

MEETING

PLANNING COMMITTEE B

DATE AND TIME

WEDNESDAY 5TH JANUARY, 2022

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

TO: MEMBERS OF PLANNING COMMITTEE B (Quorum 3)

Chairman: Councillor Golnar Bokaei
Vice Chairman: Councillor Melvin Cohen LLB

Councillors

Ammar Naqvi	Alan Schneiderman	Nicole Richer
Reema Patel	Roberto Weeden-Sanz	

Substitute Members

Eva Greenspan	Pauline Coakley Webb	Val Duschinsky
Anne Hutton	Charlie O-Macauley	Alex Prager

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

Andrew Charlwood – Head of Governance

ASSURANCE GROUP

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

Governance Service contact: planning.committees@barnet.gov.uk

Media Relations contact: Tristan Garrick 020 8359 2454

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of the last meeting	5 - 10
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.	12 Larkspur Grove Edgware HA8 9GB 21/5309/RCU (Hale)	11 - 18
7.	1 Manor Close Barnet EN5 4BP 21/1597/FUL (Underhill)	19 - 28
8.	1 Holmwood Gardens, London, N3 3NS 21/1232/PNH	29 - 34
9.	Rear Of 153 Friern Barnet Lane London N20 0NP 21/2109/FUL (Oakleigh)	35 - 56
10.	60 Corringham Road London NW11 7BX 20/5573/HSE (Garden Suburb)	57 - 64
11.	Any item(s) that the Chairman decides are urgent	

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Decisions of the Planning Committee B

9 November 2021

Members Present:-

AGENDA ITEM 1

Councillor Golnar Bokaei (Chairman)

Councillor Ammar Naqvi
Councillor Reema Patel
Councillor
Alan Schneiderman

Councillor Roberto Weeden-Sanz
Councillor Nicole Richer

Apologies for Absence

Councillor Melvin Cohen

Substituted by Councillor Alex Prager

1. MINUTES OF THE LAST MEETING

RESOLVED that the minutes were approved as an accurate record.

2. ABSENCE OF MEMBERS

Cllr Melvin Cohen sent apologies and was substituted by Cllr Alex Prager.

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

None.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

The Chairman noted that the addendum to the officer's report had been published, circulated to the Committee and made available to those in attendance.

6. DOLPHINS TOTTERIDGE GREEN LONDON N20 8PE 21/0625/FUL

The Chairman noted that the item has been withdrawn from the Agenda to allow officers to give further consideration to objections received from local residents.

7. BRONDESBURY CRICKET TENNIS AND SQUASH CLUB, 5A HARMAN DRIVE, NW2 2EB 21/0701/FUL

The Chairman noted that the item was withdrawn from the agenda because discrepancies in the plans had been identified and it had not been possible to get these rectified in time for the meeting.

**8. FORMER MEETING HALL REAR OF 2 BLENHEIM ROAD LONDON EN5 4NF
21/3621/S73**

The Planning Officer presented the report.

Dr Blaikley spoke in objection to the application.

Mr Joe Henry, agent for the applicant, addressed the Committee.

Further to the committee considering the application the Chairman moved to a vote on the Planning Officer's recommendation, with amendments to the following conditions:

CON 5: "No dwelling shall be occupied until parking spaces have been laid out within the site in accordance with drawing PL002 'Proposed Site Plan' for 4 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear."

CON 13: "Before the building hereby permitted is first occupied the proposed first floor window(s) in the west elevation facing Queens Road as shown on Drawing PL002 'Proposed First Floor' 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."

For - 4

Against - 1

Abstained 2

RESOLVED that the application was approved.

9. PREMIER HOUSE, 112 STATION ROAD, HA8 7BJ 20/6320/FUL

The Planning Officer presented the report and addendum.

Mr Chesler addressed the Committee in objection to the application.

Mr Raistrick, agent for the applicant, addressed the Committee.

Further to consideration of the application the Chairman moved to a vote on the Planning Officer's recommendation with the following amendment to Recommendation 1:

"7. No more than 50% of the new flats shall be occupied until the recladding of the entire building has been completed in accordance with approved plans.

8. Meeting the Council's costs of monitoring the planning obligation"

And amended conditions:

CON 20 "Prior to first occupation of the development hereby approved, bird (to include swifts) and bat boxes shall be incorporated into the fabric of the building and permanently retained as part of the approved development."

CON 18 "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 retained 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 and the 2021.”

For - 4
Against - 1
Abstain – 2

RESOLVED that the application was approved.

10. 5 CARLTON CLOSE LONDON HA8 7PY 21/2038/HSE

The Planning Officer presented the report and addendum.

Ms Anuma Patel spoke in objection to the application.

Mr Taylor, planning consultant, addressed the Committee.

Further to a discussion the Chairman moved to the vote on the officer’s recommendation:

For - 6
Against - 1

RESOLVED that the application was approved.

11. 66 WOODSIDE PARK ROAD LONDON N12 8RY 21/2753/S73

The Planning Officer presented the report.

Mr Joe Henry, Planning Consultant, addressed the Committee.

Further to a discussion the Committee moved to a vote on the officer’s recommendation with amended condition:

CON 12 “Prior to the first occupation of any of the flats they shall be constructed to incorporate carbon dioxide emission reduction measures as set out in the Energy and Sustainability Statement, 3D Consulting Engineers, Rev C. The building shall be retained as such for the life of the development.”

For - 4
Against - 2
Abstained - 1

RESOLVED that the application was approved.

12. 21 FARM AVENUE LONDON NW2 2BJ 21/0027/FUL

The Planning Officer presented the report and addendum.

Phillip Dusek, agent for the applicant, addressed the Committee.

Further to a discussion the Chairman moved to a vote on the officer's recommendation and with the following amendments to conditions:

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

Existing shadow assessment (un-numbered)
Proposed schedule of external materials and finishes (un-numbered)
Existing site layout plan 59-P-1
Existing floor plans 59-P-2
Existing elevations 59-P-3
Preliminary Ecological Assessment ref ASW/AB_HA/062/24/2020) by ASW Ecology Ltd. dated December 2020
Bat emergence survey ref ASW/AB/010/25/2021 by ASW Ecology Ltd. dated May 2021
Proposed site layout and location plan 59-P-4E
Proposed floor plans 59-P-5C
Proposed elevations 59-P-6B
Existing and proposed streetscene 59-P-7D
Existing and proposed sections 59-P-8B
Proposed accessibility 59-P-9B
Proposed reconciliation plan 59-P-10A
Proposed elevation of front wall and gate 59-P-11
Design and Access Statement
Aboriginal and Planning Integrated Report (30/12/2020)
Tree Constraints Plan B
CGI Photograph"

CON 11 "Before the development is first occupied, the recommendations for enhancements detailed within Section 5.3.1 of the submitted Bat Emergence Survey by ASW Ecology Ltd dated May 2021 and the recommendations for biodiversity enhancements set out in the Preliminary Ecological Assessment December 2020 (to include provision of swift boxes/ bricks) shall be implemented in full and retained as such thereafter."

CON13 "a) Notwithstanding the details shown on drawing 59-P-4E, 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. The landscaping scheme shall include a minimum of 5 new trees within the site.

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."

For - 7

Against – 0

RESOLVED that the application was approved.

13. LAND ADJACENT TO 1 AND 1A BOOTH ROAD NW9 5JS 20/4583/FUL

The Planning Officer presented the report and addendum.

There were no speakers.

Further to a discussion the Chairman moved to a vote on the condition. Only those Members who had attended the meeting of Planning Committee B on 30th September where the decision had been made, were invited to vote:

For - 3

Abstained - 1

RESOLVED that the condition was approved.

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

The meeting finished at 9.14 pm

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Location 12 Larkspur Grove Edgware HA8 9GB

Reference: 21/5309/RCU

Received: 6th October 2021

AGENDA ITEM 6

Accepted: 6th October 2021

Ward: Hale

Expiry 1st December 2021

Case Officer: Wilf Foster

Applicant: Ms Henry

Proposal: Use of the existing dwelling for a children's home to accommodate 2 children (Retrospective application)

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:

Drawings: 583-00-01 revA; 583-EX-00 revA; 583-EX-01 revA.

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 Details of cycle parking including the type of stands, gaps between stands, location and type of cycle store proposed shall be submitted to and approved in writing by the Local Authority. Thereafter, before the development hereby permitted is occupied, a minimum of 1 long stay cycle parking space in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided and shall not be used for any purpose other than parking of cycles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of bicycles 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, Policy DM17 of Development Management Policies (Adopted) September 2012, and Policy T5 of the London Plan (2021).

- 4 The use hereby permitted shall be carried on only by the applicant, Mrs Andrea Henry, and by no other person, organisation or operation.

