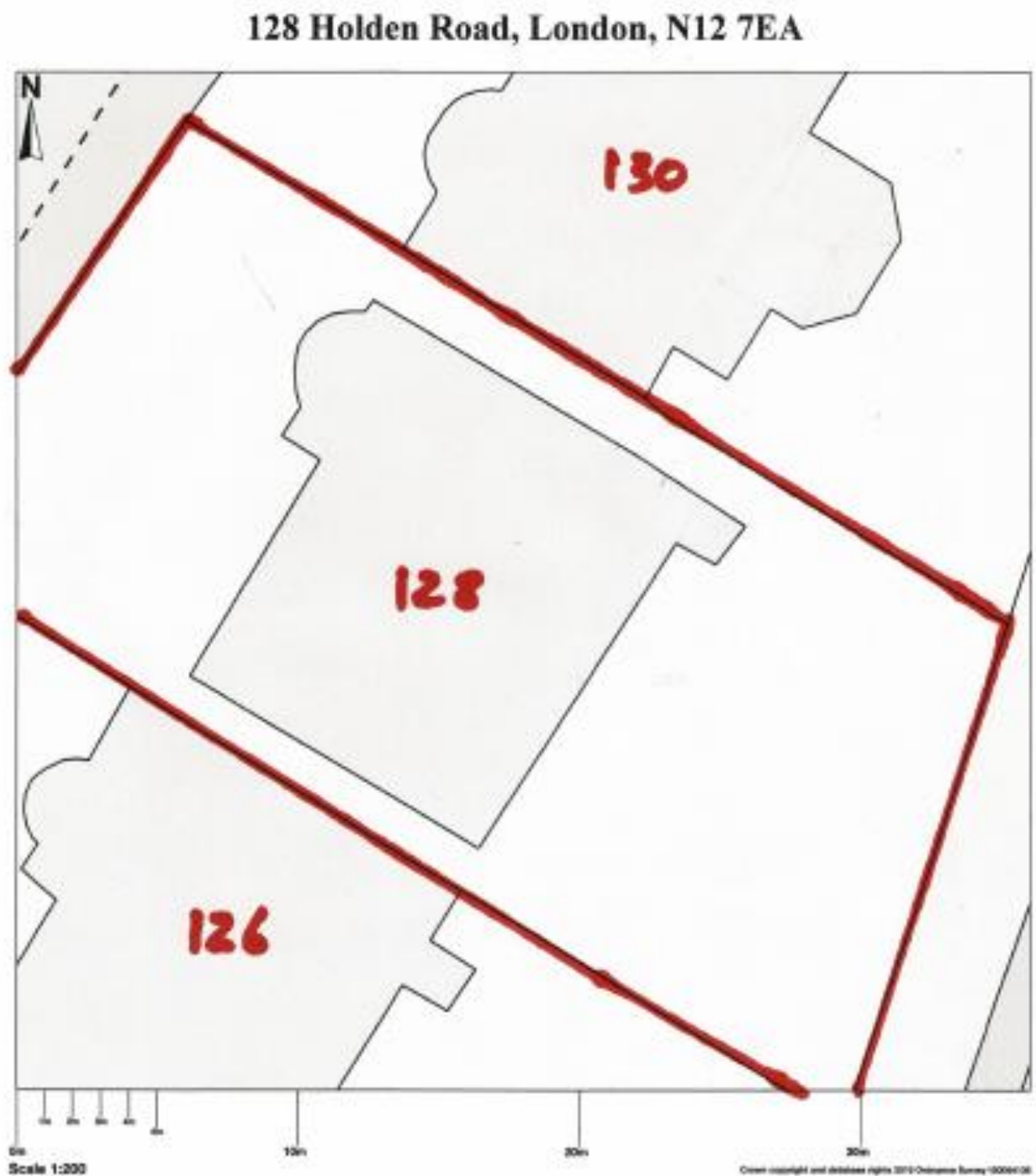
All material considerations have been addressed within the main body of this report.

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

This proposal is recommended for approval.



This page is intentionally left blank

Location **79 Chandos Avenue London N20 9EG**

Reference: **20/5477/FUL**

Received: 16th November 2020

Accepted: 16th November 2020

Ward: Oakleigh

Expiry 11th January 2021

AGENDA ITEM 7

Case Officer: **Zakera Matin**

Applicant: Haria

Proposal: Demolition of existing dwelling and erection of a two storey dwelling with rooms in the roofspace and off street parking and associated refuse and recycling and outbuilding in the rear garden

OFFICER'S RECOMMENDATION

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 their 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:

PA_001, PA_002, PA_003, PA_004, PA_005 REV A, PA_006 REV A, PA_007, PA_008,

PA_009 REV_D, PA_010 REV_D, PA_011 REV_D, PA_012 REV_D, PA_013 REV_D,

PA_014 REV_E, PA_015 REV_E, PA_016 REV_D, PA_017 REV_D, PA_018 REV_D, PA_019 REV_D, PA_020 REV_D, PA_021, PA_022,

Planning Statement, Character Appraisal, Design & Access Statement, Planning and Sustainability Statement,

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies 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 the London Plan 2021.

- 4 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 the London Plan 2021.

- 5 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).

- 6 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 The London Plan (2021) 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.

- 7 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 the London Plan 2021.

- 8 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 the London Plan 2021.

- 9 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 the London Plan (2021).

- 10 Before the building hereby permitted is first occupied the proposed window(s) in the flank elevation facing no.77 and no. 81, 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).

- 11 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the flank elevation facing no.77 and no.81.

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).

- 12 Prior to construction of the development; a parking layout plan showing 2 parking spaces in the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the off-street parking spaces shall be used only as agreed and not to be used for any purpose other than the parking and turning of vehicles in connection with 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.

- 13 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, 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).

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A to E of Part 1 of Schedule 2 of that Order shall be carried out on the approved development within the application site known as 79 Chandos Avenue London N20 9EG, hereby approved. Planning permission would be required for these works.

Reason: To safeguard the amenities of neighbouring occupiers and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 15 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been 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 development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of the London Plan 2021 and the 2016 Mayors Housing SPG.

- 16 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement 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 development shall be maintained as such in perpetuity thereafter.

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), the London Plan (2021) and the 2016 Mayors Housing SPG.

- 17 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 the London Plan 2021 and the 2016 Mayors Housing SPG.

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.
- 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. 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.

- 3 Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.

OFFICER'S ASSESSMENT

Cllr Thomas Smith has requested that the application be considered at committee for the following reason:-

"I would like this to be called-in because the new dwelling will significantly overlook the neighbouring properties (no.77 and no.81), resulting in an unacceptable loss of privacy and amenity for those residents. The new dwelling will also be out of keeping with the street scene on Chandos Avenue."

1. Site Description

The application site is located on the west side of Chandos Avenue. The area is characterised by two storey traditional detached dwellinghouse featuring hipped roof and two storey front bay projections. The gap between the properties varies.

No.77 Chandos Avenue is sited to the south west of the subject property. No.81 Chandos Avenue is sited to the north east. No.24 Temple Avenue is sited to the rear to the west of the subject property. The properties feature deep rear gardens.

The road slopes down towards north. The subject property is sited on 0.3m lower ground level than neighbouring detached dwelling no.77. Neighbouring detached dwelling no.81 is sited on 0.4m lower ground level.

The roof and eaves height of the properties follow the slope of the road and gradually lowers towards the north. Eaves height of no.77 is 0.6m higher than the eaves of subject property. Eaves height of no.81 is almost at the same level as the eaves height of the subject property. Roof height of no.77 is 10 m. It is 9.8m for the subject property and no.81 is 10m high.

The site is occupied by a detached dwelling. It maintains 1.8 m gap from the 2 storey flank wall and 0.85m gap with single storey side to rear extension of No.77 Chandos Avenue to the south west.

There is a gap of 0.85m between the single storey garage of the subject property and neighbouring 2 storey flank wall of 81 Chandos Avenue to the north east. There is 4.8m gap between the existing 2 storey flank wall of subject property and 2 storey flank wall of no. 81 Chandos Avenue.

Existing property features a two storey front bay window with pitched roof with maximum 9.8m height. It is 9.5m wide at front, 10.5m at the rear and features a total depth of 13.5m. The total width at the rear including the side garage is 14.6m. It features a 3.2m height single storey side garage. The garage is extended at the rear and attached to the 4m deep single storey rear extension.

The existing rear building line measures 3m from the rear bay window of the subject property at ground level. The existing extended garage of the subject property extends 3m beyond the rear building line of neighbouring no.81.

The building is not listed and not located in conservation area. There are trees in the rear garden which are not protected by TPO.

2. Site History

Reference: 20/2743/FUL

Description: Demolition of existing dwelling and erection of a two storey dwelling with rooms in the roofspace and 3no. off street parking and associated refuse and recycling and outbuilding in the rear garden

Decision: Refused

Date: 14.08.2020

Reasons:

The proposed development by reason of its unsympathetic design, excessive depth, width and bulk and the closing of the gaps between the two neighbouring dwellings would result in an obtrusive and incongruous development of the site which would be out of keeping detrimental to the character and appearance of the area and the street scene, contrary to Policies 3.5, 7.4 and 7.6 of the London Plan (2016), Policies CS NPPF, CS1, CS5 of the Local Plan Core Strategy (Adopted September 2012), and policies DM01 of the Local Plan Development Management Policies DPD (Adopted September 2012) and the Residential Design Guide (2016).

The proposed development by reason of its excessive rearward projection and close proximity to the rear gardens of no.77 and 81 Chandos Avenue, would give rise to an unacceptable degree of overlooking, loss of privacy and would appear overbearing, and would result in overshadowing and loss of day light for no. 81. Chandos Avenue to the detriment of the occupants of neighbouring properties. This is contrary to policy CS5 of the Local Plan Core Strategy (Adopted September 2012), policy DM01 of the Local Plan Development Management Policies DPD (2012) and the Residential Design Guide SPD (Adopted October 2016).

Appeal dismissed: 08.02.2021

Reference: N02317A/07

Description: Single storey rear extension.

Decision: Approved subject to conditions

Date: 21.03.2007

Reference: N02317

Description: Alterations and extensions.

Decision: Refused

Date: 22.07.1970

3. Proposal

The proposal has been amended to show correct level on site and the separation distance from the neighbouring properties no.77 and 81.

The application seeks permission for demolition of existing dwelling and erection of a two storey dwelling with rooms in the roofspace and 3no. off street parking and associated refuse and recycling and outbuilding in the rear garden.

The proposed two storey detached house would have a rectangular footprint with two projecting front gables and a crown roof and the dwelling would measure overall 13m wide, 15.5m deep on the south west side (no.77) and 14m deep on the north east side (no.81) at ground floor and 13.8 m and 12 m deep respectively at first floor level producing a staggered rear elevation. The house would have a crown roof with eaves 5.9m above ground level and the ridge 9.6m high above ground level.

The proposed eaves height would be same as eaves height of no.77 and 0.6m higher than eaves height of no.81. The roof would be lower than the roof of neighbouring properties no.77 and no.81.

