

MEETING

PLANNING COMMITTEE C

DATE AND TIME

WEDNESDAY 13TH APRIL, 2022

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

TO: MEMBERS OF PLANNING COMMITTEE C (Quorum 3)

Chairman: Councillor Stephen Sowerby MA
Vice Chairman: Councillor John Marshall MA (Hons)

Councillors

| | | |
|----------------|------------------|-----------------|
| Claire Farrier | Linda Freedman | Laurie Williams |
| Nizza Fluss | Nagus Narenthira | |

Substitute Members

| | | |
|-------------------------|--------------------|-----------------------|
| Cllr Geof Cooke | Cllr Eva Greenspan | Cllr Jennifer Grocock |
| Cllr Nick Mearing-Smith | Cllr Alison Moore | Cllr Barry Rawlings |
| Cllr Julian Teare | | |

In line with the Constitution's Public Participation and Engagement Rules, requests to submit public questions or comments must be submitted by 10AM on the third working day before the date of the committee meeting. Therefore, the deadline for this meeting is Friday 8th April 2022 at 10AM. Requests must be submitted to planning.committees@barnet.gov.uk

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

Andrew Charlwood – Head of Governance

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

Media Relations Contact: Tristan Garrick 020 8359 2454

ASSURANCE GROUP

ORDER OF BUSINESS

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| 1. | Minutes of the last meeting | 5 - 12 |
| 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. | Aynho Hadley Common Barnet EN5 5QE - 20/0161/HSE | 13 - 26 |
| 7. | 24-26 Arcadia Avenue N3 2JU - 21/6736/FUL | 27 - 34 |
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| 12. | 847 High Road London N12 8PT - 21/6176/S73 | 117 - 124 |
| 13. | Brondesbury Cricket Tennis and Squash Club 5A Harman Drive London NW2 2EB - 21/0701/FUL | 125 - 136 |
| 14. | Any item(s) that the Chairman decides are urgent | |

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Decisions of the Planning Committee C

3 March 2022

Members Present:-

AGENDA ITEM 1

Councillor Stephen Sowerby (Chairman)
Councillor John Marshall (Vice-Chairman)

Councillor Claire Farrier
Councillor Nizza Fluss

Councillor Linda Freedman
Councillor Nagus Narenthira

Also in attendance

Apologies for Absence

Councillor Laurie Williams

1. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the meeting held on 17 January 2022 be agreed as a correct record.

2. ABSENCE OF MEMBERS

Apologies received from Councillor Laurie Williams.

The Chairman noted that Councillor John Marshall was a newly elected Freeman of the London Borough of Barnet and members congratulated him on this achievement.

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

None.

4. REPORT OF THE MONITORING OFFICE (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

The addendum was published and circulated to the Committee. Items contained within the addendum would be dealt with under individual agenda items.

6. 12 LARKSPUR GROVE, EDGWARE, HA8 9GB, 21/5309/RCU (HALE)

The Planning Officer presented the report and addendum and noted that the item had been deferred from the 17 January 2022 meeting and that the addendum responds to the queries members asked at the previous meeting reiterating the need for this type of property.

Councillor Farrier noted that the addendum was late as did Councillor Fluss.

Members were given the opportunity to ask the officers questions and further to discussion of the item, the Chairman moved to the vote.

The Committee voted on the officer recommendation to approve subject to conditions the application and was recorded as follows:

| | |
|-----------|---|
| For | 4 |
| Against | 1 |
| Abstained | 1 |

RESOLVED that the application be approved 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)

7. LIBERTY COURT, 141 GREAT NORTH WAY, NW4 1PR, 21/5847/FUL

The Planning Officer presented the report.

Mr Reza Sobhan, objecting to the application addressed the committee.

Mr James Cohen, agent for the applicant addressed the committee.

Members were given the opportunity to ask the officers questions and further to discussion of the item, the Chairman moved to the vote.

The Committee voted on the officer recommendation to approve the application subject to conditions and was recorded as follows:

| | |
|-----------|---|
| For | 6 |
| Against | 0 |
| Abstained | 0 |

RESOLVED that the application be unanimously approved 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).

8. DOLPHINS, TOTTERIDGE GREEN, N20 8PE, 21/0625/FUL (TOTTERIDGE)

The planning officer presented the report.