Reason: To ensure that the consent granted accords with the permission sought and considered, in the interest of the amenities of the area in accordance with Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012), and to safeguard housing choice for vulnerable residents in accordance with Policy CS4 and CS11 of the Local Plan Core Strategy DPD (adopted September 2012).

Informative(s):

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

OFFICER'S ASSESSMENT

1. Site Description

The site is located at the northern end of Larkspur Grove, which is a cul-de sac within the Hale ward. It contains a two storey end of terrace dwelling house.

The site is bounded by Edgware Way and Nos. 1-6 Iris Walk to the north; Aster Court to

the north west; to the east are Nos 37 & 39 Magnolia Gardens, and to the south is No. 10 Larkspur Grove. The surrounding area predominantly consists of single family dwellinghouses and flats. The site benefits from a large rear garden.

The application site is not a listed building and does not lie within a Conservation Area.

2. Site History

Reference: 16/6320/FUL

Address: 12 Larkspur Grove Edgware HA8 9GB

Decision: Approved subject to legal agreement

Decision Date: 30 August 2017

Description: Use of the existing dwelling for a children's home to accommodate 2 children

3. Proposal

This application seeks planning permission for the "Use of the existing dwelling for a children's home to accommodate 2 children." Although the use has ceased at the point of the application being made, it is sought to resume an existing use without planning permission and therefore consent is sought retrospectively.

The proposals do not involve any external changes requiring planning permission.

4. Public Consultation

A site notice was erected 21 October 2021.

Consultation letters were sent to 51 neighbouring properties.

A total of 55 responses have been received, comprising 54 letters of objection and 1 letter of support.

The objections received can be summarised as follows:

- Concerns regarding noise and disturbance, including anti social behaviour, arising from the proposed use.
- Impact of the proposals on the character of the area.
- Loss of single family housing.
- Concern regarding increased parking congestion and vehicular movements as a result of the proposed development.
- Concern regarding impact on local property values.
- Increase in litter in the surrounding area.

The applicant has posted a comment for support stating:

"Sadly, since the introduction of covid restrictions in March 2020; families, schools and child care providers have experienced overwhelming shortages in Child Adolescent and Mental Health Services (CAMHS) - not only in Barnet, but throughout the UK.

Consequently, this has had a severe impact on the health and well-being of children nationwide."

5. Planning Considerations

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 20 July 2021. 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 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.
- Relevant Development Management Policies: DM01, DM02.

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 22) 2021

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. 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 the policies and site proposals in the draft Local Plan and the stage that it has reached.

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.

Residential Design Guidance SPD (adopted October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the principle of development is acceptable;
- Whether harm would be caused to the character and appearance of the street scene and the surrounding area;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to the living conditions of future residents;
- Whether harm would be caused to highways and parking;
- Any other material considerations

5.3 Assessment of proposals

Principle of development:

The proposal seeks retrospective consent to use the dwelling house (Use Class C3) at 12 Larkspur Grove as a children's home (Use Class C2) to accommodate 2no children. Policy DM07 of Barnet's Development Management Policies Document states that the loss of residential accommodation will not be permitted unless:

a. the proposed use is for a local facility (children's nursery, educational or health use) provided that it is not detrimental to residential amenity and;

b. where need can be demonstrated and;

c. the demand for the proposed use cannot adequately be met elsewhere and is in line with other policies

or;

d. the location is no longer environmentally suitable and viable for residential use

or;

e. it involves identified regeneration areas with large scale demolition of housing and estates which provides for the net replacement of the total residential units

Paragraph 8.1.3 of this document states:

"There may be specific circumstances where the loss of residential uses may be acceptable. Changes of use may be permitted where a clear local need can be demonstrated to provide the following local facilities; health facilities, a children's nursery or educational use. Any proposal should be of a small scale and will be considered on its merits having regard to the impact on the amenity of residents, car parking and traffic. In line with Policy CS10: Enabling Inclusive and Integrated Community Facilities and Uses the co-location of facilities will be supported in the right locations. Policy DM13: Community, Health and Education Uses sets out our approach to access to community facilities."

It is not considered that the location is no longer environmentally suitable and viable for residential use (DM07.d) and the application site does not involve an identified regeneration areas with large scale demolition of housing and estates which provides for the net replacement of the total residential units (DM07.e).

With regards to part a) of Policy DM07, the proposed use is for a children's home, which is deemed to be a local facility as defined in the policy. With regards to residential amenity, consideration is given to the small scale of the facility, accommodating 2 no children only. It is noted that there would be a different pattern of use compared with a single dwellinghouse, including comings and goings of staff and visitors. The applicant has stated that "the care home would provide 24 hours, with two staff on duty per shift." Staff shifts are as below:

10am - 6pm - Housekeeping/Meal time x 2 staff
6pm - 10am - Waking Night staff x 2 staff

It is considered that the above frequency and pattern of comings and goings would be relatively comparable to that associated with a single dwellinghouse.

It is noted that a large number of objections have been received following public consultation, with many citing concerns about noise and disruption from the proposed use and referring to the previous operation of the use. These concerns are noted and taken into consideration. However, it must be noted that no complaints were made to the Council's Environmental Health team during the operation of Larkspur House between 2017 and 2021. Environmental Health officers have been consulted on the application and have not raised an objection to the use and its impact on residential amenity.

Considering the scale of the proposed use and taking into account all information available to officers, it is not on balance considered that the proposed use would be likely to result in unacceptable harm to neighbouring amenity. As such, it is not considered that this would warrant a reason to object to the proposals or that there would be a conflict with Policy DM07.a.

Policy DM07 further requires that 'need can be demonstrated' (point b) and 'the demand for the proposed use cannot adequately be met elsewhere and is in line with other policies'. In relation to the local need for accommodation such as that being proposed, the London Borough of Barnet's Director of Children Social Care (Family Services) has provided the following response:

"As Director of Corporate Parenting I can say that there is currently a crisis across London in relation to insufficient residential resources for children in our care and in Barnet there is definitely a local need for this type of provision."

In light of the above, Planning Officers are satisfied that there is a demonstrable local need for the proposed use which is not currently being met elsewhere. The proposals are therefore considered to be in accordance with parts b) and c) of DM07. A condition is attached to restrict the operation of the use to the applicant, Mrs Andrea Henry only and no other person, organisation or operation. This is considered prudent to ensure that the use is linked in perpetuity to the identified local need.

Taking all material considerations into account, in this particular instance, the loss of residential accommodation is considered to be acceptable and in accordance with local planning policy. Therefore, the principle of development is found to be acceptable.

Impact on character and appearance:

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) 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 proposals do not involve any external changes to the existing building requiring planning permission to facilitate the proposed use. While it is noted that changes of use can impact the local character through associated changes to the pattern and intensity of use of a site, as discussed above, given the small scale of the proposed facility, it is not considered that the proposed use would be detrimental to the established local character. The proposed development is therefore considered to be in accordance with Policy DM01 in this respect.

Impact on amenity of future occupiers:

The proposed accommodation is unchanged from the previous consent 16/6320/FUL. It comprises two bedrooms at first floor level, both benefitting from good light and outlook, and a kitchen and living room at ground floor. The property benefits from a generous garden to the rear. Overall, the proposal is considered to provide an adequate level of amenity for future occupiers and is satisfactory for the proposed use.

Impact on amenity of neighbouring occupiers:

The impact of the proposed use as a children's home for two children is discussed in relation to the principle of development and considered to be acceptable. There are no external changes proposed to the existing building that would impact neighbouring amenity. As such, officers are satisfied that the proposals would not result in unacceptable harm to the residential amenities of neighbouring occupiers.

Impact on highways and parking:

The proposed use involves two members of staff on site at one time. There are currently 2 parking spaces allocated to the property, which is considered to be an acceptable provision that would not result in harmful overspill parking.

With regards to cycle parking, Table 10.2 of the London Plan (2021) states that the minimum standard for uses within Use Class C2 is 1 space per 5 FTE staff. As such, the proposals would be expected to provide a minimum of 1no cycle parking space. Although this has not been indicated on the submitted plans, there is sufficient space to accommodate this on site. A condition is attached to ensure this would be provided, which is considered to be satisfactory.

Therefore, there are not considered to be any material reasons to object to the proposed development on highways grounds.

5.4 Response to Public Consultation

- Concerns regarding noise and disturbance, including anti social behaviour, arising from the proposed use.
- Impact of the proposals on the character of the area.
- Loss of single family housing.
- Concern regarding increased parking congestion and vehicular movements as a result of the proposed development.

The above issues are all considered to have been addressed in the above assessment of the proposals.