The proposal would be sited 1m to 1.6m away from the side boundary with no.77. It would maintain 2 to 2.4m gap between the proposed 2 storey flank and 2 storey flank wall of no.77

It would be sited 1.3 m from the side boundary with no. 81 and there would be 2m gap between the two storey flank wall of the proposal and no.81.

The proposed outbuilding would measure 3.9m by 5.9m and would have 3.5 maximum height with pitched roof. It would be sited at the rear of the rear garden. It would feature a door and a window in the front elevation.

4. Public Consultation

Consultation letters were sent to 44 neighbouring properties.

In addition to the comments raised by Cllr Smith in calling the application to committee, 10 objections have been received as a result of the original consultation process which can be summarised as follows:-

- Design is unsympathetic in terms of depth, bulk and street scene.
- Inconsistency in the drawings
- Overdevelopment of the site
- Probable impact on daylight reaching the rear of no.81 Chandos Avenue.
- Probable overbearing impact for no.81 Chandos Avenue.
- Disproportionate, overbearing and probable impact on character and street scene.
- Probable impact on amenity for no.77 Chandos Avenue in terms of loss of daylight, overlooking and privacy and overbearing impact because of the rearward projection.

The proposal was reconsulted on the amended drawings and further 6 comments received as below:

- the front elevation remains same as before
- will have impact on neighbouring privacy
- the plans remain unchanged
- potential impact on privacy, daylight and outlook for no.77
- proposed contemporary design would not respect the context
- probable impact on sunlight reaching no.81
- Privacy impact for property no. 28 Temple Avenue at the rear

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 Government's 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 2021

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous Plan.

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. 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 London Plan Policy: D1, D4, D6, D7, T5, T6, SI 2, SI 5.

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, CS9, CS13
- Relevant Development Management Policies: DM01, DM02, DM04, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the 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.

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)

-Provides detailed guidance on new residential development and extension of residential development.

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.
- Provision of suitable accommodation for future occupiers
- Provision of waste recycling and cycle parking
- Sustainability and Accessibility
- Highways and parking
- Tress
- Ecology

5.3 Assessment of proposals

Impact on the character and appearance of the existing site, streetscene and wider locality

The road slopes down towards north. The subject property is sited on 0.3m lower ground level than neighbouring detached dwelling no.77. Neighbouring detached dwelling no.81 is sited on 0.4m lower ground level.

The roof and eaves height of the properties follow the slope of the road and gradually lowers towards the north. Eaves height of no.77 is 0.6m higher than the eaves of subject property. Eaves height of no.81 is almost at the same level as the eaves height of the subject property. Roof height of no.77 is 10 m. It is 9.8m for the subject property and no.81 is 10m high.

The site is occupied by a detached dwelling. It is 9.5m wide at front, 10.5m at the rear and features a total depth of 13.5m and total width of 14.6m. It features a single storey side garage. The garage is extended at the rear and attached to the 4m deep single storey rear extension.

It maintains 1.8 m gap from the 2 storey flank wall and 0.85m gap with single storey side to rear extension of No.77 Chandos Avenue to the south west. There is a gap of 0.85m between the single storey garage of the subject property and neighbouring 2 storey flank wall of 81 Chandos Avenue to the north east. There is 4.8m gap between the existing 2 storey flank wall of subject property and 2 storey flank wall of no. 81 Chandos Avenue.

The proposed two storey detached house would have a rectangular footprint with two projecting front gables and a crown roof and the dwelling would measure overall 13m wide, 15.5m deep on the south west side (no.77) and 14m deep on the north east side (no.81) at ground floor and 13.8 m and 12 m deep respectively at first floor level producing a staggered rear elevation. The house would have a crown roof with eaves 5.9m above ground level and the ridge 9.6m high above ground level.

The proposed eaves height would be same as eaves height of no.77 and 0.6m higher than eaves height of no.81. The roof would be lower than the roof of neighbouring properties no.77 and no.81.

The proposal would be sited 1m to 1.6m away from the side boundary with no.77. It would maintain 2 to 2.4m gap between the proposed 2 storey flank and 2 storey flank wall of no.77

It would be sited 1.3 m from the side boundary with no. 81 and there would be 2m gap between the two storey flank wall of the proposal and no.81.

The replacement dwelling has been reduced in width, depth and footprint from the previous refused scheme. Proposed single storey rear projection has been reduced from 2.1m to 1m on the side of no.77. Proposed first floor rear has been reduced from 4.8m to 2.5m on the side of no.77.

Proposed single storey rear has been reduced from 6.4m to 4m on the side of no.81. Proposed first floor has been reduced from 4.6m to 2.2m on the side of no.81.

It is noted that the proposal would be wider and larger than the existing dwelling on site. It is further noted that neighbouring detached properties no.77, no.81 and 79 are wider than subject property on site. The total width of 13m of the proposal would be less than total width of the exiting property at ground floor level which is 14.6m.

Furthermore, the proposal has been reduced to maintain sufficient gap from the neighbouring dwellings with no.77 and no. 81. The amended proposal would maintain 2m gap with the two storey flank wall of neighbouring property no.81 and 2m to 2.4m gap with two storey flank wall of neighbouring no.77. The proposal would not be higher than the existing dwelling on site and the roof height would be actually lower than the roof height of neighbouring dwelling no.81 and 77.

NPPF (2019) in paragraph 124. States that, "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. 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."

Policy CS5 states that, "We will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design."

SPD Residential Design Guide (2016) in paragraph 6.2 states that, "New residential development provides the opportunity to reinforce the character of an area by contributing and adding to the positive aspects of the built and natural environment. The council want new residential development to respect and enhance the positive features of Barnet's character and local distinctiveness. Respecting local character does not necessarily mean replicating it; however, great care should be taken when incorporating contemporary design into the existing urban fabric. New and old buildings can co-exist without negatively

influencing the character of the area, but new development should always sit comfortably with its neighbours."

SPD Residential Design Guide (2016) in paragraph 6.13 states that, "New development should recognise the scale, massing and roof form of surrounding buildings and reflect these where they are a positive attribute of the area's character."

It is noted that the street features varied architectural style and design. The existing and neighbouring buildings are traditional in design and features two storey front bay windows with gable roof. Though the proposal would not be traditional in design, however, the proposal has taken into account of the existing features and incorporated those in the design of the proposed dwelling. It is noted that, the proposed two storey front gable projections would be similar to the existing two storey front bay windows with gable roof of the neighbouring properties. The replacement dwelling would respect the scale and proportionate of the neighbouring dwellings and would not appear incongruous or overbearing in the street view.

Paragraph 6.11 of the SPD states that, "The amount of set back should be determined by the surrounding character and road hierarchy. In case of infill areas, replication of existing pattern of set backs should be taken into account."

The set back from the street would remain existing and the front building line would align with the front building line of neighbouring no.81. The existing set back with neighbouring dwelling no.77 and 81 would be maintained and improved. The proposed separation gap of 1m from the site boundary and 2m from the 2 storey flank wall of neighbouring 2 storey flank walls of no.77 and 81 would comply with the guidance contained in SPD Residential Design Guide(2016).

It is considered that the replacement dwelling would sit comfortably within the site and street scene and would relate well with the neighbouring properties due to acceptable scale, design and adequate separation gap from the side boundaries and neighbouring dwellings. It is not considered that the proposal would have any detrimental impact on the character along the street and the area.

The proposed outbuilding is considered acceptable in scale and design given similar outbuildings exist within the rear gardens of properties.

Impact on the amenities of neighbours

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

The proposed two storey rear wall of the replacement dwelling would project 2.5 m from the two storey rear of no.77 Chandos Avenue and would be sited to the north east in relation to no.77. SPD Residential Design Guide recommends maximum 3m deep two storey rear projection near neighbouring boundary. The proposed rear projection at first floor would be less than 3m deep and would be sited 2.4m away from the two storey flank wall of neighbouring dwelling at no.77 and because of the limited rearward projection, separation gap and orientation to the north east, it is not considered to have significant overshadowing or overbearing impact for no.77.

The proposed single storey rear element of the proposal would project only 1m beyond the single storey rear wall of no.77 and 3.8m from the existing rear wall of the subject property on site. SPD Residential Design Guide recommends maximum 4m deep single storey rear projection for detached dwelling. The single-story element would feature a mono pitched roof with 2.9m height to the eaves and 3.6m maximum height. The proposed depth would comply with SPD Residential Design Guide (2016). It is not considered that this element of the proposal would cause any significant overshadowing or overbearing impact for no. 77 because of acceptable height and depth of the rear projection.

It is noted from a recent site visit that no.77 is sited on 0.3m higher ground level and features a 2.9m deep single storey rear extension abutting the common site boundary with the subject property. The two storey flank wall of no.77 features a bathroom window and not a habitable room window. In this context the proposal is not considered to have any detrimental impact in terms of loss of light and overshadowing for no.77.

The proposed two storey rear wall of the proposal would project only 2.2m from the two storey rear of no.81, Chandos Avenue, and would be sited to the south west. It is noted from a recent site visit that no.81 is sited on 0.4m lower ground level. The proposal would be sited 2m away from the two storey flank wall of no.81. The proposed depth would comply with the SPD. The proposal would cast shadow in the direction of no.81 in the late afternoon because of the orientation. However, because of the limited rearward projection of the two storey rear element and separation gap, the proposal is not considered to have any significant overshadowing or overbearing impact for no.81, which would warrant a refusal.

The single storey rear element of the proposal would project 4m from the rear wall of neighbouring no.81 and would be only 0.5m deeper than the existing single storey rear extensions at the rear of the garage the subject property on site. SPD Residential Design Guide recommends maximum 4m deep single storey rear projection for detached dwelling. This element of the proposal would feature a mono pitched roof with 2.9m height to the eaves and 3.8m maximum height. The proposed depth would comply with the SPD. It is not considered that this element of the proposal would cause any significant overshadowing or overbearing impact for no. 77 because of acceptable height and depth of the rear projection.

There are no flank wall windows proposed overlooking the rear gardens of no.77 and 81. It is noted that windows are proposed to serve bathrooms at first floor level facing no.77 and 81. Conditions would be attached requiring them to be obscured glazed with only a top openable panel to preserve the privacy of the neighbours. The proposal is not considered to have any overlooking or privacy impact for neighbouring occupiers.

The first floor rear facing windows would be sited 27m from the rear Boundary. Properties at the rear are separated by their rear gardens. The proposal is considered not to have any detrimental impact on the properties at the rear in terms of privacy and overlooking because of sufficient separation gap provided by the rear gardens.

The proposed outbuilding is not considered to have any detrimental impact on the neighbouring amenity because of its acceptable scale and siting at the rear of rear garden.

Suitable accommodation for future occupiers

In terms of amenity for future occupiers, the Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide

an adequate standard of accommodation. The proposal would provide 4-bedroom 8-person family dwelling which would have Gross Internal Floor Area (GIA) of 468.3 sqm. The proposed Gross Internal Floor Area would meet the minimum space standards for new dwellings as required by the London Plan and Barnet policy DM02. The double bedrooms would be more than required 11.5 sqm and would meet the minimum standard. The proposed storage space would also meet the minimum requirement.

The new dwelling would benefit from good outlook and receive adequate daylight and sunlight.

The national space standard sets a minimum ceiling height of 2.3 meters for at least 75% of the gross internal area of a dwelling. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. The proposal would provide 2.7m to 2.6 m ceiling height and would meet the minimum standard.