Mr Hilton Nathanson, Mr Adnan Mohammed and Councillor Mark Shooter objecting to the application addressed the committee.

Liz Alexander, on behalf of the applicant addressed the committee.

Members were given the opportunity to ask the officers questions and further to discussion of the item, the Chairman moved to the vote.

The Committee voted on the Officer's recommendation to approve the application subject to conditions and the vote was recorded as follows:

| | |
|-----------|---|
| For | 5 |
| Against | 0 |
| Abstained | 1 |

RESOLVED that the application be approved subject to the conditions as set out in the report 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)

9. 4 HOCROFT ROAD, NW2 2BL, 21/6065/HSE (CHILDS HILL)

Councillor Claire Farrier asked the Chairman to defer the application and for a site visit to take place before a decision is made, this was seconded by Councillor Narenthira. A vote was taken on deferral of the application. The vote was recorded as follows:

| | |
|-----------------------|---|
| For (to be deferred) | 2 |
| Against (to be heard) | 4 |
| Abstained | 0 |

RESOLVED that the motion to the defer the application was lost.

It was agreed for the application to be heard and the Planning Officer presented the report.

Mrs Michaela Zelouf objecting to the application addressed the committee and the governance officer read out a statement on behalf of objector Mrs Shahrzad Arefpour.

Mr Robert Marven, the applicant addressed the committee.

Members were given the opportunity to ask the officers questions and further to discussion of the item, the Chairman moved to the vote on the Officer's recommendation to approve the application subject to conditions which was recorded as follows:

| | |
|-----------|---|
| For | 5 |
| Against | 1 |
| Abstained | 0 |

RESOLVED that the application be approved 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).

10. BISHOP DOUGLASS SCHOOL, HAMILTON ROAD N2 0SQ, 20/4107/FUL (EAST FINCHLEY)

The Planning Officer presented the report.

Ms Maria Glyn and Ms Susannah Hall objecting to the application addressed the committee.

Mr Martin Tissot the Headteacher at Bishop Douglass School also addressed the committee.

Members were given the opportunity to ask the officers questions and further to discussion of the item, the Chairman moved to the vote on the Officer's recommendation to approve the application subject to conditions and the completion of a s.106 Agreement which was recorded as follows:

| | |
|-----------|---|
| For | 6 |
| Against | 0 |
| Abstained | 0 |

RESOLVED that the application be unanimously approved subject to S106 **AND** the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in their absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

**Councillor Claire Farrier left the meeting*

11. 71 SUNNY GARDENS ROAD, NW4 1SJ, 21/3818/FUL (HENDON)

The planning officer presented the report and addendum.

Oliver Eaves, the agent on behalf of the applicant addressed the committee.

Councillor Claire Farrier returned to the meeting.

The committee voted on the officer's recommendation to approve the application subject to conditions and the completion of a s.106 Agreement and the vote was recorded as follows:

| | |
|-----------|---|
| For | 5 |
| Against | 0 |
| Abstained | 0 |

**Councillor Farrier did not participate in the vote as she had not been present for the entirety of the presentation or discussion of the application.*

RESOLVED that the application be approved subject to S106 AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in their absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee.

12. 22 BROADFIELDS AVENUE, HA8 8PG 21/5746/HSE (EDGWARE)

The Planning Officer presented the report.

Councillor Mark Shooter objected to the officer's refusal and addressed the committee.

The applicant, Anthony Steinberg addressed the committee.

The Committee voted on the officer's recommendation to refuse the application and the vote was recorded as follows:

| | |
|-----------|---|
| For | 1 |
| Against | 5 |
| Abstained | 0 |

RESOLVED that the application NOT be REFUSED,

Further to discussion the Chairman moved a motion, this was seconded by Councillor Fluss that the application be approved subject to the conditions recommended in the report for the following reason:

1. That the street scene evidence provided by the applicant shows many large front and rear extensions at first floor level suggesting that any harm caused

by the proposed extension will be minimal and that the proposed design will be in keeping with the character of the neighbourhood. Therefore, DMO1 does not seem applicable in terms of character.