- Concern regarding impact on local property values.
- Increase in litter in the surrounding area.

These are not considered to be material planning considerations.

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 proposed development would result in the loss of residential accommodation; however, the proposed use is for a local facility which would not cause harm to residential amenity, need has been demonstrated and the submission has been supported with evidence and justification that demand for the proposed use is not currently being met, thus meeting the requirements of Policy DM07 of Barnet's Development Management Policies Document DPD (2012).

The application would be acceptable in terms of character and appearance. It would provide acceptable living conditions for its intended future occupants. The application is deemed acceptable on highways grounds.

The level of objection is noted and their concerns have been acknowledged however, taking all material considerations into account, it is considered that the scheme be recommended for APPROVAL.



Location 1 Manor Close Barnet EN5 4BP

Reference: 21/1597/FUL

Received: 23rd March 2021

Accepted: 23rd March 2021

Ward: Underhill

Expiry 18th May 2021

AGENDA ITEM 7

Case Officer: Will Collier

Applicant: Alex Seymour

Proposal: Single storey rear extension with 1no rooflight. Alterations to the front entrance door with new front window, and a new door to the rear

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:

1796AS_FUL SH1 Revision A
Planning 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 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

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

- 4 Before the building hereby permitted is first occupied the proposed window(s) in the rear elevation of the extension facing the garden 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).

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

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with 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).

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 applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.

OFFICER'S ASSESSMENT

1. Site Description

The application site comprises of a two-storey semi-detached dwelling house, which is located on Manor Close, Barnet, within the Underhill Ward. The application site, no.2 Manor Close has a two-storey rear projecting gable, and the building is divided into two flats and this proposal relates to the ground floor flat.

Manor Close is residential in character comprising of 2 no. pairs of semi-detached properties located within a cul-de-sac. The properties are identical in design and form. The site can be accessed from Wood Street. The flat has an existing front and side entrance. The application site is not a listed building and does not lie within a Conservation Area.

2. Site History

No relevant Planning History.

3. Proposal

This application seeks permission for a proposal to erect:

- o A single storey rear extension with 1 no rooflights.
- o Alterations to the front entrance door with new front window, and a new door to the rear.

The alterations to the front consist of a new front entrance with curved glass canopy above. This canopy is about 1.5 metres in width, 0.6 metres in depth, with a maximum of 2.8 metres in height above ground level. A new en-suite window is proposed to the left of the front entrance.

The alterations at the side involve infilling the existing side entrance door, such that the only access would be via the front. Flat 1A's (flat above) entrance door on the side would remain in place unchanged.

The front driveway would remain as hardstanding with space for two parking spaces and refuse storage area.

The proposed rear extension is sited on the rear of the existing rear projecting element of the building. It would measure 3 metres in depth, 4.92 metres in width, with a flat roof about 3.15 metres in height. The proposed rear extension would also include 1 square rooflight (1 metre by 1 metre) positioned centrally in the roof space.

The proposal has been amended during the course of the application to have a flat roof with one rooflight, instead of a previously proposed lean-to pitched roof with two rooflights. The windows on the rear elevation of the extension have been amended to two windows at conventional height instead of one single high-level window.

4. Public Consultation

Consultation letters were sent to 13 neighbouring properties.

7 objections were received. The issues and concerns raised are summarised below:

- Property has limited parking
- Rear extension is too large for the space and there is nothing similar in size nearby.
- Lack of remaining amenity space.
- A large, rendered wall with a high strip of window will not suit the look of the property. The siting of the amenity area close to the rear wall and adjacent to the common boundary would raise noise pollution issues.
- The proposed height of the rear extension would be above the floor line for the flat above and it would be considered as an encroachment of neighbouring property; pitched roof is too high and should be a flat roof.
- Loss of outlook from first floor flat above (No. 1A) and from its garden - overbearing to this garden.
- Concerns regarding the structural stability of internal works.
- Manor Close is too narrow for large vehicles and skips associated with the construction.
- Front alterations detract from the uniformity of the frontages of Nos 1 - 4 Manor Close, which were built together in the 1930s and visible to passers-by.
- The proposed extension bringing the back wall so much closer to the neighbouring garden, would still cause the feeling of privacy being lost. This causes overlooking of the garden area.
- This property is in a small community with small gardens and an extension could encroach on the neighbouring residents' privacy and space in an oppressive way.
- Noise and air and odour pollution resulting from kitchen opening onto amenity area on the common boundary, especially in summer with possible outdoor barbecues and given more people are working from home.
- The roof lights will when open allow the general commotion of a kitchen to permeate to the neighbour's upper bedroom.
- The floodlights are going to produce commotion to the neighbours above and adjacent.
- Noise and odour issues could be mitigated by re-locating the extension on the common boundary with No. 2 Manor Close and ensuring the rooflights are non-openable.
- Correction to wording - 1 - 4 Manor Close were designed as 8 maisonettes originally.

- The rear extension would restrict access to guttering
- Loss of property values.
- Infilled doorway on side - would be difficult to find matching brickwork.
- Side window of rear extension should be obscure glazed.
- With COVID having changed how everyone is working from home, the building progress cause a distraction and a potential loss of business.
- The layout design is deemed poor with scope for improvement.

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 20th July 2021. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 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 19) 2021

Barnet's Draft Local Plan - 19 - Publication was approved for consultation on 16th June 2021. The Reg 19 document sets out the Council's draft planning framework together with draft development proposals for 65 sites. It is Barnet's draft 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 the policies and site proposals in the draft Local Plan.

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.
- Whether harm would be caused to the conditions for future occupiers of the flat.

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).

The properties on Manor Close (Nos 1-4) are identical in form and design. The proposal involves minor alterations to the front door and window with a glass canopy over the new door. It is considered that moving the entrance of the property to the front elevation is acceptable and the glass canopy will not detract the original appearance of this series of properties. The glass canopy on the front entrance is of small scale and assessed to have no significant impact on the uniformity of the frontages.

The proposed single storey rear extension of 3 metres in depth is considered to be subordinate to the existing house which would not be detrimental to the character and appearance of the house and the surrounding properties in the area.

With regards to the proposed materials, the applicant has indicated on the plans that the extension would be of white render to match rear elevation of the main dwelling house. This is considered acceptable.

The rear elevation of the extension has been amended such that two windows of standard ground floor level height are proposed instead of one single high-level strip window. In terms of design and appearance this is considered an improvement and acceptable in terms of visual amenity.

Given the size of the property and the site in which it sits, the proposal is not considered to result in overdevelopment or a cramped form of development. The proposal would be simple in design and would respect the appearance of the host property. The proposed extensions are not considered to be a dominant addition to the dwelling and are in keeping with the principles of good design.

As such the proposal is considered to be subservient to the host dwelling and would comply with Policy DM01 of Barnet's Development Management Policies DPD and would have an acceptable impact on the character of the original property, street scene and wider locality.

- 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.

The application site is a ground floor flat and therefore there are the nearest neighbouring properties are: Flat 1 A above, and flats in the adjoining semi (Nos 2 and 2A Manor Close).

Light and outlook:

The proposed rear extension is about 3 metres deep and set 3 metres away from the common boundary with No 2 Manor Close. It is thus considered this distance away from the boundary is sufficient to ensure no detrimental impact on light or outlook at the flats at No. 2 Manor Close.

It is noted a number of objections have highlighted the extension would have an overbearing impact on the garden of Flat 1 A, located south of the extension. However, it should also be noted that the extension is set nearly 1 metre away from the boundary of this garden. Taking this into account, together with the depth and amended roof design of the extension and that it does not span the full width of the property, it is considered not to cause an adverse overbearing impact on this garden.

The proposed alterations at the front raise no concerns in respect of outlook or light at neighbouring properties.

Privacy:

The proposed windows in the southern elevation of the extension are considered to result in overlooking to the neighbouring garden of Flat No. 1A. However, it is considered this would be sufficiently mitigated by a condition for these two windows to be obscure glazed. The side window in the west elevation of the extension is sufficient far from neighbouring properties: there is a highway (Manor Close) and substantial boundary treatment acting as sufficient separation and screening between properties.

The proposed French doors on the east elevation open out into an amenity area adjacent to the common boundary. A number of objections have raised concern that this would cause a loss of privacy to No. 2 Manor Close. However, taking into account these doors are set 3 metres away from the common boundary together with the existing boundary timber fence (at least 1.5 metres in height) and that there are no opposite facing windows at No. 2 Manor Close, it is assessed that there would be no adverse overlooking.

Noise, odour, and light pollution:

With respect to concerns about noise and odour emanating from the kitchen extension and amenity area on the common boundary, it is not considered these are sufficient concerns given the proposal is domestic and residential in character.