Barnet's Local Plan expects that sufficient and functional amenity space should be provided for all new houses and flats wherever possible. The Sustainable Design and Construction SPD advises that for a dwelling with up to seven or more habitable rooms needs to provide 85 sqm of outdoor amenity space. The rear gardens would measures around 412 sqm and therefore would meet the SPD requirements.

Waste Recycling and Cycle Parking

Paragraph 11.10 of the Residential Design Guidance SPD 2016, states that, "Waste and recycling storage can cause a nuisance to neighbours and future occupiers, by reason of odour and noise, and can be visually intrusive in the streetscene. Waste and recycling storage areas should be integrated within the building or provided on-site and screened within an enclosure or by landscaping avoiding garden areas in front of dwellings."

Paragraph 11.5 of the Residential Design Guidance SPD 2016, states that, "The design and layout of new residential development should take account of the needs of cyclists through the provision of safe, accessible and secure cycle parking. In accordance with the cycle parking requirements set out in the London Plan.

No detail has been provided regarding refuse storage. Conditions are attached requiring details of screened refuse storage to address this issue.

The submitted plans do not show any provision of cycle parking. A condition is attached requiring the development to provide adequate cycle parking according to London Plan.

A condition is attached to ensure sufficient landscaping is in place.

Accessibility and Sustainability

The application scheme is required by Policy D7 of the London Plan (2021) to meet Building Regulation requirement M4(2). The submitted drawings show that the proposed development can be adopted to meet this requirement, and a condition is attached to ensure compliance with these Policies.

In respect of carbon dioxide emission reduction, the proposed scheme has to designed to achieve CO2 reduction to comply with the requirements of Policy SI 2 of the London Plan 2021 and a condition is attached to ensure compliance with the Policy.

In terms of water consumption, a condition is attached to require the dwellinghouse to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy SI 5 of the London Plan (20 21).

Highways and Parking

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

Policy DM17 sets out parking standards as follows for residential developments:

For 4 bedroom or more	2 spaces per unit
-----------------------	-------------------

The site plan does not show any parking. However, the design and Access Statement mentioned 3 parking would be provided in the forecourt which is in excess of the standard. A condition is attached for revised site plan showing 2 parking spaces for the proposal.

Impact on TPO trees

Policy DM01 of the Adopted Barnet Development Management Policies advises that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of trees where appropriate. High quality landscape design can help to create spaces that provide attractive settings for both new and existing buildings, contributing to the integration of a development into the established character of an area. The council will seek to retain existing wildlife habitats such as trees, shrubs, ponds and hedges wherever possible. Where trees are located on or adjacent to a site the council will require the submission of a tree survey with planning applications indicating the location, species, size and condition of trees. Trees should be retained wherever possible and any removal will need to be justified in the survey. Where removal of trees and other habitat can be justified appropriate replacement should consider both habitat creation and amenity value.

National Planning Policy Framework revised 2018 also emphasises on protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils.

Councils Arboriculturist was consulted on the previous application on this site. The officer informed that the existing trees on site are not protected. It is mentioned in submitted Arboriculturist report that the demolition and construction work will not damage any trees on site. The report further mentions that replacement trees would be provided to mitigate loss of some existing trees.

Impact on Ecology

Council's Ecologist was consulted on the previous application on this site. The Ecologist informed that the site is not located adjacent to Site of Importance of Natura Conservation (SINC). The submitted Preliminary Roost Assessment which shows low roost potential. The Ecologist informed that the submitted ecological report addressed all relevant matters concerning ecology.

5.4 Response to Public Consultation

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

The current proposal addressed the previous reason for refusal.

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 or future occupiers. This application is therefore recommended for approval.



This page is intentionally left blank

Location	6A Russell Gardens London NW11 9NL	
Reference:	21/0872/FUL	Received: 17th February 2021
		Accepted: 18th February 2021
Ward:	Golders Green	Expiry 15th April 2021
 Case Officer:	 Andrew Turner	
Applicant:	Mr D Cohen	
Proposal:	Roof extension involving hip to gable, rear dormer window, 3no front facing rooflights and new side gable window	

AGENDA ITEM 8

OFFICER'S RECOMMENDATION

Refuse

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 their absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The proposed hip to gable roof extension by reason of its, size, scale, massing and design would fail to appear subordinate, proportionate or sympathetic to the existing dwelling house and would unbalance the pair of semi-detached dwellings to the detriment of the character and appearance of the host property and surrounding area; including the street scene. In this regard, the proposal is considered unacceptable and fails to comply with policy D3 of the London Plan (2021), policy DM01 of the Development Management Policies DPD, Policies CS1 and CS5 of the Barnet Core Strategy and the Barnet Adopted Residential Design Guidance SPD (October 2016).

Informative(s):

- 1 The plans accompanying this application are:
Existing Floor Plans PL-EP-01
Proposed Floor Plans PL-PP-01
Existing Floor Plans PL-EP-02
Proposed Floor Plans PL-PP-02
Existing Elevations PL-EE-01
Proposed Elevations PL-PE-01
Existing Elevations & Section. PLL-EE-02
Proposed Elevation and Sec. PL-PE-02
OS Map/ Location Plan
Block Plan 4D01BP

- 2 In accordance with paragraphs 38-57 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority (LPA) has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

The applicant did not seek to engage with the LPA prior to the submission of this application through the established formal pre-application advice service. In accordance with paragraph 189 of the NPPF, the applicant is encouraged to utilise this service prior to the submission of any future formal planning applications, in order to engage pro-actively with the LPA to discuss possible solutions to the reasons for refusal.

OFFICER'S ASSESSMENT

1. Site Description

The site property is a semi-detached dwelling which has been converted into two self contained dwellings. The application relates to the upper flat. The site is located in Russell Gardens within the Golders Green Ward. The property is not listed and does not fall within a conservation area and the area is predominantly residential in character.

The application has been referred to committee because the applicant is a councillor.

2. Site History

None

3. Proposal

The application is seeking permission for a roof extension involving a hip to gable, rear dormer window, 3no front facing rooflights and a new side gable window.

4. Public Consultation

Consultation letters were sent to 8 neighbouring properties. No letters of objection have been received and one letter of support:

- The extension is characteristic of other developments in the area.

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 National Planning Policy Framework (NPPF) was amended 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 2021

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.

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.

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.

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 which states that all proposals should preserve and enhance the local character of the area, as well as policies CS05 (both of the Barnet Local Plan), D1, D3 and D6 (of the London Plan).

Policy DM01 requires that all proposals should preserve and enhance the local character of the area.

Hip to Gable Roof Extension:

The proposal relates to a hip to gable extension and rear dormer window measuring 8.31 metres in width, 3.97 metres in depth and 3.61 metres in height.

The Residential Design Guidance SPD under paragraph 14.35 states that proposed hip to gable roof extensions should not unbalance a pair of semi-detached houses, the gable should not reduce the degree of visual separation between houses, should not form an overbearing wall facing a street and should not appear out of character within the streetscape. It is noted that the adjoining semi-detached property no.8 Russell Gardens does not benefit from a hip to gable roof extension, and as such the proposed hip to gable extension would unbalance the pair of properties and disrupt their symmetry.

Following a review of aerial photography, it was noted that there are some examples of hip to gable roof extensions along Russell Gardens. This includes the following.

No. 4 Russell Gardens (the non-adjoining neighbour) benefits from a hip to gable however this appears to have been built under permitted given that it benefited from a certificate for lawful development for the erection of a wrap around dormer and 2no. front roof-lights to facilitate a loft conversion (ref F/02855/12). Therefore, a design judgement was not made on this property in terms of Barnet's development plan. It therefore does not form precedent for hip to gable rear extensions which unbalance properties being acceptable.

No. 10 Russell Gardens also benefits from permitted development in regard to its hip to gable (ref F/01577/13).

No 14 Russell Gardens has a very large wrap around side and rear dormer which benefits from planning permission F/00378/09. However, this property was granted planning permission before the current local plan and Residential Design Guidance came into effect. Moreover, it is not a hip to gable but instead a wrap around dormer window.

No 22 Russell Gardens benefits from a hip to gable and rear dormer window. However, according to the VOA, it is a single family dwelling and therefore may have been built under permitted development. Moreover, it is more than 8 years old and is therefore considered to be historic and not built within the current Residential Design Guidance (2016) adoption period. It therefore does not form precedent for hip to gable rear extensions which unbalance properties being acceptable.

Nos. 30 and 32 are adjoining properties and both benefit from hip to gable rear extensions. However, because they both benefit from them they do not unbalance one another and are therefore not in conflict with the Residential Design Guidance (2016).

No. 36 Russell Gardens also benefits from a hip to gable and rear dormer window. However, this looks to benefit from a certificate of lawful development (ref. F/03035/12) and therefore was not assessed under Barnet's development plan. It therefore does not form precedent for hip to gable rear extensions which unbalance properties being acceptable.

No. 42 Russell Gardens also benefits from a hip to gable and rear dormer window. However, this looks to benefit from a certificate for lawful development (ref. F/4387/11) and therefore was not assessed under Barnet's development plan. It therefore does not form precedent for hip to gable rear extensions which unbalance properties being acceptable.

Nos. 3 and 5 Russell Gardens have both been subdivided into flats and both benefit from hip to gable roof extensions. The properties are both under investigation and it is not clear that the construction of the roof extensions was lawful.

No. 7 Russell Gardens benefits from a hip to gable roof extension. However, according to the VOA, this property is a single family dwellinghouse. The extension may therefore have been done under permitted development and therefore was not assessed under Barnet's development plan. It therefore does not form precedent for hip to gable rear extensions which unbalance properties being acceptable in the area in design terms.

No. 9 Russell Gardens benefits from a hip to gable roof extension. However, according to the VOA, this property is a single family dwellinghouse. The extension may therefore have been done under permitted development and therefore was not assessed under Barnet's development plan. It therefore does not form precedent for hip to gable rear extensions which unbalance properties being acceptable in the area in design terms.

No. 11 Russell Gardens also benefits from a wraparound front, side and rear dormer window. It does not benefit from planning permission and would be unacceptable were that to have been built today. However, owing its age it is not likely to be subject to enforcement action. Nevertheless, it does not set a precedent for hip to gable roof extensions unbalancing properties being acceptable.

No. 16 Russell Gardens benefits from a certificate for lawful development for a hip to gable (ref. 18/0905/192) and therefore was not assessed under Barnet's development plan. It therefore does not form precedent for hip to gable rear extensions which unbalance properties being acceptable.

No. 43 Russell Gardens benefits from a hip to gable roof extension. However, this looks to benefit from a certificate for lawful development (ref. 17/0946/192) and therefore was not assessed under Barnet's development plan. It therefore does not form precedent for hip to

gable rear extensions which unbalance properties being acceptable.

No. 12 Russell Gardens benefits from a hip to gable roof extension. However, this looks to benefit from a certificate for lawful development (ref. 17/0946/192) and therefore was not assessed under Barnet's development plan. It therefore does not form precedent for hip to gable rear extensions which unbalance properties being acceptable.