A vote was taken and was recorded as follows:

| | |
|-----------|---|
| For | 5 |
| Against | 1 |
| Abstained | 0 |

RESOLVED that the application be approved for the following reason;
That the street scene evidence provided by the applicant shows many large front and rear extensions at first floor level suggesting that any harm caused by the proposed extension will be minimal and that the proposed design will be in keeping with the character of the neighbourhood. Therefore, DMO1 does not seem applicable in terms of character. 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 approval 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).

13. GARAGES TO THE REAR OF GLOUCESTER COURT, GOLDERS GREEN ROAD, NW11 9AA 20/5433/RCU (GOLDERS GREEN)

The Planning Officer presented the report.

Susan Birnbaum objecting to the application addressed the committee.

Emily Benedek, the agent on behalf of the applicant addressed the committee.

The committee voted on the officer's recommendation to approve the application subject to conditions and the completion of a s.106 Agreement.

The vote was recorded as follows:

| | |
|-----------|---|
| For | 6 |
| Against | 0 |
| Abstained | 0 |

RESOLVED that the application be approved unanimously subject to S106 AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in their absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

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

None.

The meeting finished at 9.55pm

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Location **Aynho Hadley Common Barnet EN5 5QE**

Reference: **20/0161/HSE** **AGENDA ITEM 6**
Received: 13th January 2020
Accepted: 16th January 2020

Ward: High Barnet Expiry 12th March 2020

Case Officer: **Alissa Fawcett**

Applicant: Mr & Mrs Stephen Short and Antonia Hill

Proposal: Ground and first floor rear extension with mansard roof and rear dormer window. Internal refurbishment

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:

100 - Site Location Plan

Existing Plans

200A - Existing Ground Floor Plan

201A - Existing First Floor Plan

202A - Existing Roof Plan

303 - Existing Section DD

315 - Existing Section PP

400 - Existing Front Elevation

401 - Existing Side Elevation 1
402 - Existing Rear Elevation
403 - Existing Side Elevation 2
404 - Existing Front Elevation and Street Scene
SK001 - Existing Ground Floor showing neighbours window
SK003 - Detail showing neighbours window at The Chase

Proposed Plans

250 Rev P - Proposed Ground Floor
251 Rev P - Proposed First Floor
252 Rev P - Proposed Roof
350 Rev J - Proposed Section AA
351 Rev I - Proposed Section BB
450 Rev I - Proposed Front Elevation
451 Rev I - Proposed Side Elevation 1
452 Rev I - Proposed Rear Elevation
453 Rev I - Proposed Side Elevation 2
454 Rev A - Proposed Front Elevation and Street Scene
SK002 - Proposed Ground Floor plan showing neighbouring window

Rigby & Rigby - Design and Access Statement
Savills - 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 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).

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

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

- 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 Class of Part 1 of Schedule 2 of that Order shall be carried out within the area of Aynho, Hadley Common, EN5 5QE hereby approved.

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

Informative(s):

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

OFFICER'S ASSESSMENT

1. Site Description

The application site is located on the southern side of Hadley Common situated within Area 7 of the Monken Hadley Conservation Area. The adopted Conservation Area Character Appraisal notes; 1.2 The application property is a two-storey cottage, constructed in the late 19th century and substantially extended in the early 20th century. It sits back from the road accessed by an open shared driveway and is mostly hidden by vegetation.

The site was previously noted to be a Grade II listed dwelling house, and indeed listed building consent applications have been made for works at the application property, however, the list description can be attributed to the neighbouring Hurst Cottage and Historic England have corrected the entry to remove reference to Aynho.

"The road named Hadley Common extends south east from the timber barred gate at The Gate House (area five). This is undeveloped on the side of the road that adjoins Monken Hadley Common itself and so allows sweeping views across from the developed side of the road and gives the overall feeling of a rural setting. Camlet Way bounds the other side of Monken Hadley Common, where the same effect is evident. The Common includes Hadley Woods and becomes entirely wooded opposite to the properties Hurst Cottage and Aynho.