With regard to light, the amended roof design for a flat roof with single rooflight is considered to mitigate this concern sufficiently: the roof is set sufficiently low in height and the roof glazing sufficiently limited to ensure no adverse light pollution to neighbouring properties. The French doors (2 meters wide) are also considered not to cause adverse light pollution taking into account they are set back from the common boundary by 3 metres and the residential character of the development.

- Whether harm would be caused to the residential amenities for existing/ future occupiers of the flat:.

Sustainable Design and Construction SPD (adopted October 2016) states that, "Outdoor amenity space is highly valued and suitable provision will help to protect and improve the living standards of residents as well as contribute to maintaining and enhancing the wider character of the borough." It further mentions that, "Residential units with insufficient

garden or amenity space are unlikely to provide good living conditions for future occupiers."

Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats, outdoor amenity space should be 5 sqm per habitable room. In this case the new layout will see 3 habitable rooms (2 bedrooms and living room), as the new kitchen/dining room does not exceed 13sqm, it will not be counted as a habitable room. Therefore, the unit will need to provide an amenity space of 15sqm. The property benefits from a very modest rear garden located mostly to the side of the extension, and the extension will occupy a significant area of this garden. Having measured the rear garden, it appears that although the garden retained would be 19.6sqm, only 15sqm can be counted as useable space, and therefore meets the required space requirements for outdoor amenity space.

Concerns have been raised about the level of outlook enjoyed by the new extension. This is not accepted given the French doors and fenestration on the rear and side elevations of the amended design.

5.4 Response to Public Consultation

Objections have been largely addressed in the body of the report. Some further responses are set out below.

- The proposal would reduce the amenity space for the 2-bedroom flat, The 19.6 SQM courtyard designed accessible by two double doors is questionable, let alone enjoy the modern lifestyle of BBQs, which in addition bring the nuisance of smell and smoke.

This has been assessed above, two habitable room units requires 15sqm private amenity space and the proposal would have 19.6sqm space.

- a large, rendered wall with a high strip of window will not suit the look of the property.

The proposed rendered wall would fit within the existing rear wall of the property. Furthermore, the amended design no longer has high-level windows.

- The proposed height would be above the floor line for the flat above and it would be considered as an encroachment of neighbouring property.

This has been overcome by the amendments to the roof design from pitched to flat roof.

Other objections are not considered to be planning materials consideration.

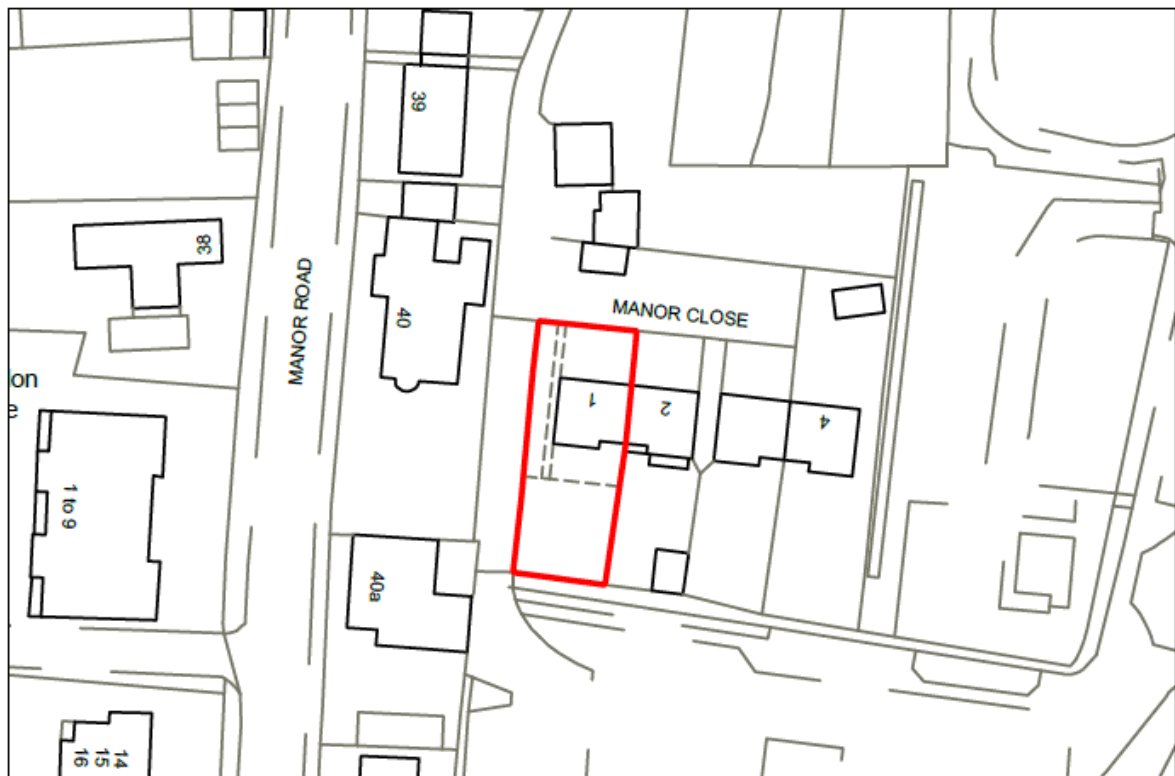
6. Equality and Diversity Issues

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

7. Conclusion

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

Location Plan – 1 Manor Close, Barnet, EN5 4BP



Location Plan

Scale 1:1250

0 10 20 30 40 50 60 70 80 90 100m

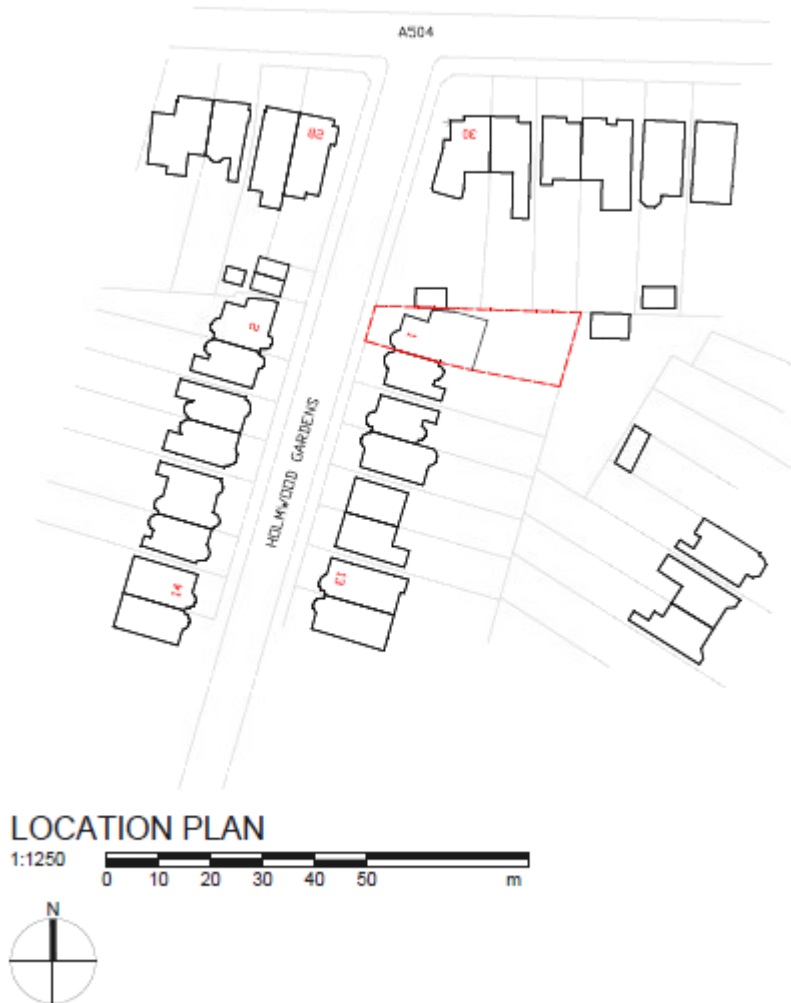


COMMITTEE REPORT

AGENDA ITEM 8

1. Site Description

The application site relates to a two-storey, semi-detached dwelling which is situated on the eastern side of Holmwood Gardens. The surrounding area is residential in character, comprising of predominantly semi-detached properties. The site is not located within a conservation area and is not subject to any other relevant restrictions.



2. Site History

Planning

Reference: 21/1232/PNH

Address: 1 Holmwood Gardens, London, N3 3NS

Decision: Prior Approval Not Required

Decision Date: 9 April 2021

Description: Single storey rear extension with a proposed depth of 6.00 metres from original rear wall, eaves height of 2.50 metres and maximum height of 3.40 metres.