No. 25 Russell Gardens benefits from a certificate for lawful development for a hip to gable (ref. F/05749/13) and therefore was not assessed under Barnet's development plan. It therefore does not form precedent for hip to gable rear extensions which unbalance properties being acceptable.

None of these examples or any others which were found as part of a desktop study of the site benefit from a planning permission for a hip to gable roof extension and assessed according to the Council's development plan whereby the neighbouring property did not benefit from an existing hip to gable rear extension. Although the character of the street is one where a number of loft conversions have been carried out, it is not the case that the character has been overwhelming changed. There are still a number of properties which retain their original hipped roofs. As a result, because the proposal would unbalance the pair of houses, which is contrary to the residential design guidance, the current proposal's hip to gable roof extension is considered to be unacceptable in design terms when assessed in accordance with the development plan.

Rear Dormer Window:

The current application also proposes a rear dormer window which is 3.66 metres in width, 1.88 metres in height and 2.15 metres in depth. The height of the main roofslope is 3.7 metres and the width is 2.97 metres along the ridge, a width of 7.07 metres along the eaves level and a width of 5.02 at the midpoint of the roof height. Paragraph 14.33 the SPD notes that 'Dormer roof extensions should normally be subordinate features on the roof and should not occupy more than half the width or half the depth of the roof slope.' According to the Residential Design Guidance (2016) it is the latter width (5.02 metres) which is taken as the calculation for half width. The rear dormer is more than half the width and marginally more half the height of the original existing roof slope. However it would be set in from both side elevations and would appear as a subordinate feature in the rear roofslope. Therefore, on balance, the rear dormer would not detract unduly from the appearance of the property or the character of the area and is considered acceptable.

3no Front Facing Rooflights:

Following a review of aerial photography, it was noted that a number of properties on Russell Gardens benefit from rooflights to the front roof slope and are a common characteristic of the street scene. Further, the number of rooflights proposed is not thought to dominate the roof and therefore the rooflights are considered to be an acceptable part of the proposal.

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

It is important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan policy D6 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.

Regarding the amenity of neighbouring occupiers, by virtue of its scale and siting, the proposed roof extension is not considered to result in an unacceptable level of harm to the amenity of neighbouring occupiers by way of loss of light, outlook or privacy. The rear dormer would include windows in the rear elevation which are not considered to impact neighbouring occupiers. It is found that the front rooflights would not give rise to any undue impact upon the residential amenities of neighbouring occupiers.

5.4 Response to Public Consultation

The comment supporting the application has been addressed in the main body of 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 the proposed development would unbalance the pair of semi-detached dwellings and would have an unacceptable impact on the character and appearance of the application site, the street scene and the locality. This application is therefore recommended for REFUSAL.

8. List of Conditions in Case of an Appeal - Without Prejudice

In the event of an appeal, it is recommended that the following conditions are attached to the decision:

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

Existing Floor Plans PL-EP-01
Proposed Floor Plans PL-PP-01
Existing Floor Plans PL-EP-02
Proposed Floor Plans PL-PP-02
Existing Elevations PL-EE-01
Proposed Elevations PL-PE-01
Existing Elevations & Section. PLL-EE-02
Proposed Elevation and Sec. PL-PE-02
OS Map/ Location Plan
Block Plan 4D01BP

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).

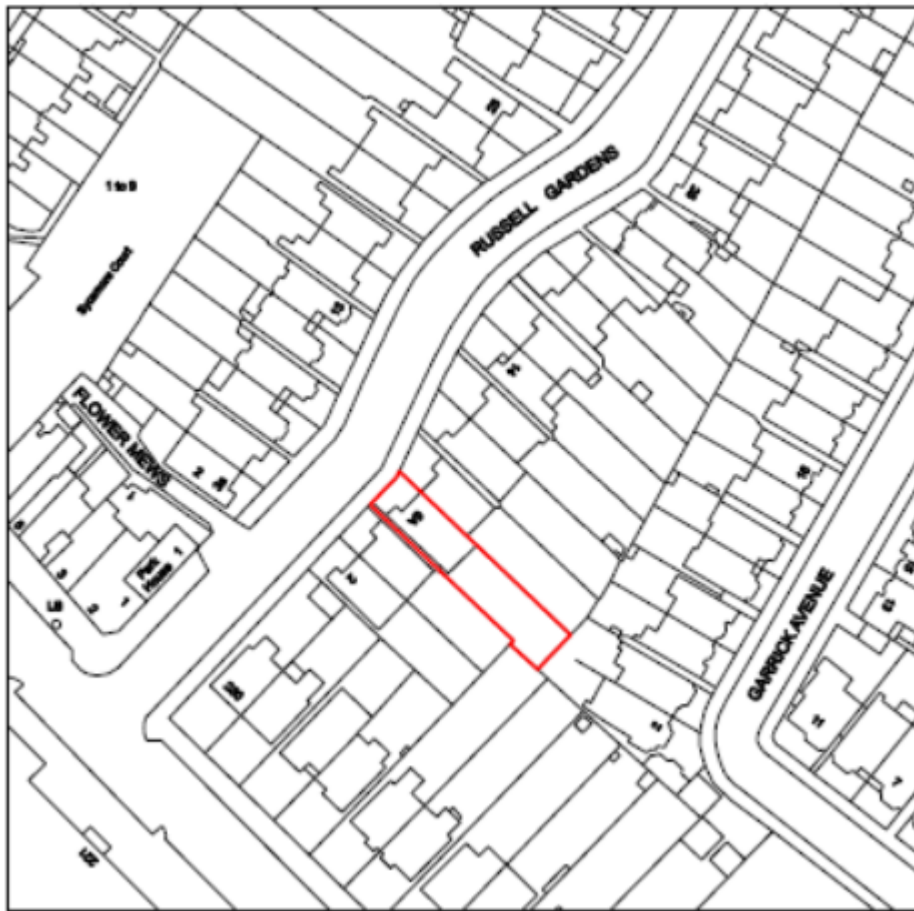
Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

4.Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevation(s), of the extension(s) hereby approved, facing Nos. 4 and 8 Russell Gardens.

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).

5. Before the building hereby permitted is first occupied the proposed window(s) in the side elevation facing 4 Russell Gardens 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).



Location	Cromer Road Primary School Cromer Road Barnet EN5 5HT	
Reference:	20/2558/FUL	Received: 8th June 2020
		Accepted: 1st July 2020
Ward:	High Barnet	Expiry 26th August 2020
 Case Officer:	 Jonathan Martin	
Applicant:	Mr Jonathan Rolfe	
Proposal:	Refurbishment and expansion of existing pool building	

AGENDA ITEM 9

OFFICER'S RECOMMENDATION

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 their 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:
 - Site Location Plan Dated 24 May 2019
 - Existing Pool Plan 01-CR-ARC-003 Rev 00
 - Existing Pool Elevations 01-CR-ARC-004 Rev 00
 - Existing Car Park Plan 01-CR-ARC-006 Rev 00
 - Proposed Site Plan 01-CR-ARC-001 Rev 02
 - Proposed Pool Plan 01-CR-ARC-002 Rev 01
 - Proposed Pool Elevations and Sections 01-CR-ARC-005 Rev 00
 - Design and Access Statement (rev 01)

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 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:
- 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.

Reason

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan

- 4 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local

planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interest of good air quality in accordance with London Plan policies 5.3 and 7.14.

- 5 The level of noise emitted from the swimming pool plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property. If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012)

- 6 The proposed plant equipment shall be replaced like for like exactly. If any variation to the plant equipment is provided then the following will be required: No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the swimming pool plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.
- b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013).

- 7 The swimming pool hereby permitted shall not be open to members of the school or members of the public outside the following hours; Monday to Friday 8am to 9pm, Saturday 8am to 7pm, Sundays and Bank holidays 9am to 6pm.

Reason: To safeguard the amenities of occupiers of adjoining residential properties and in the interests of highway safety.

- 8 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).

- 9 Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on Drawing No. 01-CR-ARC-006 Rev 00; 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 T1, T3, T4 of the London Plan 2021.

- 10 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 G7 of the London Plan 2021.

- 11 Before the development hereby permitted commences, the applicant shall submit

for approval details of measures to improve biodiversity on the site in accordance with guidance set out within BS42040:2013: Biodiversity - Code of practice for planning and development, and guidance documents provided by the Chartered Institute of Ecology and Environmental Management (CIEEM) and the Royal Town Planning Institute (RTPI) for approval. The development shall be implemented in full accordance with these details'

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 G6 of the London Plan 2021.

- 12 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).

- 13 The windows serving the pool building shall be fixed shut at all times whilst the pool is in use.

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).

- 14 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).

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 applicant shall carry out a "before" and "after" condition survey of the agreed route to be utilised by all construction traffic. The "after" survey shall be completed three months before the completion of the development and thereafter submitted to and approved in writing by the Local Planning Authority. Any recommended works necessary to reinstate the condition of the agreed route to that identified within the "before" survey shall be implemented as approved following completion of the development.

Reason

To ensure that the road is maintained in a suitable condition in order to minimise danger, obstruction and inconvenience to users of the highway.

- 3 When a council owned tree is required to be removed to facilitate a development, the Capital Asset Value for Amenity Trees(CAVAT)value of the tree will be required to mitigate the loss, and the money received from the developer used to support the planting targets discussed throughout this Policy.

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."

- 4 The submitted Construction Method Statement shall include as a minimum details of:
 - o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring

receptors. Explain reasoning if not applicable.

- o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
- o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
- o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.
- o For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

- 5 If a concrete pump lorry is operated from the public highway, the surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.

OFFICER'S ASSESSMENT

1. Site Description

The application relates to the Cromer Road JMI School located on the western side of Cromer Road. The application site extends to the rear of No's 3-31 Cromer Road. The school grounds are expansive and the rear of the site includes further school facilities, including some housed in modular buildings and playing fields and open space. The rear boundary abuts a public footpath and an area of allotments and the school site is within Metropolitan Open Land (MOL).

There is an existing swimming pool within the grounds of the primary school.
The site is not located in any conservation area and does not contain any listed buildings.

2. Site History

Address: Cromer Road Primary School, Cromer Road, Barnet, EN5 5HT

Decision: Approved subject to conditions

Decision Date: 5 January 2018

Description: Demolition of three existing modular buildings and erection of a part single, part two storey teaching block

Reference: 18/0246/CON

Address: Cromer Road Primary School, Cromer Road, Barnet, EN5 5HT

Decision: Approved

Decision Date: 30 January 2018

Description: Submission of details of condition 3 (Levels) 6 (Construction Method Statement) pursuant to planning permission 17/6544/FUL dated 05/01/18 ,

Reference: 18/0870/CON

Address: Cromer Road Primary School, Cromer Road, Barnet, EN5 5HT

Decision: Approved

Decision Date: 15 February 2018

Description: Submission of details of condition 8 (Landscaping) pursuant to planning permission 17/6544/FUL dated 05/01/18

Reference: 18/0872/S73

Address: Cromer Road Primary School, Cromer Road, Barnet, EN5 5HT

Decision: Approved subject to conditions

Decision Date: 26 March 2018

Description: Removal of condition 10 (Parking Spaces) and 11 (Cycle Parking and Storage) of planning permission 17/6544/FUL dated 05/01/2018 for Demolition of three existing modular buildings and erection of a part single, part two storey teaching block,

Reference: 18/2463/CON

Address: Cromer Road Primary School, Cromer Road, Barnet, EN5 5HT

Decision: Approved

Decision Date: 20 June 2018

Description: Submission of details of conditions 4 (Materials) 5 (Disabled Access) pursuant to planning permission 17/6544/FUL dated 05/01/18

Reference: 18/2908/NMA

Address: Cromer Road Primary School, Cromer Road, Barnet, EN5 5HT

Decision: Approved

Decision Date: 31 May 2018

Description: Non material amendment to planning permission 18/0872/S73 dated 26.03.2018 for `Demolition of three existing modular buildings and erection of a part single, part two storey teaching block.` Amendment include adjustments to size and positioning of some windows, change to brick treatment under north and west elevations, removal of 1 rooflight and addition of 2 louvred vents on west elevation above canopy

Reference: B/02020/09

Address: Cromer Road Primary School, Cromer Road, Barnet, EN5 5HT

Decision: Approved subject to conditions

Decision Date: 12 August 2009

Description: Erection of modular classroom.