The next cluster of listed buildings provides an interesting combination beginning with the white stuccoed Georgian property, The Chase, with its central doorway and large broad framed windows; then the more modest Aynho which is a cottage of two storeys with a large central chimney and two front gables. Next is the larger Hurst Cottage of the late 17th and early 18th centuries a two-storeyed house of brick, now rendered, slightly less grand than The Chase but not dissimilar; a listed 18th century timber framed barn in the grounds of Monkenmead, set back from the road"

The application property is a two-storey cottage, constructed in the late 19th century and substantially extended in the early 20th century. It sits back from the road accessed by an open shared driveway and is mostly hidden by vegetation.

As noted above the site was previously noted to be a Grade II listed dwelling house, and indeed listed building consent applications have been made for works at the application property, however, the list description can be attributed to the neighbouring Hurst Cottage and Historic England have corrected the entry to remove reference to Aynho.

2. Site History

Reference: B/02793/09

Address: Aynho, Hadley Common, Barnet, EN5 5QE

Decision: Approved subject to conditions

Decision Date: 28 September 2009

Description: Internal alterations including; widening of dividing wall between kitchen and dining room and removal of existing boiler and insertion of new boiler. External alterations including; replacement of existing windows and doors with hardwood timber windows and doors and new boiler flue to front elevation (Listed Building Consent).

3. Proposal

This application seeks consent for ground and first floor rear extension with mansard roof and rear dormer window, as well as internal refurbishment.

The proposals have been amended since the initial submission to show a reduction in both width and height.

Looking from the front of the site, the reduced extension will measure approximately 2.7m in width, a reduction of 0.8m from the original submission of 3.5m; this allows a greater separation distance of approximately 1.3m between the flank wall and the shared boundary with the neighbour at The Chase, compared to the original submission which showed approximately 0.5m. The height of the extension has been reduced to approximately 2.8m from the originally proposed 3.1m height.

At the rear of the site, the extension shows the same fenestration arrangement as the original application; at roof level three dormer windows; two three-casement windows to each side with a two-casement window in the centre, and at ground floor the addition of new door flanked by side lights to match that existing closest to Hurst Cottage.

No new fenestration is proposed to the flank elevation facing The Chase.

Given the application property is not a listed building there is no need to assess the proposed internal works.

4. Public Consultation

Site Notice: 20h January 2020
Press Notice: 23rd January 2020

3 consultation letters were sent to neighbouring properties.
9 objections were received.

The views of objectors can be summarised as follows;

- Loss of light
- Loss of outlook
- Overlooking
- Loss of privacy
- Closing of gap between properties
- Impact on parking
- Impact on Green Belt
- As it is a listed building I thought no outside extensions could be carried out.
- Harmful impact on listed buildings and Conservation Area
- Massing, scale and design

Internal / other consultations:

Monken Hadley CAAC - No objection

Barnet Society - Objection:

The present Aynho, dominated by its attractive two-storey Arts & Crafts former stable building, makes a distinctive contribution to the Monken Hadley Conservation Area. The proposed extension would be visible from the street, and particularly so from the gardens to the rear. Its bulkiness would diminish the impact of the stable building, and from the rear (seen by human eye at ground level, not in elevation) would largely obscure it. Additionally, neither the mansard roof nor the flat roof of the first-floor extension relate well either to the existing building or to its neighbourhood.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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 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 Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

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.

Barnet's Draft 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 (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 Conservation Area;
- Whether harm would be caused to adjacent Listed Buildings;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to the Green Belt;
- Whether harm would be caused to trees of high amenity value.

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, 2021 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.

Paragraph 195 of the NPPF (2021) states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. 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.

Paragraph 199 states When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is

irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 201 states Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent.

Paragraph 202 continues and states Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy HC1 of the London Plan 2021 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed.

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 and NPPF, 2021 . Accordingly, it is recommended that planning permission should be granted.

This application seeks consent to extend the existing dwelling house with new first floor side and rear extension. From the front of the site the new extension would site above the existing single storey flat roofed extension, which is a later addition to the host application property. The revised scheme shows a reduction in width to allow for greater separation distance between the flank wall of the new extension and the shared boundary with the neighbour at The Chase, a Grade II listed building. The height of the proposed extension has also been reduced to allow it to appear more subordinate whilst maintaining a sense of balance to the front and rear elevations.