Reference: 21/1240/192

Address: 1 Holmwood Gardens, London, N3 3NS

Decision: Lawful

Decision Date: 20 April 2021

Description: Roof extension involving hip to gable, 1 no side gable window, rear dormer window with Juliette balcony and 3 no front facing rooflights

Enforcement

Reference: ENF/0854/21

Address: 1 Holmwood Gardens, London, N3 3NS

Decision: Pending Consideration

Description: Building Works without the Consent of Planning Permission.

3. Proposal

The proposal relates to a replacement roof over the first-floor element of the existing two-storey side extension. The existing roof is part mono-pitched, part flat whereas the proposed roof would be dual-pitched to match the pitch of the main roof. The materials would match those of the existing property. It has been noted that the works have been completed during the lifetime of the application.

4. Public Consultation

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

The objections received can be summarised as follows:

- Excessive size and overshadowing
- Out of keeping with street and bulky
- Disturbance and noise from construction
- Outbuilding at rear of garden not shown on plans

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 20 July 2021. 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 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 for the next 20-25 years. 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 Draft Local Plan -Reg 22 - Submission was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission the Local Plan will now undergo an

Examination in Public. The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. It represents Barnet's draft 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 the policies and site proposals in the draft Local Plan and the stage that it has reached.

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

Impact to Character

Policy DM01 sets out that 'proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets'.

The Residential Design Guidance SPD, paragraph 14.16, states that 'pitched roofs, following the same pitch as the existing roof, will normally be needed for two storey extensions and be set down at least 0.5 metre from the ridge of the main roof

It has been noted that the original roof of the property was hipped and that the property has benefitted from a roof extension (Ref: 21/1240/192) which included a hip-to-gable roof extension. The replacement roof of the first-floor side extension matches the pitch of the main roof and is set down by more than 0.5 metres, in line with the guidance as set out in the Residential Design Guidance SPD. It is therefore considered that the constructed replacement roof is an appropriate alteration that is in keeping with the character of the host property as well as the street scene. It is considered that the proposal is in line with Policy DM01.

Impact to Neighbouring Amenity

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'.

The Residential Design Guidance SPD states that proposals should be designed to ensure the provision of sufficient privacy, minimisation of overlooking between surrounding dwellings and orientation of buildings to maximise sunlight and daylight.

Given the overall size, design and siting of the replacement roof, it is not considered that it would cause adverse impact to neighbouring amenity, in accordance with Policy DM01. It is not considered that the change in roof form of the side extension would cause significant levels of loss of light or outlook or that it would appear overbearing when viewed from neighbouring amenity.

5.4 Response to Public Consultation

- Excessive size and overshadowing: The current roof of the first-floor side extension is set down from the main ridge by 3.7 metres, whereas the proposed roof would be set down by 1.5 metres. Although the proposed roof has a greater height, it is not considered excessive to the point of creating adverse impact to neighbouring amenity in terms of appearing overbearing or creating significant levels of loss of light or outlook.

- Out of keeping with street and bulky: Given the set down from the main roof it is not considered that the replacement roof would appear bulky. It has also been noted that there are other examples of roof alterations and extensions within the vicinity, therefore it is not considered that the proposed roof would detract from the character of the street scene.

-Disturbance and noise from construction: This is not a material planning consideration.

-Outbuilding at rear of garden not shown on plans: The proposal does not relate to an outbuilding therefore this cannot be assessed as part of the proposal. However, the applicant has confirmed that the constructed outbuilding meets permitted development requirements.

6. Equality and Diversity Issues

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

7. Conclusion

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

8. Conditions

1. Approved Plans

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

0213PL-001, 0213PL-100, 0213PL-101, 0213PL-102, 0213PL-103, 0213PL-200, 0213PL-201, 0213PL-110, 0213PL-111, 0213PL-112, 0213PL-113, 0213PL-210 and 0213PL-211 dated 02/21.

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. Materials

The materials used in the external surfaces of the extension shall remain as built.

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).

9. Informatives

1. Approved, no pre-app

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.

Location Rear Of 153 Friern Barnet Lane London N20 0NP

Reference: 21/2109/FUL Received: 14th April 2021
Accepted: 22nd April 2021

Ward: Oakleigh Expiry 17th June 2021

Case Officer: Tania Sa Cordeiro

Applicant: Mr Bull

Proposal: Construction of 3no two storey dwelling houses with rooms in the roofspace. Associated amenity space, landscaping and parking

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:

Draft Construction Management Plan, prepared by Stuart Henley and Partners
Drg.no. GD/210050/R2 Rev.1 (Arboricultural Implications Assessment and Tree protection Plan), prepared by Bartlett Consulting
Drg.no. GD210050dTPP Rv2 (Tree Protection Plan)
Drg.no. GD/210050/R3 (Arboricultural Method Statement and Tree Protection Plan Report), prepared by Bartlett Consulting
Drg.no. 5045_11_Rev.H (Proposed Site Plan)
Drg.no. 5045_12_Rev. A (House 1 - Proposed Floor Plans)
Drg.no. 5045_13 (House 2 - Proposed Plans)
Drg.no. 5045_14 (House 3 - Proposed Plans)
Drg.no. 5045_15_Rev. A (House 1 - Proposed Elevation)

Drg.no. 5045_16 (House 2 - Proposed Elevation)
Drg.no. 5045_17 (House 3 - Proposed Elevation)
Drg.no. 5045_18_Rev. A (House 1, 2 & 3 - Proposed Elevation)
Drg.no. 5045_01 (Site Location Plan)

The above plans were received on the 11th October 2021.

Design and Access Statement

The above plans were received on the 22nd April 2021.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

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

- 3 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

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

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

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

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

- 4 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).

- 5 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012); the Sustainable Design and Construction SPD (adopted October 2016); and Policies D6 and SI7 of the London Plan 2021

- 6 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, B, C, D, E of Part 1 of Schedule 2 of that Order shall be carried out within the area of Rear Of 153 Friern Barnet Lane, London N20 0NP and the new dwelling's hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the

Development Management Policies DPD (adopted September 2012).

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies D4, D5, D8 and G7 of the London Plan 2021.

- 8 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 treatment of boundaries should be permeable to species such as hedgehogs (*Erinaceus europaeus*) and common toad (*Bufo bufo*), with the introduction of a minimum of 1no 13 x 13cm ground level access 'hedgehog hole' between the application site and each neighbouring piece of land to enable connections and prevent the fragmentation of habitat

c) 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, DM16, 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).

- 9 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).

- 10 Before the building hereby permitted is first occupied the proposed window(s) in the side elevations at first floor and roof level 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 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

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

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

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

- 13 a) No development shall take place until the implementation of a programme of archaeological evaluation has been secured in accordance with a written scheme which has been submitted by the applicant and approved by the Local Planning Authority in writing and a report on that evaluation has been submitted to the Local Planning Authority.

b) If heritage assets of archaeological interest are identified by the evaluation under a) above, then before development (other than demolition to present ground level) commences the implementation of a programme of archaeological investigation shall be secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

c) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under b).

d) The development shall not be first occupied or brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under b), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To enable archaeological investigation of the site in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD 2016 and Policy HC1 of the London Plan 2021.

- 14 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 Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 15 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 wholesome 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. Any use of grey water and/or rain water systems needs to be separate from the potable (wholesome) water system and needs to meet the requirements and guidance set out in Part G of the Building Regulations.

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), Policy SI 5 of the London Plan 2021 and Barnet's Sustainable Design and Construction SPD (2016).

- 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 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), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 17 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) and Policy 7.21 of the London Plan 2016).

- 18 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

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

- 19 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'

The above conditions would be required, pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy G6 of the London Plan 2021.

- 20 Notwithstanding the parking layout submitted with the planning application, prior to construction of the development; swept path drawing showing vehicles entering, turning around and exiting the 8 parking spaces within the curtilage of the development shall be submitted to and approved in writing by the Local Planning Authority.

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.

- 21 Details of cycle parking including the type of stands, gaps between stands, location and type of cycle store proposed shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, before the development hereby permitted is occupied, 6 (long stay) cycle parking spaces in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided and shall not be used for any purpose other than parking of cycles 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.

Informative(s):

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

- 2 Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

"An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine."

- 3 If the development is carried out it will be necessary to provide a habitual crossover access to facilitate construction access to the development site including any associated works to the public highway. Following completion of the development, the footway including any associated works on public highway, will be reinstated by the Highway Authority at the applicant's expense. An estimate for this cost of works and the Application Forms can be obtained from the Highway Development Control Team, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW.

- 4 Damage to public highway as a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

- 5 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.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 6 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.
- 7 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licences please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email highwayscorrespondence@barnet.gov.uk.