Reference: B/01014/10

Address: Cromer Road Primary School, Cromer Road, Barnet, EN5 5HT

Decision: Approved subject to conditions

Decision Date: 29 April 2010

Description: Installation of a 'Quiet Play' space and new general and bin store facilities.
Relocation of the existing car-park and demolition of an existing brick storage building.

3. Proposal

The application seeks permission for the refurbishment and expansion of existing pool building.

The existing pool structure is to be demolished. The proposal will result in most of the existing single storey structure and its' layout being maintained, upgraded and modernized. The building entrance, changing rooms and plant room will be kept in their current location, but updated and refurbished. The existing raised swimming pool, will be replaced with a 16m x 6m new pool, set flush with the ground floor to provide greater accessibility. A new reception area and viewing gallery will be installed along the length of the pool.

The new pool building will have an increase in depth of 4m and an increase in width of 5m. The overall height of the brick flanking walls to the pool building will remain similar to the existing height, but the apex of these gable walls will move to the south, to accommodate the proposed pool extension.

4. Public Consultation

Various rounds of consultation has taken place with neighbours due to amendments being made to the proposed plans. Consultation letters were sent to 156 neighbouring properties. 9 letters of objection have been received raising the following:

- Increased parking
- Impact on amenity of neighbours
- Impact on trees
- Increased pollution
- Noise of builders

129 letters of support have been received raising the following:

- Need better swimming pools
- Vital asset to children's learning
- Provide the community with fantastic amenities

Amended plans have been submitted in order to address the concerns raised by neighbours and officers. The following amendments have been made:

- details added to measure distances from trees
- the separate access gate along the neighbouring property N0.31 Cromer Road has been omitted from the scheme. The pool will use the existing access point through the existing car park entrance which runs along the boundary with N0.33 Cromer Road.

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 Government's 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 2021

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 new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous 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, CS9, CS10

- Relevant Development Management Policies: DM01, DM02, DM04, DM15, DM16, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the 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.

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

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:

- principle of development
- Whether harm would be caused to the openness of the MOL
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Highways and parking.
- Impact on Trees

5.3 Assessment of proposals

Principle of development

The existing swimming pool has been in use for 40 years and is in need of an upgrade. The NPPF aims to improve and sustain community facilities for the benefit of local people. Para. 14.1.11 relating to policy DM13 states that local authorities should give great weight to the need to expand or alter schools and work with providers to overcome planning issues.

The need for the facility is well documented within the submission and the council will be generally supportive to help realise the schools ambitions. Issues which will need to be assessed include potential impact on Metropolitan Open Land, the amenity of existing neighbours and parking and movement considerations. These aspects of the scheme will be assessed later in the report; however the general principle of what is proposed is acceptable given there is an existing swimming pool on site.

Impact on the openness of the MOL

As set out under Policy DM 15 of the Local Plan, Metropolitan Open Land will be given the same level of protection as land within the Green Belt. The Green Belt policies set out within the NPPF, London Plan 2021 and the Local Plan will apply to the proposal. Section 13 of the National Planning Policy Framework (NPPF) sets out the Governments approach to protecting Green Belt Land, and the Council's Planning Policy DM15 of the Core Strategy reiterates the NPPF's requirements.

The NPPF sets out in Paragraph 134 that the Green Belt serves the following purposes:

- To check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

In addition, the NPPF outlines in Paragraph 145 that new buildings in the Green Belt are inappropriate, with the exception of (in part) a limited number of scenarios to this general approach. In this case, the exceptions of most relevance are the exceptions detailing the replacement of an existing building as long as it is within the same use and not materially larger than the building it replaces or the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. These policy tests are reiterated at policy DM15 of the Local Plan.

The existing layout of the swimming pool building will essentially remain the same. The locations of the main entrance/changing rooms/plant room/swimming pool will remain as existing. The main change proposed to the layout is the introduction of a reception area and viewing gallery along the north edge of the building. The new reception area, together with the increased pool size and pool edge, means that the main pool building is proposed to be extended to the south and the west of the site. The scale of the proposal will be relatively minimal to the existing massing of the swimming pool building. The massing of the changing room, main entrance and plant room building will remain unchanged. To accommodate the new pool and reception area, it is proposed that the north and south elevations of the pool building are increased by circa 4m. The east and west elevations of the pool building are to increase (to the south), by circa 5m. The overall height of the brick flanking walls to the pool building will remain similar to the existing height, but the apex of these gable walls will move to the south, to accommodate the proposed pool extension.

Given the minimal increase to the swimming pool building, the proposal will not result in overdevelopment of the plot or lead to over intensification of the site. The swimming pool is partially screened by 2 buildings to the south of the swimming pool. Furthermore, any potential harm to the openness of the MOL would be outweighed by the proposed community benefit of the new pool building.

Paragraph 121 of the NPPF states that proposals should 'make more effective use of sites that provide community services such as schools.' Paragraph 91 of the NPPF states that planning decision should enable and support healthy lifestyles, especially where this would address identified local health and well-being needs - for example through the provision of safe and accessible green infrastructure, sports facilities.' Paragraph 94 of the NPPF states 'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should: a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.'

The proposed extension will allow for an extra 5-9 persons in the pool at any one time. The school wish to keep their current timetable of 16.5 hours per week, spread over Tuesday to Friday. Outside of these times, Oakleigh Park School of Swimming would be able to offer various activities, such as public use of the pool and private swimming lessons.

Whilst the proposal will increase the footprint of the existing building, this will have a minimal impact on the MOL due to the partial screening of the 2 buildings to the south and any harm will be outweighed by the community benefit the proposal will bring. The proposal is compliant with the NPPF and is in accordance with Policy DM13 and DM15 of the Local Plan.

Impact on the character and appearance of the existing site, streetscene and wider locality

Policy CS5 Protecting and enhancing Barnet's character to create high quality places' seeks to ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design. Policy DM01 states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The NPPF supports this and stipulates that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation but instead development should be guided by the numerous factors including overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

Policy CS5 states that, " We will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design."

The current swimming pool is a raised level pool and as such, prohibits easy access to the pool. The proposed increase in building footprint will allow the building to accommodate a new 16m x 6m ground flush swimming pool, with a 2m wide walkway around all 4 sides of the pool. In doing so, the new ground flush pool layout, with an increased pool edge width, will allow suitable access to the pool, for all.

The existing layout of the swimming pool building will essentially remain the same. The locations of the main entrance/changing rooms/plant room/swimming pool will be as they currently are. The main change proposed to the layout is the introduction of a reception area and viewing gallery along the north edge of the building. The new reception area, together with the increased pool size and pool edge, means that the main pool building is proposed to be extended to the south and the west of the site.

To accommodate the new pool and reception area, it is proposed that the north and south elevations of the pool building are increased by circa 4m. The east and west elevations of the pool building are to increase (to the south), by circa 5m. The overall height of the brick flanking walls to the pool building will remain similar to the existing height, but the apex of these gable walls will move to the south, to accommodate the proposed pool extension.

The existing elevations of the swimming pool will essentially remain unchanged. The swimming pool roof will be replaced with a modern structure, but the new roof will be similar in appearance, material and geometry to the existing roof. The proposed extensions to the north and south elevations will be in the same style as the existing building and will appear as "bay extensions" to the existing pool elevations. The extensions to the swimming pool flanking wall will be in the same brickwork and detailing as the existing, so as the overall aesthetic of the building will remain the same.

Overall, the proposed extensions to the swimming pool would comply with Policy DM01 as they would preserve or enhance local character and respect the appearance, scale, height and pattern of surrounding buildings and would not have an overbearing impact on neighbouring properties.

Impact on the amenities of neighbours

Policy D 01 states that, Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

It further mentions 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."

The nearest neighbouring properties are 21-31 Cromer Road. The proposed extension will not result in a reduction in the separation distances between the pool building and will remain approximately 25m from the rear elevation of the nearest neighbouring property. The extension will result in a wider building facing these properties. However, the proposal will not increase the overall height of the building and given the building is more than 25m away from the residential properties, the extension will not lead to a loss of light or result in overshadowing to main room windows.

The swimming pool has been used by the school and members of the community for over 40 years and has operated 7 days a week. In order to control the use of the pool and ensure that residential amenity is protected, the swimming pool will only be in use during the following days/times:

- Monday to Friday 8am to 9pm
- Saturday 8am to 7pm
- Sundays and Bank holidays 9am to 6pm.

The proposed extension will allow for an extra 5-9 persons in the pool at any one time. The school wish to keep their current timetable of 16.5 hours per week, spread over Tuesday to Friday. Outside of these times, Oakleigh Park School of Swimming would be able to offer various activities, such as public use of the pool and private swimming lessons.

Throughout the consultation process the Environmental Health officers have requested information relating to acoustic fencing along the boundary with the neighbouring properties. However, there is no need for additional boundary treatment/acoustic fencing along this boundary because a fence already exists and swimmers walking this way would be no different to pupils and staff using this entrance daily. Furthermore, the windows in the pool will remain closed at all times with only the changing room windows being opened.

The proposed building retains an adequate separation distance to well screened neighbouring, residential properties and no additional material noise impact is envisaged from the proposed use.

The proposal is therefore compliant to policy CS5 of the Barnet Local Plan Core Strategy (Adopted September 2012), policies DM01 and DM02 of the Local Plan Development Management Policies DPD (Adopted September 2012), Supplementary Planning Document Residential Design Guidance (2016) and Sustainable Design and Construction SPD (2016).

Highways and Parking

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

Access to the swimming pool for pupils of the school will remain unchanged and will be from the playground area, via the pool's main entrance.

There are 24 parking spaces available on the school grounds. These parking spaces will be available to all visitors when the school is closed. During school hours the pool will not be used for private lessons to ensure there is adequate parking facilities.

The council's highway engineer has been consulted and raised no objection to the proposal subject to conditions. They provided the following statement:

'The proposed is not expected to have a significantly detrimental impact on the surrounding public highway as vehicular access is due to remain the same, the existing car parking is to be retained and the changes to the pool building are not expected to have an impact on the surrounding public highway.'

Therefore, the proposal is in keeping with Policy DM17 of the Local Plan.