Impact on character and appearance of Conservation Area

In accordance with the aforementioned policies the preservation of the setting and significance of designated heritage assets such as the overall Monken Hadley Conservation Area is imperative and therefore any harm whether 'substantial' or 'less than substantial' needs to meet the tests set out in the NPPF.

Significance is defined in the NPPF as the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

Setting is defined in the NPPF as the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve.

The Planning Practice Guidance (PPG) provides further insight as to how to take account of the 'setting' of a heritage asset; 'The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations.'

The proposed development, as amended is considered to have an acceptable impact on the character and appearance of this part of the Monken Hadley Conservation Area and is not considered to result in any harm, on the setting of this part of the Conservation Area.

Externally the proposed alterations are unlikely to be visible from the streetscene or wider Conservation Area due to the distance of the building set back from the road and positioning of established vegetation between it and the application property. As such there is no objection to the works on these grounds. Furthermore, it is considered the scheme as revised to show a reduced width and height ensures the proposals are appropriate and subordinate in their mass, scale and bulk.

Impact on adjacent Listed Buildings

Looking at the impact of the proposed development on the setting of the adjacent Listed building, also designated heritage assets, regard must be had of the tests set out in the NPPF as was detailed above.

The proposed extension is considered to be positioned far enough away from the attached listed cottage and Hurst Cottage not to have any impact upon them.

In terms of the impact on the adjacent listed building at The Chase, the proposed extension as amended is also not considered to have a detrimental impact on the setting of this listed building. It is considered that the existing relationship between the respective buildings is such that the separation distances in built form result in the two plots being distinct and not visually read in one sighting.

The amended scheme which, although would result in the built form coming close to the listed building still ensures a sufficient gap remains between the two properties to retain the existing contextual relationship between the two sites is not considered to materially differ or result in an altered experience of the neighbouring heritage asset that would diminish its significance or compromise its setting; the siting and profile of the proposed extension is such that it would not be openly and visibly read with the neighbour at The Chase or its setting. As noted above any glimpsed views would be at a substantial distance and beyond existing vegetation which would largely conceal the extension and therefore amount to no harm.

Taking the above into consideration, officers do not consider that the proposed development would alter the way in which the neighbouring heritage asset is experienced both from within or outside of the site nor result in any material visual relationships that would cause harm, even negligible, to the setting or significance of the asset.

Impact on amenity of neighbouring occupiers

The application plot is large with a wide frontage, similar to the other plots along this part of Hadley Common. Given the distance between properties it is not considered that the revised proposals, which bring the extension approximately 1.3m away from the boundary with the neighbour at The Chase, will give rise to any loss of residential amenity to neighbouring occupiers.

Concerns were raised regarding the positioning of a ground floor window in the flank elevation facing the application site at The Chase. A site visit was undertaken, and additional plans provided to demonstrate that the positioning of this window, which lines up with the

existing porch of the existing ground floor element at the application site will not be detrimentally impacted by the proposed development which is proposed to sit further back along the flat roof of the existing ground floor structure. The revised scheme which shows the extension brought further away from the shared boundary with this neighbour ensures the proposed extension will not be harmful to the amenity of these neighbours.

It is not considered that the proposed development will have any impact on the other neighbours abutting the site. The reduced height of the extension at the rear ensures the amended extension will appear subordinate adjacent to the listed Hurst Cottages.

Impact on the Green Belt

The application site is wholly sited within the Green Belt. The policy background for development within the Green Belt is set out in Section 13 of the National Planning Policy Framework (NPPF, 2021) and establishes that the government attaches great importance to Green Belts, "the fundamental aim" of which is to prevent urban sprawl by keeping land permanently open.

The essential characteristics of Green Belts are their openness and their permanence and the NPPF identifies five purposes (para 138):

- To check the uncontrolled sprawl of urban areas
- To prevent neighbouring towns merging into one another
- To assist in the safeguarding of countryside from encroachment
- To preserve the setting and special character of historic towns
- To assist in urban regeneration by encouraging the recycling of derelict and other urban land

The document consequently establishes that inappropriate development is harmful to the Green Belt and should not be granted planning permission except in very special circumstances. In considering planning applications, local authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations.