Informative: The applicant should apply for a Habitual Crossing License for construction vehicles

- 8 The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, 2 Bristol

Avenue, Colindale, NW9 4EW.

- 9 The applicant is advised that Highways Licensing Team must be contacted to apply for a temporary crossover license. An estimate for this license can be obtained from the Highways Licensing Team, London Borough of Barnet, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW.
- 10 The applicant is advised that due to the large number of schools and school children in the area that site deliveries during the construction period should not take place between 0800 hrs to 0900hrs and 1500 hrs to 1600 hrs. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.
- 11 The applicant is advised that any removal or relocation of the existing street furniture including lamp columns as a result of the proposed development would be subject to the Highway Authorities approval and undertaken at the applicant's expense by the Council's term contractor for Highway Works. An estimate for the works can be obtained from Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW.
- 12 The applicant is advised that Friern Barnet Lane (the whole length) is Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Crossover Team in Development and Regulatory Services should be consulted in this respect.
- 13 The applicant shall carry out a "before" and "after" condition survey of the agreed route to be utilised by all construction traffic. The "before" survey shall taken prior to the commencement of the development. The "after" survey shall be completed three months before the completion of the development. 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.

OFFICER'S ASSESSMENT

2. Site Description

The application site relates to a vacant L shaped site, located close to the junction with Friern Barnet Lane. To the rear, the site wraps around the rear gardens of Temple Lodge and Westwards House which are located on St. James Avenue. Access to the site is proposed from St. James Avenue.

The site is located on the south western side of St. James Avenue, within Oakleigh ward.

The site is located within an established residential area in a tight knit suburban area, comprising of a mixture of detached and semidetached dwellings with fairly large private rear gardens. It sits within spacious surroundings with mature landscaping and thick established tree belts. The green, suburban character of the site and wider area is emphasised further with the mature hedges running along the rear of the properties of the dwellings.

The application site does not lie within a conservation area, nor is it adjacent to a listed building. However, the site benefits from very mature trees, some of which are protected by TPOs.

In addition, the site lies within an Archaeological Priority Area.

2. Site History

Reference: N01216K/07

Address: 155 Friern Barnet Lane, London, N20 0NP

Decision: Approved subject to conditions

Decision Date: 27 June 2007

Description: Erection of a two storey detached house (OUTLINE APPLICATION)

Reference: N01216J/02

Address: 155 Friern Barnet Lane, London, N20 0NP

Decision: Approved subject to conditions

Decision Date: 24/04/2002

Description: Erection of two-storey detached house (Outline).

3. Proposal

The proposal is for the 'Construction of 3no two storey detached dwelling houses with rooms within the roof space. Associated amenity space, landscaping and parking'.

The plot is L shaped and wraps around the rear gardens of Temple Lodge and Westwards House which are located and fronts onto St. James Avenue. Access to the site is proposed from St. James Avenue.

Each detached house is two storey's with provision for 2no. car parking spaces and private amenity space to the rear of each individual plot.

House 1

House 1 is sited to the front of the site fronting St. James Avenue. It has a hipped roof with an eaves height of 5.4m and maximum height of 10m. It has a width of 8.5m and a depth of 9.8m. In addition, to the front, a two storey gabled feature measuring 3m in depth accommodates the front porch and entrance to the dwelling and a single storey rear projection from the rear wall measures 2m in depth.

1no. small dormer with a flat roof is centrally located on the rear roof. In addition, 1no. side dormer with a pitched roof sits flush with the flank wall and project into the side roof slope measuring 2.8m in width, 2.7m in height and 1.1m in depth.

It is 5b10p dwelling with a GIA of 220.67m². Private amenity space of 70m² is allocated to the rear of the property. In addition, 2no.off-street parking is provided to the rear of the site.

House 2 and 3

House 2 and House 3 are sited to the rear of the site adjacent to the rear gardens of Temple Lodge and Westwards House. This pair of detached dwellings are identical in design and scale. They comprise of 4b7p with a GIA of 162sq.m, each. Private amenity space is provide to the both these dwelling to the rear. House 2 will have a space of 147m² and House 3 will have a space of 135m², allocated to them.

They have a hipped roof with an eaves height of 5.4m and maximum height of 9m. It has a width of 6.6m and a depth of 11m. In addition, a single storey projection from the rear wall measures 2m in depth. The front elevation features a single bay window and a canopy that extends across the front door and the bay window, at ground floor.

Internally the ground floors will accommodate living spaces with bedroom on the upper floors. Access to the site is provided via St. James avenue which runs perpendicular to Friern Barnet.

4. Public Consultation

Consultation letters were sent to 30 neighbouring properties. 11 responses have been received. Out of which 3no. were neutral and 8 letters of objections

Comments have been summarised below:

- Boundary fence between the site and 155a is replaced by a 2m high one and replace trees
- Impact on privacy due to proximity to the rear gardens
- Access road at the beginning of St James Avenue will create extra traffic and noise
- Additional stress on existing parking issues
- Over development, which will greatly impact the wildlife and green spaces
- Devastate the existing "wildlife corridor" running behind Friern Barnet Lane;
- Loss of protected and mature trees, will have a negative impact on the balance of animal life and could, potentially, decimate the area
- Grossly oversized and no consideration has been given to the neighbourhood privacy and landscape
- Out of keeping with the local pattern of development and the character of this part of Friern Barnet Lane;
- Affect views with the loss of trees and light
- Unnecessary pollution
- Site is in an Archaeological Priority Area, condition to be added

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 20th July 2021. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this". The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 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 22) 2021

Barnet's Draft Local Plan -Reg 22 - Submission was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission the Local Plan will now undergo an Examination in Public. The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. It represents Barnet's draft 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 the policies and site proposals in the draft Local Plan and the stage that it has reached.

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:

- 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;
- Provision of refuse storage

5.3 Assessment of proposals

Principle of residential development

The area is characterised by residential developments and therefore residential use is the characteristic use in the vicinity. In addition, it is noted that the site received planning consent for a 'two storey detached property' under reference no. N01216K/07. Therefore, the principle of a residential dwelling at this site is considered to be acceptable.

Character and appearance

The site benefits from very verdant surroundings with thick mature trees, especially to the rear of the site. These existing green boundaries are not only an important character of the overall area but also offers a positive protective barrier along with an effective and significant screening. Furthermore, the site is covered with groups of TPO's. Therefore, the proposal was referred to the Authorities Arboricultural officer and a suitable scheme has been secured to ensure that the proposed development will retain a reasonable amount of existing greenery, in addition to the provision of new soft landscaping scheme, which will help to maintain the verdant character of the area. This will be secured by way of a condition.

The Council's Residential Design Guidance SPD recommends that all developments should protect and enhance the gardens at residential properties as the spaciousness of gardens makes an important contribution to Barnet's distinctiveness. St James Avenue and Friern Barnet Lane are made up of a mixture of housing type, however the pattern of development on this section of road is characterised by large detached and semi-detached houses within very spacious surroundings. They predominantly comprise of buildings with relatively generous, private residential gardens to the rear. Therefore, care has been taken to ensure that the proposed dwellings are designed in a way that it would harmonise with the immediate street scene and does not compromise the established character of this street.

House 1 is set back from the street and sits further back from the front building line of the adjacent properties on St. James Avenue and therefore will retain the mature trees to the front of the site. House 2 and House 3 are sited adjacent to the rear gardens of Temple Lodge and Westwards House within spacious and verdant settings. Furthermore, due to their siting, they are not visible from the street scene.

With regards to the design and scale and siting of the proposed dwelling's, they are comparable to the houses on St. James Avenue. The proposal has provided an adequate amount of buffering and landscaping between flank walls and boundaries to adjacent properties. Therefore, given the distances afforded between the proposed dwellings and adjacent dwellings, they would not result in a cramped form of development. The proposal would have an acceptable impact on the established pattern of development and character of St James Avenue.

The applicant has not provided details of the materials to be used for the new dwelling's. However these will be secured by way of a condition, to ensure the materials used will be in keeping with the character and appearance of the area.

Impact on Living condition of neighbouring residents

New developments should have due regard to the amenity of existing occupiers in neighbouring buildings. Careful consideration needs to be given to the siting and the scale of development and the impact the proposed development will have on the amenity of neighbouring occupiers.

The Residential Design Guidance SPD advocates that there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking and 10.5 metres to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.