Trees

Policy DM01 of the Adopted Barnet Development Management Policies advises that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. High quality landscape design can help to create spaces that provide attractive settings for both new and existing buildings, contributing to the integration of a development into the established character of an area. The council will seek to retain existing wildlife habitats such as trees, shrubs, ponds and hedges wherever possible. Where trees are located on or adjacent to a site the council will require the submission of a tree survey with planning applications indicating the location, species, size and condition of trees. Trees should be retained wherever possible and any removal will need to be justified in the survey. Where removal of trees and other habitat can be justified appropriate replacement should consider both habitat creation and amenity value.

Amended plans have been received in order to determine the impact of the pool extension on the 2 trees on the western part of the site. Tree T2 is 8.6m from the existing building and following the extension this will be reduced to 4.6m. The Council's tree officer has been consulted on the proposal and has no objections to the proposal subject to conditions. The tree officer stated 'T2 has a tree root protection radius of 4.8m in 2017 and this would have increased over time. The proposed swimming pool is shown to be 4.6m from the tree stems therefore a slight impact on these trees is foreseeable. Subject to a detailed arboricultural method statement this impact can be managed to an acceptable level.'

A suitably worded condition will be added to any approval to ensure tree protection measures are put in place prior to any work being carried out. A condition will also be added to ensure that the development improves biodiversity on site in accordance with guidance set out within BS42020:2013. The development would demonstrate biodiversity net gain with the inclusion of bird bricks or boxes within the mature trees growing nearby along with some soft landscaping that includes planting to attract pollenating insects. Overall, the proposal will not have any impact on nearby trees and will improve the biodiversity on site in accordance with Policy DM01 and Policy G6 of the London Plan 2021.

5.4 Response to Public Consultation

Mainly Addressed in the report but the following comments can be made:

- Increased parking - parking will remain the same as existing
- Impact on amenity of neighbours - as per report sufficient distances are maintained from the residential buildings to mitigate any impact and the additional increase in numbers approx 9 persons will not result in unacceptable levels of noise to warrant refusal of the application furthermore the windows will be kept closed when the pool is in use.
- Impact on trees - subject to appropriate conditions it is not envisaged any damage will be caused to trees.
- Increased pollution - no more than existing
- Noise of builders - working hours condition will be attached to ensure construction works do not take place outside the working hours.

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

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for Approval.



This page is intentionally left blank

Location **60 Station Road Barnet EN5 1QG**

Reference: **20/4847/FUL**

Received: 13th October 2020

Accepted: 16th October 2020

Ward: High Barnet

Expiry 15th January 2021

AGENDA ITEM 10

Case Officer: **Dominic Duffin**

Applicant: Mr Matthew Lawrey-Baker

Proposal: Demolition of existing buildings and construction of a three storey building plus lower ground floor levels to provide 12 self-contained flats with associated amenity space, communal garden, refuse storage, cycle parking and 10 parking spaces (Revisions to original proposal: removal of upper floor level and rearrangement of parking and communal amenity space at rear)

OFFICER'S RECOMMENDATION

Approve subject to s106

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 their 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. 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;

Provision of a planning obligation to secure a review mechanism on affordable housing contributions.

RECOMMENDATION II:

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

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

097-P-001 Site Location,
097-P-008 Existing Site Layout,
097-P-010 Existing Ground Floor,
097-P-011 Existing First Floor,
097-P-020 Existing Front/Rear,
097-P-021 Existing Sides,
097-P-030 Existing Sections,
097-P-080 Rev A Proposed Site Layout Plan,
097-P-200 Rev A Proposed Streetscene,
097-P-201 Rev A Proposed Side Elevations (site),
097-P-210 Rev A Proposed South Elevation,
097-P-211 Rev A Proposed North Elevation,
097-P-212 Rev A Proposed East Elevation,
097-P-213 Rev A Proposed West Elevation,
097-P-300 Rev A Proposed Side Sections,
097-P-310 Rev A Proposed Section AA,

097-P-099 Proposed Garden Level Floor Plan,
097-P-100 Proposed Lower Ground Floor Plan,
097-P-101 Proposed First Floor Plan,
097-P-102 Proposed Second Floor Plan,
097-P-103 Proposed Third Floor Plan,

097-P-105 Rev A Proposed Roof Plan

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 D3, D4, D5 and D6 of the London Plan 2021.

- 4 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 D3,D4, D8 and G7 of the London Plan 2021.

- 5 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 SI10, SI1, D13 and T7 of the London Plan (2021).

- 6 Before the development hereby permitted is first occupied the parking spaces shown on approved drawing 097-P-081 Rev A shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and policy T6 of the London Plan.

- 7 No dwelling within the development shall be occupied until cycle parking and cycle

storage facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 8 Prior to occupation of the development full details of the electric vehicle charging points to be installed in the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the provision of 2 active and 2 passive electric vehicle charging points. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy T.6 of the London Plan

- 9 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 policy D4 and G7 of the London Plan 2021.

- 10 a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to 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 details approved under this condition.

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

- 11 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 G.7 of the London Plan 2021.

- 12 a) Prior to the occupation of the hereby approved development, details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.

c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and policy D4 and G7 of the London Plan 2021.

- 13 The recommended enhancements and mitigation as set out within the GS Ecology Ecological Assessment 2021 report at section 4.0, shall be implemented in full and adhered to throughout the site preparation, demolition, construction and post-implementation process, incorporated into the design, and managed in perpetuity.

Reason: To ensure the development makes a positive contribution to the protection, enhancement, creation and management of biodiversity and would not have a significant adverse affect on protected species in accordance with Policy DM16 of Barnet's Development Management Policies Document DPD (2012) and London Plan Policy G.7.

- 14 Before the development is occupied, an air quality neutral assessment report shall be written in accordance with the relevant current guidance. This report shall be submitted to and approved by the Local Planning Authority.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

a) If the report shows that the site does not conform to the air quality neutral benchmark requirements then a scheme of offset measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to occupation.

b) The approved measures shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI.1 of the London Plan 2021.

- 15 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,

- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

d) Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016).

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2015.

- 17 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.
Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition,

site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interest of good air quality in accordance with Policy SI.1 of the London Plan 2021.

- 18 (1) Prior to carrying out of any above ground works, excluding demolition, for the development hereby approved, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that the development can achieve full 'Secured by Design' Accreditation.

The development shall only be carried out in accordance with the approved details.

(2) Prior to the first occupation of any of the approved units, a 'Secured By Design' accreditation shall be obtained for such building or part of such building or use.

Reason: To ensure that the development is constructed to a level of security set out in the national Police initiative, to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and Policy D11 of the London Plan 2021.

- 19 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (Use Class C3) permitted under this consent they shall all have been 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) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policy D7 of the London Plan 2021.

- 20 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 SI5 of the London Plan 2021.

- 21 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 56% 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 development shall be maintained as such in perpetuity thereafter.

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), Policy SI2 of the London Plan 2021.

- 22 No flat shall be occupied until the following details have been submitted to and approved in writing by the Local Planning Authority, and have been installed in their entirety; details of privacy screens to adequately screen the private amenity areas/balconies associated with the development, The screens shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers at the development and 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).

- 23 Before the any of the flats hereby permitted are first occupied the proposed windows, above ground floor level, in the flank elevations 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).

- 24 The property shall be used as self-contained units as shown in 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 in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 25 The development hereby approved shall not be occupied until detailed design drawings and details of construction phasing based on the principles of Sustainable Drainage Systems (SUDS) has been submitted to and approved in writing by the Local Planning Authority.

The approved details shall then be implemented prior to first occupation and maintained as such for the lifetime of the development.

Reason: To ensure that the development manages surface water in accordance with Policy CS13 of the Barnet Local Plan, Policy SI.13 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems).

1 RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 01st October 2021, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet the costs of securing a viability review mechanism through a Section 106 Agreement. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

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 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.

- 3 The applicant shall carry out a "before" and "after" condition survey of around the perimeter of the site. The "before" survey shall be submitted to the highways section prior to the commencement of the development. The "after" survey shall be completed three months before the completion of the development and thereafter submitted to the highways section. Any recommended works necessary to reinstate the condition of the agreed route to that identified within the "before" survey shall be implemented as approved following completion of the development.
- 4 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.

OFFICER'S ASSESSMENT

1. Site Description

The application site is located on the north-west side of Station Road within the High Barnet ward. The site comprises a two-storey detached property, currently in use as 4no self-contained flats.

The existing building has a hipped roof and benefits from double bay windows to the front elevation. The main building has a depth of approximately 8 metres. There is also a two-storey outrigger to the rear which protrudes an additional 9.7 metres. It also benefits from a detached garage to the rear which is accessed from Station Road via a side passage through the site, and a rear garden with a depth of more than 30 metres.

The surrounding area is predominantly residential in character. It comprises a mix of two-storey single dwellings and flat conversions and larger purpose-built blocks of flats varying from three to five storeys in scale. It comprises a mix of architectural styles.

The site is approximately 500m from New Barnet rail station. The site has a PTAL of 3, which indicates a moderate level of accessibility. The application site is not located within a conservation area and contains no statutory or locally listed buildings. There are a number of mature trees within the site. The site resides within Flood Zone 1, indicating a low likelihood of fluvial flooding.

2. Relevant Site History

There is no relevant planning history at the site. A submission for Pre-application advice was sought (20/0137/QCD) to erect a five-storey building plus additional lower ground floor level comprising 12no self-contained flats and a three-storey building to the rear comprising 2no semi-detached dwellinghouses, with an advice letter dated 01st July 2020 sent to the applicant.

3. Proposal

The original submission has been revised and under revisions consent is now sought for the demolition of the existing two-storey residential detached building, and the erection of a four-storey detached apartment block of 12 flats, plus lower ground floor level to the rear, with associated amenity space, communal garden, refuse storage, cycle parking and 10 parking spaces. Two flats on an upper floor have been removed reducing the level of development and number of units from 14 to 12.

The proposal would have a total width of 15.6m and a total depth of 17.8m. The front of the building would have a total height of 14.3m.

The building would be predominantly finished in brick, with projecting steel balconies serving the proposed units. The building would have a flat roof design. The lower ground floor would be open to the rear, owing to the fall in ground levels from front to rear. 10 parking spaces and communal amenity space would be provided to the rear. The site layout has been revised with the amenity area located along the rear boundary, switching position with the original car parking position, which now moves closer to the proposed apartment block.

Two private garden areas would also be provided to serve the two duplex flats on the ground/lower ground floors. The existing vehicle access would be retained.

The development would create 12 new flats, comprising a mix of 1 x 1 bed and 1 x 2 bed duplex apartments, 4 x 1bed and 6 x 2 bed flats.

4. Public Consultation

Consultation letters were originally sent to 335 neighbouring properties. 2 responses were received comprising 2 letters of objection. The response received can be summarised as follows:

- The height, density, massing and bulk of the building would all be inconsistent with the character of the surrounding neighbourhood.
- Concern about overlooking, loss of privacy and impact on the enjoyment of adjoining private amenity space.
- The units proposed would be small self-contained flats. This is inconsistent with local planning policies which give priority to three and four bedroom flats.
- Lack of parking provided to serve the development. This overspill of more cars will

have negative impacts for both congestion and safety.