Paragraph 149 of the NPPF states that the construction of new buildings as being inappropriate in the Green Belt, but also lists a number of exceptions which include:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Within the Local Plan, policy DM15 echoes these provisions, stating:

- i. Development proposals in Green Belt are required to comply with the NPPF. In line with the London Plan the same level of protection given to Green Belt land will be given to Metropolitan Open Land (MOL).
- ii. Except in very special circumstances, the council will refuse any development in the Green Belt or MOL which is not compatible with their purposes and objectives and does not maintain their openness.
- iii. The construction of new buildings within the Green Belt or Metropolitan Open Land, unless there are very special circumstances, will be inappropriate, except for the following purposes:
 - a. Agriculture, horticulture and woodland;
 - b. Nature conservation and wildlife use; or
 - c. Essential facilities for appropriate uses will only be acceptable where they do not have an adverse impact on the openness of Green Belt or MOL.
- v. The replacement or re-use of buildings will not be permitted where they would have an adverse impact on the openness of the area or the purposes of including land in Green Belt or MOL.

It is considered that the proposed first floor extension, along with the existing ground floor extension, which is a later addition to the application property would represent approximately a third of the built form of the application property, therefore would not represent inappropriate development within the Green Belt.

The proposed extension, which sits on top of an existing side extension with no additional footprint at ground floor level, is considered to provide a subordinate addition which reads well with the rest of the building; creating a balanced appearance with the host building as a whole.

On balance, the proposed cumulative impact on the Green Belt is not considered to be harmful, and the proposal would not constitute inappropriate development which by definition, is harmful to the Green Belt instead resulting in limited infilling. In this instance the small increase in footprint is considered to be an acceptable development.

Impact on trees

Any trees situated within a Conservation Area are automatically protected due to their inclusion with the Conservation Area. However, in this instance there are no trees within close proximity of area to be developed either at the front or rear of the application site. The front is mainly characterised by gravel hardstanding affording ample parking for construction vehicles. Whilst there is more vegetation at the rear there are no trees of high amenity value within close proximity of the area to be developed.

Furthermore, given this is a first-floor side and rear extension it is not considered that the proposed development will give rise to any detriment to trees of a high amenity value.

5.4 Response to Public Consultation

The comments made by objectors are noted. In regard to the concerns that the proposed extension may result in a loss of light or outlook, it is not considered that the amended scheme, which has been brought further away from the shared boundary with The Chase will result in any loss of amenity to neighbouring occupiers in this respect.

The proposed development is not considered to result in any further overlooking or loss of privacy beyond what is currently experienced on site.

The revised scheme showing a reduced extension with greater separation distance between the flank wall of the extension and boundary with The Chase is not considered to result in the closing of the existing gap between properties to detrimental degree.

The proposed development is not considered to have any impact on parking.

The modest nature of the proposed extension, which sits on the footprint of a larger ground floor element is not considered to be harmful to the Green Belt. This is discussed in greater detail above.

The host property is not in fact a listed building, and nonetheless appropriate extensions are permitted to listed buildings.

The proposed amended extension is not considered to have a harmful impact on listed buildings and Conservation Area.