The dwellings are designed to maintain sufficient and adequate distance between the new dwellings and the side / rear elevations of neighbouring properties. There is a buffer of approximately 9m between the flank walls of House 1 and adjacent property at Temple Lodge. To the rear House 2 sits closest to the boundary with Temple Lodge, the rear elevation of this property is set away by approximately 16m from the flank wall of House 2, at first floor level. Therefore, due to the sitting of these two walls, no concerns are raised with regards to loss of outlook from the rear windows of Temple Lodge. Furthermore, all windows proposed on the flank walls and side roof slopes serve non habitable rooms and will be conditioned to be obscure glazed, therefore there are no concerns with regards to overlooking and loss of privacy, as well.

The proposed dwellings would introduce some additional views to neighbouring properties from the first floor rear windows, however having regard to the grain of the area and the presence of existing residential windows with similar outlook, it is not considered that the proposal would be detrimental to the privacy of the occupants of any neighbouring property.

Furthermore, adequate boundary treatment will ensure that the windows proposed at ground floor level will not lead to overlooking or loss of privacy to neighbouring occupiers. This will be secured by way of a condition.

Due to the siting of the property, and its relationship with the neighbouring properties, the proposal is unlikely to have a detrimental impact on the amenities of neighbouring occupiers to an unacceptable level.

Provision of adequate accommodation for future occupiers

In terms of the amenity for future occupiers, the Planning Authority expects a high standard of internal design and layout in new residential development to provide an adequate standard of accommodation. The London Plan and Barnet's Sustainable Design and Construction SPD sets out the minimum space requirements for residential units.

All residential developments are expected to comply with the minimum space standards as advocated within the Sustainable Design and Construction SPD (adopted 2016) and the London Plan 2021. The SPD standards for bedrooms require double bedrooms to provide a minimum floor area of 11.5sqm and single bedrooms a minimum floor area of 7.5sqm. All three dwellings comply with these standards.

The required minimum London Plan space standards for 5 bedroom 8 persons over 2 storey is 121sqm. House 1 would accommodate 10 people within 5 bedrooms and is providing a GIA of 220.67m². In addition, space standards for 4bedroom 7person over 2 storey is 115sqm. House 2 and House 3 will accommodate 7 people within 4 bedrooms and is providing a GIA of of 162m². All three dwellings meet and exceeds the internal space requirements.

New residential units are expected to provide suitable outlook and light to all habitable rooms whilst not compromising the amenities of neighbouring occupiers. The Council Sustainable Design and Construction SPD stipulates that "the positioning of doors and windows should also be considered, and single aspect dwellings should be avoided". The units would generally benefit from suitable outlook to habitable rooms.

With regards to outdoor amenity space, all new residential development is expected to provide suitable, private and useable outdoor amenity space for future occupiers. The

dwelling would benefit from private garden's which would meet the space standards for each respective dwelling. Officers do not raise any objection in this regard.

The proposal has also provided adequate hard and soft landscaping to the front and rear of the property, which has been approved by the Authority's Arboricultural officer, subject to further details, with regards to the selection of plants and shrubs.

Highways and parking provision

Barnet policy DM17 states that the Council will expect development to provide parking in accordance with the London Plan standards.

The site is located on the south-western side of St James Avenue, N20 and forms a back land plot that is the extension of the rear gardens associated with the properties facing Friern Barnet Lane (B550) and St James Avenue, N20. Access is provided by an existing vehicular crossover off St James Avenue, N20 situated 1.8 metres away from an existing lamp column.

The surrounding area is predominantly residential comprising two-storey detached, semi-detached and terraced residential properties. The site lies within walking distance from Whetstone Town Centre including a primary shopping area and a wide range of local facilities. There are also places of worship in the vicinity, such as the Parish of Friern Barnet to the north as well as St James the Great and St Katherines Church to the south of B550.

The nearby roads are not subject to any formal on-street parking controls, however, the nearest crossroad junction with St James Close, N20 and Queens Well Avenue, N20 is restricted by a way of double yellow lines that do not allow any either vehicular parking or waiting at any time.

The Public Transport Accessibility Level (PTAL) for the site is assessed as 1b which is regarded as very poor accessibility.

The proposal is for the construction of three detached dwelling houses (Use Class C3) consisting of 4+ bedrooms each. 2 off-street parking spaces will be provided per dwelling and 2 additional visitors' parking spaces will be accommodated within the curtilage of the site. The properties and the off-street parking spaces will be facilitated by a private driveway to be accessed via a new vehicular crossover off St James Avenue, N20. Apart from that, 2 pedestrian gates will enable pedestrian to get into the site from St James Avenue, N20, one of which will serve the bin store of House 1 on collection days. The second one further north along the frontage will serve all the residential units via walkways to be constructed in front of them.

According to the Parking Standards as set out in Barnet Council's Local Plan Development Management Policy DM17, the range of vehicular parking spaces which would need to be provided as part of the proposed development is between 4.5 and 6 parking spaces.

Based on the PTAL rating for the site as 1b (moderate accessibility), 6 off-street parking spaces would be required to meet the parking standards of DM17 policy. Therefore, the provision of 6 car parking spaces (2 per dwelling) on site and 2 car parking spaces for visitors complies with the requirements of DM17 policy.

Cycle storage

The proposed development will need to provide 2 long stay cycle parking spaces per dwelling in accordance with the London Plan Cycle Parking standards. The cycle parking spaces will need to be secured in enclosed storage facilities that are well-lit, overlooked and accessible by the residents only. The type of stands will need to allow both the frame and at least one wheel of the bicycle to be locked. Design details for the cycle parking spaces and the storage facilities will also need to be provided in accordance with the London Cycle Design Standards (LCDS). This information will be secured by a way of a condition.

Refuse

The proposed development is required to comply with Barnet's Waste and Recycling Strategy (2020).

As per the proposed Site Plan one bin store will be provided to the side of each one of the proposed residential units. The bin store of House 1 will benefit from a pedestrian gate off St James Avenue, N20 to provide clear and levelled access to collect the waste on collection days. Additionally, a hard standing will be put in place within proximity to the driveway entry where the dustbins will be taken to be emptied by the refuse crews. The proposed arrangements are acceptable on highway grounds. Further details will be required with regards to bin enclosures which will be secured by way of a condition.

5.4 Response to Public Consultation

- Boundary fence between the site and 155a is replaced by a 2m high one and replace trees
- Impact on privacy due to proximity to the rear gardens
- Access road at the beginning of St James Avenue will create extra traffic and noise
- Additional stress on existing parking issues
- Over development, which will greatly impact the wildlife and green spaces
- Devastate the existing "wildlife corridor" running behind Friern Barnet Lane;
- Loss of protected and mature trees, will have a negative impact on the balance of animal life and could, potentially, decimate the area
- Grossly oversized and no consideration has been given to the neighbourhood privacy and landscape
- Out of keeping with the local pattern of development and the character of this part of Friern Barnet Lane;
- Affect views with the loss of trees and light
- Unnecessary pollution

Concerns have been mainly addressed within the body of the report.

- Site is in an Archaeological Priority Area, condition to be added

A condition has been attached requiring an assessment to be carried out to determine whether the site is known or is likely to contain archaeological remains, prior to development.

Where there is good reason to believe that there are remains of archaeological importance on a site, the Council will consider directing applicants to supply further details of proposed developments, including the results of an archaeological desk-based assessment and field evaluation.

6. Equality and Diversity Issues

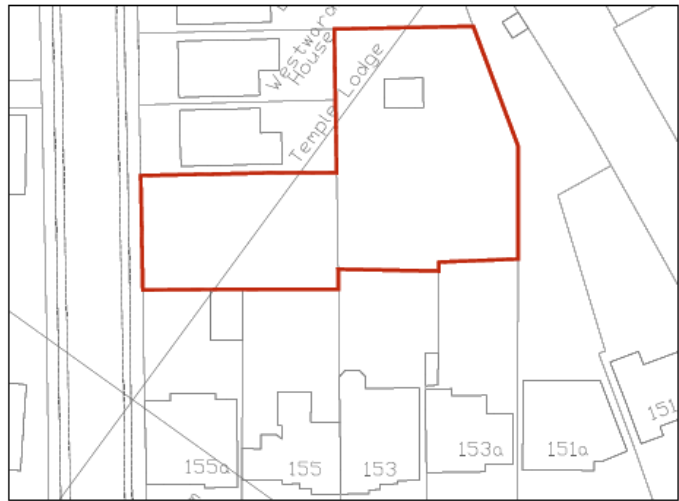
The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

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




LOCATION PLAN
SCALE 1:1250



BLOCK PLAN
SCALE 1:500

Rev:



6 Wotham Business Park
Barnet, Herts
SN4 4JZ
t 0208 275 1080
e enquiries@planningconsent.com
w www.planningconsent.com

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Location **60 Corringham Road London NW11 7BX**

Reference: **20/5573/HSE**

Received: 20th November 2020

Accepted: 21st December 2020

Ward: Garden Suburb

Expiry 15th February 2021

AGENDA ITEM 10

Case Officer: **Alissa Fawcett**

Applicant: Mr Michael Koppelman

Proposal: Replacement of windows

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

Block Plan

Amended window details - Golders Green Joinery

Window section drawing showing 4-6-4 double glazed unit

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

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

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

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

- 4 The windows hereby approved shall match the original windows in material and style.