- The number of small flats in the borough is putting pressure on local public services and infrastructure.

- Astonished at the proportions. The height, density and close proximity to our houses would cause a huge detrimental effect to our environment with the loss of light and the creation of an overbearing structure that would be a massive overdevelopment of this site

A re-consultation was undertaken on the revised plans and 3 further letters of objection was received;

- I am an 87-year-old man living in sheltered housing whose flat is not more than 2 m away from the proposed building , I and others residents are very concerned about this building and the effect it will have on our general well-being and health, I would like as many details as possible about what the building and what it entail and a timescale if it's given planning, until this is given I would like to object to the planning on the grounds that it will impinge on my way of life and my health as I have asthma and a heart condition.

- I am concerned about the parking in this main but quite narrow road. There are regular hold-ups while buses and lorries negotiate between parked cars. If there are only 10 parking spaces on these premises (not even enough for one car owned by each flat owner), I think this will exacerbate the problem in that stretch of the road.

- Concern about loss of trees. It takes decades for these trees to grow, and they add to the landscape of Station road, and the views from the neighbourhood.

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 National Planning Policy Framework (Revised 19th February 2019) 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 2021

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous 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, CS15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM17.

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)
- Sustainable Design and Construction SPD (adopted October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development;
- 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;
- Impact on Trees;
- Assessment of Flood Risk.

5.3 Assessment of Proposals

Principle of Development at this Location

As discussed above, the site is located in a residential area which includes a mix of single-family dwellings and purpose-built flats. As a result, flatted developments are considered to form part of the character of the area. The National Planning Policy Framework promotes a presumption in favour of sustainable development requiring local authorities to permit development which accords with the development plan.

Although the existing house on the site is of a pleasing design it is considered that the property is not of an outstanding architectural merit, it is not listed or locally listed and therefore its demolition can be supported.

National and London Plan (2021) guidance states that new developments should provide a mix of housing size and types based on current and future needs. Policies CS4 and DM08 reflect this guidance. Policy DM08 states that "development should provide where appropriate a mix of dwelling types and sizes in order to provide choice for a growing and diverse population for all households in the borough". The mix in this case is for 1 and 2

bedroom units. It is accepted that family dwellings would not be provided, but with site constraints it is not always achievable to cater for larger family homes in terms of parking provision, amenity space, and general amenity considerations. The scheme does include a mix of unit sizes to provide for a range of households within the local community and in terms of access to local services and public transport links it is a relatively sustainable location for smaller units. In that respect, and on balance, this housing mix is considered acceptable.

The site is within walking distance of the New Barnet town centre which features an array of public services, shops and transport options making it a sustainable location for flatted residential development.

Given these positive attributes of the site, and the mixed residential nature of the immediate surroundings, it is considered that the principle of this development can be agreed, subject to all other material considerations. A key consideration will be how the development would assimilate within the established character of the area.

Affordable Housing

London Plan 2021 policy H4 and H5 sets a minimum target of at least 35% affordable housing on major sites for residential; development (10 dwellings or more). The Barnet Core Strategy (Policy CS4) seeks a borough wide target of 40% affordable homes on sites capable of accommodating ten or more dwellings. All the above policies seek a tenure split of 60% social rented and 40% intermediate housing.

As discussed above, the applicant has reduced the number of units on site from 14 to 12. There would still be a requirement to provide a policy compliant level of affordable housing, subject to viability.

Part H of policy H5 states that;

"Where an application does not meet the requirements set out in Part C it must follow the Viability Tested Route. This requires detailed supporting viability evidence to be submitted in a standardised and accessible format as part of the application:

1) the borough, and where relevant the Mayor, should scrutinise the viability information to ascertain the maximum level of affordable housing using the methodology and assumptions set out in this Plan and the Affordable Housing and Viability SPG

2) viability tested schemes will be subject to: an Early Stage Viability Review if an agreed level of progress on implementation is not made within two years of the permission being granted (or a period agreed by the borough)

a Late Stage Viability Review which is triggered when 75 per cent of the units in a scheme are sold or let (or a period agreed by the borough)

Mid Term Reviews prior to implementation of phases for larger phased schemes.

The applicant has provided a submission on viability and the council has had this independently assessed. This confirms that the Benchmark Land Value would be greater than the Residual Land Value, and that a viable scheme could not sustain any contributions to affordable housing. The council are advised that in order to achieve a residual land value close to the benchmark land value, values would need to increase by approximately 15% and costs reduce by 15%. It can be accepted that the scheme, as presented and under present circumstances, could not make a contribution to affordable housing.

The council's assessors advise that it is recommended that a planning obligation is used to secure benefits from future viability reviews as per London Plan Policy H5.

Character and appearance

The NPPF, in section 12, states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. 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.

Policy D.3 of the London Plan, requires new development "responds to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character"

Policy DM01 expects that development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. The supporting text to Barnet's character policy, DM01, states that new development will need to demonstrate an understanding of local character. Proposals which are out of keeping with the existing character will be refused. However, the policy should not be used to restrict well-designed development which meets other requirements within the Core Strategy.

Context will therefore be of high importance involving a site by site assessment. In this case the scheme would introduce a 4-storey building onto the site, providing a residential development of 12 units. The application site contains a low set two storey Victorian Villa which has been converted to provide 2 No. residential flats.

The building immediately to the north east is a three-storey building with additional rooms in the roofspace, albeit with the ground floor level slightly sunken below street-level. The building immediately to the south-west at Hanover House is a three-storey building with additional lower ground floor level. As detailed within the application submission, there is an extant permission to increase the height by an additional storey.

With regards to the immediate surrounds, it is the case that flatted developments are a component part of the streetscene, with some up to 5 stories in height. The most notable example of development of a similar scale is at Barnes Court, however this building is set well back from the road, in landscaped grounds to the front and therefore in some relief.

Under the pre-application submission, the council noted many acceptable characteristics of the scheme, including the flat roof design, the front and rear building line and the materials finish.

However, concern was raised that within the immediate context and that the proposed 5 storey building would appear excessively high and would appear out of keeping. The relatively narrow plot and shallow set back from Station Road results in a building of this scale appearing overly cramped and prominent within the site and the streetscene.

Concern was also raised that the building features projecting balconies to the front and rear it being noted that front balconies are not an especially characterful feature of this section of Station Road and it was advised that the prominence of these features was reduced as far as possible to ensure the front elevation was more in keeping with the relatively modest

frontages of neighbouring buildings. Notwithstanding the additional height, the balcony areas do remain to the front, and are a prominent enough feature. The material finish references building materials which are common along the road, and the immediate area does contain a mix of building styles.

Under discussions relating to this application, whilst acknowledging taller buildings in the wider vicinity, it was considered this scheme would result in a step up in built form at this location which would appear out of place and would cause harm to the character of the area, and the prominent balcony areas further increase this prominence.

Given the fall in ground levels across the site, and opened lower ground aspect, the rear elevation will appear prominent, appearing 6 storey in height, and included terrace and balcony areas. However, located to the rear this aspect could, on balance, be accepted. The concern was with the prominence of the structure when viewed from Station Road.

In light of this assessment, the applicant submitted revised plans, which removed the upper floor of the development. As can be ascertained from the submitted streetscene elevation, the proposal would be more commensurate with development on either side, and would appear more in keeping with adjoining heights. As such the front elevation would not result in a significant rise in ridge levels, and would not have the imposing impact the original submission entailed. As detailed, the wider context does include taller flatted buildings, and this reduced built form would assimilate successfully into the setting. It is considered the previous concern has been addressed, and in line with pre-app advice the additional floor has now been omitted. The use of good quality materials would ensure that this scheme would integrate visually and would respond to local character, respecting the setting along Station Road, striking an appropriate built form in terms of scale, mass and height. The concern relating to the level of development proposed in this setting along Station Road has been addressed.

The Pre-app submission included a proposal to develop the rear garden area to provide additional residential dwellings but that has been removed from this formal submission. The garden area will however be extensively remodelled. The scheme has been further amended to provide a communal garden area to the rear, with the parking area now proposed between the communal area and the proposed building.

With regards to garden development, Policy DM01 states:

Gardens make a significant contribution to local character. They provide the natural element of residential character contributing towards biodiversity, tranquillity, sense of space and enhancement of the setting of buildings...Development which is considered to be detrimental to local character will be refused.

The character of the rear amenity area will undoubtedly take on a different character, albeit areas of communal amenity space would be retained. It is evident the character of Station Road has been in a state of change in recent years, with the increasing introduction of flatted developments. Whilst the introduction of built form in the rear garden, would have a much more pronounced impact, albeit the general principle cannot be discounted, the impact of this scheme would be reduced by the absence of buildings. A consideration of the immediate area advises that parking courts to the rear of existing buildings have become part of the established character, and like the proposal, located to the rear of plots, divorced from built form by rear amenity areas. As detailed above local policy, and national guidance within the NPPF, requires that care is taken when considering the development of garden areas, and that the established character of the area is to the forefront of any decision.

In this case, and whilst mindful that the loss of an established garden area will always be regrettable, ecological and trees considerations will be discussed in other sections of this report, it is difficult to argue that this remodelling would be out of character. As discussed above, flatted developments, often catering to other core policy aims, have become an established part of the character of the road, and such developments, will often inevitably involve ancillary development within the curtilage, including parking courts. There are examples adjoining the site, and from a character perspective this aspect of the scheme can be accepted, and it is noted the applicant has amended the scheme to bring the parking area in line with other parking areas in the immediate vicinity, relocating the garden area to the very rear of the site. There is the potential to use the site more efficiently, providing additional residential dwellings in line with adopted policies.

The front forecourt of the site retains areas for soft landscaping and a gate entrance to provide access to the rear parking area. This would provide sufficient softening of the front aspect of the proposal. The internal gated vehicle entrance, to access parking to the rear, is not a character trait of the area, but given the mixed character of the road, which includes flats, it appears as a component element of a flatted scheme, and would not appear incongruous or significantly out of place.

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

Local Plan policies require high quality design in all new development that creates attractive places which are welcoming, accessible and inviting. Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers.

Privacy is an important design issue and the positioning of homes, including their windows and balconies, should be carefully considered to ensure that adequate privacy is maintained. In particular, habitable rooms and areas of private gardens close to dwellings should not be excessively overlooked by windows or elevated amenity areas such as balconies/terraces. Screening can reduce overlooking in these instances. Privacy can be safeguarded by achieving adequate window to window, or window to balcony distances between buildings (both existing and proposed).

Concern has been raised from neighbours to the rear of the site, that the proposal will appear excessively dominant and result in a loss of privacy and overlooking of neighbours to the rear. Whilst acknowledging the rear aspect, which includes terraces and balcony areas, which has the potential to impact adjoining residents, the rear most element of the scheme does retain a distance of 35m to the rear boundary with properties on Leicester Road. This would ensure there would be no adverse impacts.