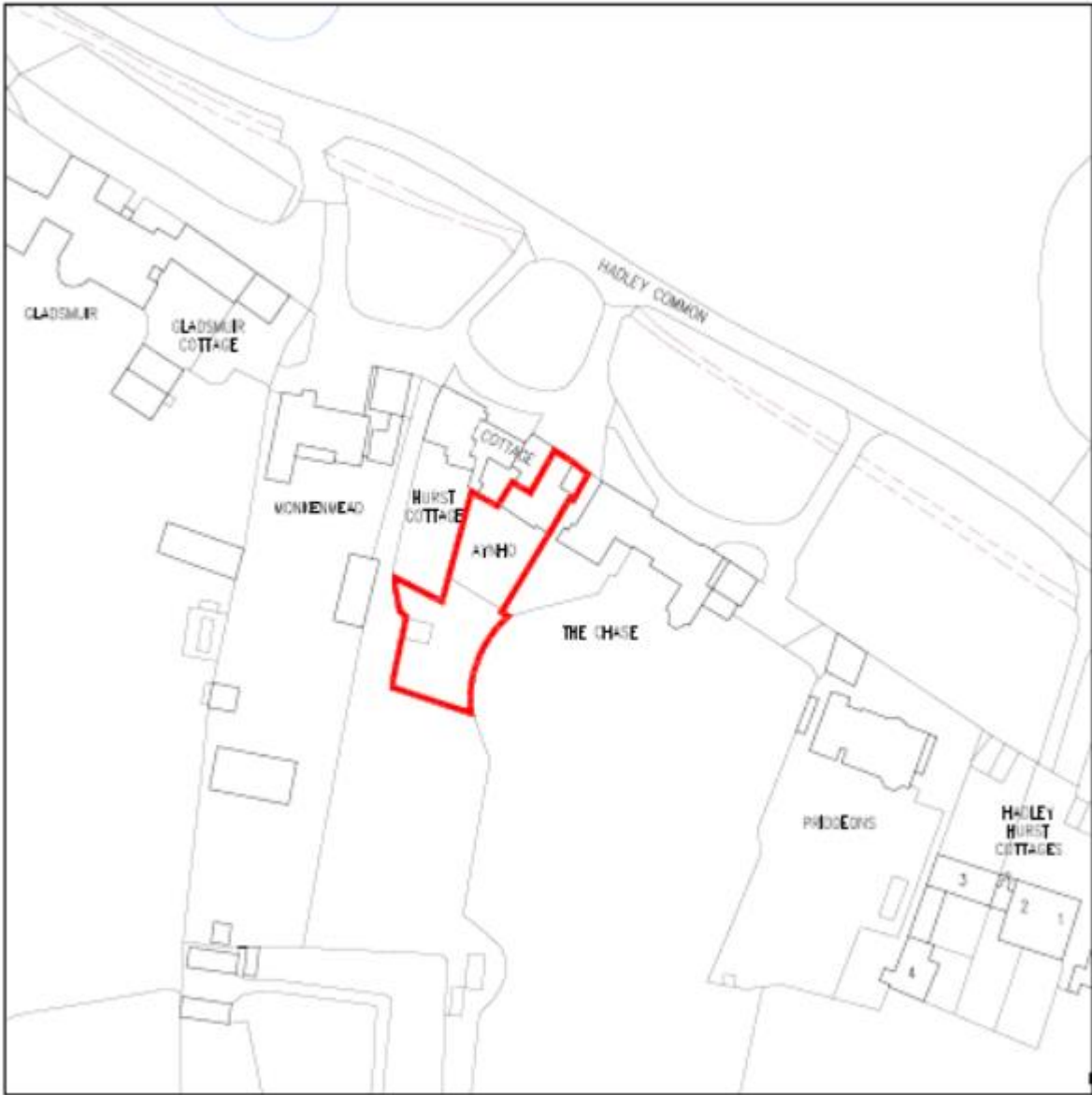
The reduced massing, scale and design of the revised scheme is considered to be acceptable resulting in an appropriate addition to the host dwelling house.

6. Equality and Diversity Issues

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

7. Conclusion

In conclusion, it is considered that subject to compliance with the attached conditions, the proposed development as amended would have an acceptable impact on the character and appearance of the application site, the street scene and the wider Monken Hadley Conservation Area. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is recommended for approval.



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Location 24 - 26 Arcadia Avenue London N3 2JU

Reference: 21/6736/FUL

Received: 22nd December 2021

Accepted: 6th January 2022

Ward: Finchley Church End

Expiry 3rd March 2022

Case Officer: Sinead Normoyle

Applicant: Nimesh Sachdev

Proposal: Erection of an electrical substation

AGENDA ITEM 7

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:

Cover letter,
06,
11 Rev A,
GTC-E-SS-0012_RI-8_1_of_1,
UKP11086-DWG800

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

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

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

- 4 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the sub-station, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016) and Policies D13 and D14 of the London Plan 2021.

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

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

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

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

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

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

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

OFFICER'S ASSESSMENT

1. Site Description

The host site lies at the end the cul-de-sac known as Arcadia Avenue, within the Finchley Church End ward.