Reason: To protect the character of the house and the Hampstead Garden Suburb Conservation Area in accordance with policy DM06 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 permission of the New Hampstead Garden Suburb Trust Ltd may also be necessary and this can be obtained from: The Trust Manager, The New Hampstead Garden Trust Ltd, 862 Finchley Road, London NW11 6AB (Telephone 020 8455 1066). See <http://www.hgstrust.org/> for more information.

OFFICER'S ASSESSMENT

1. Site Description

The application site is located on the western side of Corringham Road, within Area 5 of the Hampstead Garden Suburb Conservation Area.

The existing building on site is a locally-listed, semi-detached, two-storey residential dwelling with rooms in the roofspace.

The adopted Character Appraisal, 2010 notes;

"Rotherwick Road and Corringham Road form the rough Z shaped spine of this area which terminates with a fine view of the Heath. Corringham Court and Corringway lead off from Corringham Road effectively providing a buffer between it and the Golders Green Railway sidings and workshops.

These streets lead from the busy Finchley Road to the serenity of the Heath extension. The housing reflects this movement, with symmetrical groups of semi-detached houses near to Finchley Road, and formal courtyard compositions close to the Heath providing a transition to the large houses of Hampstead Way. A broad strip of grassed land belonging to Thames Water runs behind the gardens from Golders Green to the Wild Hatch footpath, seen from gaps between Nos. 60, 62 and 87, 89 Corringham Road.

Whilst Corringham Road lacks street trees to soften its appearance, the hedged gardens are generally attractive and the ambiance is very green. On the corner of Corringham and Rotherwick Roads, the houses are set back from the street behind a retained group of large oak trees that once stood on a field boundary and now have a major impact on the appearance of the road. Most houses have hedges, Nos. 89-117 continuously blackthorn while privet and laurel occur elsewhere. Because of on-street parking problems caused by the proximity to the underground and the shops of Golders Green, many gardens have hardstandings, which sometimes detract from the setting of the houses. The pavements are edged by poorly-maintained red bricks, and parked cars intrude.

All the houses in this section of Corringham Road are statutorily or locally listed and constitute a particularly good townscape sequence."

2. Site History

Reference: F/02516/13

Address: 60 Corringham Road, London, NW11 7BX

Decision: Withdrawn

Decision Date: 23 July 2013

Description: Non material amendment to planning permission Ref:C14484J/07 dated: 31/5/2007 for "Erection of a three storey building containing 8no. flats". Amendments to include: Pitch to front elevation changed and dormer added in place of rooflight

3. Proposal

Under this application it is proposed to replace the original windows with new double glazed units.

Amended details have been provided and are annotated to show the double glazed units have an overall thickness of 14mm.

4. Public Consultation

Site Notice: 23.10.2020

Press Notice: 07.01.2021

6 consultation letters were sent to neighbouring properties.

10 letters of objection have been received.

The views of objectors can be summarised as follows;

- Retrospective application started without consent
- Replacements do not match original details
- No investigation as to whether original windows could be repaired
- Secondary glazing could have improved the thermal performance of original windows
- Details of replacements not appropriate
- Site location plan does not include neighbours
- Window company unknown
- Replacements out of character
- Inappropriate replacements should be removed
- Applicant has disregarded regulations for window replacement
- Dangerous precedent

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 updated in 2021. 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 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

The new London Plan which sets out the Mayor's overarching strategic planning framework from 2019 up to 2041 was adopted in March 2021, replacing the London Plan 2016.

Barnet's Local Plan (2012)

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. 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 the policies and site proposals in the draft Local Plan and the stage that it has reached.

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

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

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

ul Supplementary Planning Documents

Residential Design Guidance SPD (2016)

Sustainable Design and Construction SPD (2016)

Hampstead Garden Suburb Conservation Area Character Appraisal and Design Guidance (2010)

The Council Guide 'Hampstead Garden Suburb Conservation Area Design Guidance' as part of the Hampstead Garden Suburb Character Appraisals was approved by the Planning and Environment Committee (The Local Planning Authority) in October 2010.

This leaflet in the form of supplementary planning guidance (SPG) sets out information for applicants on repairs, alterations and extensions to properties and works to trees and gardens. It has been produced jointly by the Hampstead Garden Suburb Trust and Barnet Council. This leaflet was the subject of separate public consultation.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the alterations would be a visually obtrusive form of development which would detract from the character and appearance of the street scene and this part of the Hampstead Garden Suburb Conservation Area.
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to trees of special amenity value.

5.3 Preamble

Hampstead Garden Suburb is one of the best examples of town planning and domestic architecture on a large neighbourhood or community scale which Britain has produced in the last century. The value of the Suburb has been recognised by its inclusion in the Greater London Development Plan, and subsequently in the Unitary Development Plan, as an 'Area of Special Character of Metropolitan Importance'. The Secretary of State for the Environment endorsed the importance of the Suburb by approving an Article 4 Direction covering the whole area. The Borough of Barnet designated the Suburb as a Conservation Area in 1968 and continues to bring forward measures which seek to preserve or enhance the character or appearance of the Conservation Area.

The ethos of the original founder was maintained in that the whole area was designed as a complete composition. The Garden City concept was in this matter continued and the architects endeavoured to fulfil the criteria of using the best of architectural design and materials of that time. This point is emphasised by the various style of building, both houses and flats, in this part of the Suburb which is a 'who's who' of the best architects of the period and consequently, a history of domestic architecture of the period of 1900 - 1939.

The choice of individual design elements was carefully made, reflecting the architectural period of the particular building. Each property was designed as a complete composition and design elements, such as windows, were selected appropriate to the property. The Hampstead Garden Suburb, throughout, has continuity in design of doors and windows with strong linking features, giving the development an architectural form and harmony. It is considered that a disruption of this harmony would be clearly detrimental to the special character and appearance of the Conservation Area. The front of the properties being considered of equal importance as the rear elevation, by the original architects, forms an integral part of the whole concept.

5.3 Assessment of proposals

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy

Framework sets out that the local planning authority should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

In line with the Planning (Listed Building and Conservation Area) Act 1990 special regard is given to preserving the heritage asset. In this instance, it is considered that there is no harm associated with the proposal to the heritage asset and is therefore acceptable having regard to the provisions of Policy DM06 of the Development Management Policies and Section 16, 72 of the Planning (Listed Building and Conservation Areas) Act 1990. Accordingly, it is recommended that planning permission should be granted.

This application seeks consent for replacement of existing fenestration with new double-glazed units with an overall thickness of 14mm (4-6-4).

Impact on the character of the host building and wider Conservation Area

Whilst, the proposed replacement of existing windows does involve the loss of original historic fabric, it is noted that many other buildings have successfully replaced their windows with new double glazed units without resulting in any loss of significance to the building. It therefore considered that the principle of window replacement is acceptable subject to detailing.

Unfortunately, the replacements that were initially proposed and inserted without consent did not sufficiently match the details and profiles of the original windows. When retrospective consent was sought for these inappropriate windows significant concerns were raised and further replacement required to cease whilst appropriate double glazed windows were sought.

The details of amended replacement windows submitted more recently are considered to be appropriate replacement windows showing acceptable detailing and profiles when compared to the initial replacements. The window manufacturer is noted as being on The Hampstead Garden Suburb Trust's list of approved contractors and has successfully replaced window throughout the Conservation Area, as such the proposed replacement windows are not considered to detrimentally impact on the character of the individual host locally listed property or wider Conservation Area.

Impact on the amenity of neighbouring occupiers

It is not considered that the amended proposals, which show an appropriate replacement for the original windows would result in any loss of amenity to the occupiers of neighbouring properties.

Impact on trees

The proposals which are confined to the external envelope of the building are not considered to result in any harm to trees.

5.4 Response to Public Consultation

The comments received have been noted and new details of replacement windows have

been provided by Golders Green Joinery, a window company on the Hampstead Garden Suburb Trust's list of approved contractors. The amended details are considered to be appropriate and show a double-glazing thickness of 14mm (4-6-4) in line with other approvals. As such, and as detailed above it is considered the amended details can be approved.

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 support the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, the amended new windows would not detrimentally impact on the qualities of the host locally listed building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. The proposed alterations are such that, as conditioned, they preserve the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area, and area of special character.