A short run of terrace dwellings (Aran Mews) has been developed to the rear of Hanover House, to the west of the site, and this development sits at an angle to the rear elevation of the proposed scheme. The window to window distances are acceptable and would not result in significant overlooking. The rear elevation is served by terrace/balcony areas and there is the potential that they would give rise to amenity concerns. However, set at an angle, and with the potential to agree screening along the sides of these outside areas, would afford the potential to reduce overlooking and this would also serve to prevent the overlooking of adjoining amenity areas at Hanover House and No.56 Station Road. It is not considered the rear element would result in serious overlooking of neighbouring properties or result in a material loss of amenity. A terrace area to the front serving Unit 1 could also be reasonably screened to prevent amenity concerns.

The proposed car park area will be located adjacent to the flank of Area Mews. This will result in an increase in comings and goings, over its existing use as a garden area, however this would not be a serious infringement on amenity.

The footprint of built form, relative to the buildings on each flank, would not give rise to serious overshadowing or result in an overbearing impact, when viewed from these properties.

The neighbouring properties benefit from fenestration on the respective flank elevations facing the applicant site. The windows at No. 56 appear to be obscured, or are secondary windows to habitable rooms, while at least some of the windows at Hanover House would appear to be clear-glazed.

Both flank elevations would be served by side facing windows. Any side facing windows can be reasonably conditioned as obscure glazed, and are indicated as such, this would guard against overlooking. An inset window across the floors in the western flank could reasonably be clear glazed and would not result in direct overlooking.

Initially proposed upper floor terraces, have been removed under this application.

It is considered that the amenity of adjoining neighbours would not be significantly infringed by this scheme.

Living standards for future occupiers

Floor Area:

The London Plan (2021) and Section 2.1 of the Sustainable Design SPD (Oct 2016) set out the minimum internal space requirements for residential units. A bedroom measuring 11.5m² and above is calculated as a double, and a bedroom measuring 7.5m² to 11.4m² is calculated as a single.

Apartment 1 (1 Bedroom/2 persons): 50.5m² - London Plan requirement = 50m²
Apartment 2(2 Bedroom/4 person/2 storey): 84m² - London Plan requirement = 79m²
Apartment 3 (1 Bedroom/2 person/2 storey): 61.0m² - London Plan requirement = 58m²
Apartment 4 (1 Bedroom/2 persons): 53m² - London Plan requirement = 50m²
Apartment 5 (2 Bedroom/4 Persons): 70.5m² - London Plan requirement = 70m²
Apartment 6 (2 Bedroom/4 Persons): 71m² - London Plan requirement = 70m²
Apartment 7 (1 Bedroom/2 Persons): 51.5m² - London Plan requirement = 50m²
Apartment 8 (2 Bedroom/4 Persons): 70.5m² - London Plan requirement = 70m²
Apartment 9 (2 Bedroom/4 Persons): 72m² - London Plan requirement = 70m²
Apartment 10 (1 Bedroom/2 persons): 53m² - London Plan requirement = 50m²
Apartment 11 (2 Bedroom/4 Persons): 70.5m² - London Plan requirement = 70m²
Apartment 12 (2 Bedroom/4 Persons): 71.5m² - London Plan requirement = 70m²

The units all meet the minimum size, as above.

Table 2.2 of Barnet's Sustainable Design and Construction SPD (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 would meet the above standards.

Floor to ceiling height:

D.6 of the London Plan states that a minimum ceiling height of 2.5 metres is required for at least 75% of the gross internal area of a dwelling.

Each of the proposed flats would meet the above standard.

Light/outlook:

Barnet's Sustainable Design & Construction SPD (2016) section 2.4 states that glazing to all habitable rooms should provide reasonable levels of outlook and daylight / sunlight to all habitable rooms.

Section 2.4 states that glazing to all habitable rooms should provide reasonable levels of outlook and daylight / sunlight to all habitable rooms. Apartment 1 is a below ground floor unit, but it has access to an outside terrace, which opens the unit up, and would provide a good standard of accommodation.

Development proposals should avoid single aspect dwellings that are north facing. Where single aspect flats are considered acceptable they should demonstrate that all habitable rooms and the kitchen are capable of providing adequate ventilation, privacy and daylight and the orientation enhances amenity, including views.

One concern is that whilst secondary windows have been provided in the flank elevations, these will require obscure glazing, and this may be of concern, particularly for those flats that are north facing. However the side facing windows would allow additional ventilation and the lower floor units to the rear (north facing) are served by large individual amenity areas. The second and third floor units, whilst north facing, would receive additional ventilation from the side facing windows, and also have access to external balcony areas. The units to the rear all have a wide frontage and are not deep units, all rooms are served by windows. It is not considered that the arrangement of these units would result in a significantly reduced level of amenity, efforts have been made to introduce a second aspect, site constraints require obscure glazing, but on balance this aspect can be accepted.

Amenity Space:

Section 2.3 of the Sustainable Design & Construction SPD (2016) sets out the minimum external amenity space standards for a flat, which is 5m² per habitable room. A room measuring 20m² or more is calculated as two habitable rooms.

The reduced proposal would provide approximately 246 sq m of amenity space, the scheme provides 44 habitable rooms, including double rooms, with a requirement of 220 sq m of amenity space. The proposed flats would all benefit from private amenity space, ranging from 5 sqm to 38 sqm. This is considered to be an acceptable provision and would be in accordance with minimum standards, albeit some units are only served by balconies. Given the occupants would also benefit from the communal amenity area, this is considered to be an acceptable provision, and the location, provides access to a range of services, with public amenity space in the wider area. On balance, this provision can be accepted.

The proposed internal stacking of the units is considered acceptable.

Accessibility:

The proposed development would be required to be designed to comply with M4(2) & (3). This can be secured via condition.

Highways

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

The Highways section has been consulted and provided comment;

The development provides 10 spaces. In accordance with DM17 policy the development should provide between 7-15.5 parking spaces. The London Plan requires a maximum parking allowance of up to 7.5 spaces. The level of parking proposed is considered acceptable. An access ramp is provided and there is space at the top of the ramp for a vehicle to wait to check that no other vehicles are exiting.

No on-street parking impact is anticipated. It is not considered trip generation would impact on the surrounding network. The existing crossover for the site will be utilised and this is considered acceptable.

24 cycle spaces in accordance with the London Plan. 1 space for 1 bed and 2 spaces for 2+ bed provided.

General refuse and recycling bins are located at a convenient place inside the building at ground floor near the entrance and on regular routes for the residents either on their way out or stopping by on their way to the car park. The store is located 12 metres away from the pavement and the bin will be rolled out to the street front for collection. The provision meets Barnet requirement for a development of this size providing 2x1100 litres bin for general waste, and 2x1100 litres bin for recycling.

The Highways section raise no objection subject to appropriate conditions. TfL has also been consulted and are also content with the submission.

Trees and Biodiversity

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that trees should be safeguarded and that proposals will be required to include hard and soft landscaping. This policy also states that when considering development proposals, the Council will seek the retention and enhancement, or the creation of biodiversity.

Para. 170 of the NPPF states; Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

Para 175 states; when determining planning applications, local planning authorities should apply the following principles:

- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

The council's Trees Officer has been consulted and provided comment.

The arboricultural report identifies the following trees for removal T6, T11 and T12, all B1 category holly trees, T5, T7, T8 and T9, four apple trees, one B1 and three C1 category, and one B1 category cypress tree T10. Of these trees T10 and T3 have the most public amenity, Fortunately T3 is located on adjoining land.

The remaining trees shown for removal are native and make a significant contribution to the biodiversity in the area. The loss of these trees and garden will have a detrimental impact on the character of the local area which is typified by gardens with mature trees.

The applicant was advised on 28/07/2020 that the missing TPO tree, understood to have died will require a replacement tree. Dawn redwood or hornbeam have been suggested, however yew, scots pine or western red cedar would be more in keeping with the existing tree cover in Station Road.

To mitigate the loss of trees large specimen trees are required but should be no smaller than 20/22 cm girth trees.

There is no objection to the loss of trees, subject to suitable replacement tree planting and the retention of T6 holly.

The Trees Officer has raised concern and objects with regards to the loss of the large garden with mature trees which has a sylvan character of the area for car parking. The proposal dominates the site and there is insufficient amenity space around the building which is out of character with the local area. Conditions have been suggested should officers be minded to grant consent.

As discussed in previous sections, policy guards against the loss of gardens and recognises the role that they can play in contributing to local character and to biodiversity, tranquillity and sense of space and the enhancement of the setting of buildings. The loss of garden space will always be regrettable, but as discussed above, this scheme would not result in the sole loss of garden space to development, or new parking areas, to the rear of buildings along this stretch of Station Road. This, and the fact that the redevelopment will include an

element of ancillary development, include parking spaces, to facilitate the development, will mean the loss will have to be balanced against other plan requirements. This will also include a desire to use sites more efficiently, if this can be achieved.

Should appropriate landscape replacement be agreeable, as detailed above through condition, and appropriate net ecological improvements be provided, on balance, the layout can be accepted. This is not to state that the loss is regrettable, but on the balance of all material considerations, including the character of the wider area, this element can be accepted.

Ecology

The submission is supported by an ecological appraisal (GS Ecology Ecological Assessment 2021). It is considered that the information provided is sufficient to support the above application. As such, no further surveys are required.

If at any time following the start of demolition works, a bat roost or evidence of a bat roost is observed, all work would need to cease until a suitably qualified licensed bat ecologist had been consulted and advice sought on how best to proceed legally. Where a bat roost is identified, destruction of the roost would usually need to be covered by a European Protected Species (EPS) Licence obtained from Natural England. The planning authority would need to have sight of any mitigation strategy developed for a licence application in order to address their obligations under The Habitats and Species Conservation Regulations 2017 (as amended).

If demolition is delayed for more than one-year after the date of the bat survey, repeat bat surveys should be undertaken.

Additionally, trees and structures are likely to contain nesting birds between 1st March and 31st August inclusive. Features present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

Ecological enhancements in the form of bird boxes are recommended.

Sustainability

In respect of carbon dioxide emission reduction, the Energy Statement advises that the scheme has been designed to achieve a 56.82% CO₂ reduction over Part L of the 2013 building regulations. This level of reduction is to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition would be attached to any permission to ensure compliance with this Policy.

In terms of water consumption, a condition would be attached to any permission to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

The proposed development therefore could be conditioned to meet the necessary sustainability and efficiency requirements of the London Plan in the event of an approval.

Drainage

The LLFA have reviewed the submitted drainage/FRA/Drainage Strategy information and have no objection subject to a condition agreeing details of SUDS design drawings.

Environmental Health

The Environmental Health section of the council has been consulted and raise no objection subject to conditions.

MET Police

The Crime Prevention Officer has reviewed the submission and concludes no objection to this proposal (on proviso that rear car park is protected by secure gates) and due to the reported issues affecting the ward, high levels of burglary in Barnet and potential issues as highlighted above, would respectfully request that a planning condition is attached to any approval, whereby this development must achieve Secured By Design accreditation, prior to occupation. Any approval could be conditioned accordingly.

5.4 Response to Public Consultation

Matters relating to the amenity of neighbouring residents, trees issues, character, parking, highway safety and unit sizes have been addressed within the main body of the report.

The concern from a neighbour in relation to his health issues are noted, but there is nothing to suggest that the new development would exacerbate this. Conditions can be put in place to try and minimise disruption during the construction phase.

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

In light of the above appraisal it is considered that the amended scheme is acceptable, it is therefore recommended that consent is granted subject to conditions.