The site covers an area of 0.2ha and consists of a two-storey industrial brick building. The site is currently occupied by Dephna Group, and primarily used for storage units (Use Class B8). The building is in B8 use with ancillary B1 offices. The building is currently used for a combination of services including serviced offices, self-storage units and works units. The site benefits from a forecourt which accommodates off-street parking. Permission has recently been granted for extensions and alterations in connection with its use for cold storage units, storerooms, offices within Use Class B8 with the introduction of kitchens for food preparation. The site is identified for such uses through the Regents Park Road Employment Cluster

The site does not benefit from a heritage designation; however it is directly adjacent to the Glenhill Close Conservation Area to the southeast. In addition, towards the west on Regents Park Road there is a Grade II listed building known as King Edward Hall. Further south lie Avenue House Grounds which include a Grade II listed building. This public park is accessed from East End Road.

The site falls within Flood Zone 1, which is defined as having a low probability of flooding.

Surrounding the site on Arcadia Avenue, is a mixture of commercial uses, some of which have recently benefitted from office to residential prior approval, and residential uses. Glenhill Close itself accommodates residential development. To the northwest lies the Finchley Church End Town Centre.

The site features a Public Transport Accessibility Level (PTAL) of 4, however, is close to areas of 5 owing to its relative proximity to Finchley Central Tube Station. Streets surrounding the site are subject of Controlled Parking Zones (CPZ) for either resident or charged parking.

Due to the commercial context of the site, the land does not feature vegetation at the front; there are some mature trees which lie on third party land, mainly within the Glenhill Close Conservation Area.

2. Site History

Reference: 18/1461/ESR

Address: 24 - 26 Arcadia Avenue, London, N3 2JU

Decision: Environmental Statement not Required

Decision Date: 9 April 2018

Description: Environmental Impact Assessment - Screening Opinion

Reference: 20/2999/FUL

Address: 24 - 26 Arcadia Avenue, London, N3 2JU

Decision: Approved following legal agreement

Decision Date: 8 October 2021

Description: Partial demolition of the existing building, external alterations including the construction of an additional storey, provision of extraction units to roof, alterations to car parking layout and the erection of perimeter fencing. Associated refuse/recycling storage and cycle parking

Reference: 21/5395/CON

Address: 24 - 26 Arcadia Avenue, London, N3 2JU

Decision: Approved

Decision Date: 2 December 2021

Description: Submission of details of condition 3 (Demolition and Construction Management and Logistics Plan) pursuant to planning permission 20/2999/FUL dated

Reference: 21/5397/CON

Address: 24 - 26 Arcadia Avenue, London, N3 2JU

Decision: Approved

Decision Date: 28 January 2022

Description: Submission of details of condition 4 (Ventilation/extraction noise) 5 (Kitchen extraction odour) 6 (Revised parking layout) 8 (electric vehicle charging points) pursuant to planning permission 20/2999/FUL dated

3. Proposal

Erection of an electrical substation.

4. Public Consultation

Site Notice: 20.01.2022

162 consultation letters were sent to neighbouring properties.

- 26 objection has been received

The objections can be summarised as follows;

- Health risk,
- Personal health concerns,
- Safety and peace of mind
- Difficulty selling property,
- The business makes a lot of noise,
- Noise concerns,
- Why this was not included in the original application for the redevelopment of Dephna House,
- Overdevelopment of the existing proposal,

Internal / other consultations:

Environmental Health: No objection subject to suggested conditions and informatives

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, DM04.

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.

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

5.3 Assessment of proposals

The proposal relates to the installation of a new sub-station on site. The substation will be located to the rear of the car park.

The need for the substation is a shortage of electricity supply. The existing substation cannot provide sufficient capacity for the consented development under application 20/2999/FUL and therefore a new substation is required on site.

The substation would be in keeping with the scale of the existing structures on site and would not detract from the design and character of the surrounding buildings. Therefore, by virtue of its scale and location, it would also maintain the area's character.

The new sub-station takes the form of a detached brick garage with pitched roof and two doors to the front to adhere to the UK Power Networks regarding the size of the structure and door openings. The substation would be in keeping with the scale of the existing structures on site and would not detract from the design and character of these buildings. It would be 4.2m x 4.2m floor area and 2.8m high to eaves and 4m to the top of the apex of the roof.

Impact on amenity of neighbouring occupiers

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 and DM04 of the Barnet Local Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

Environmental health has been consulted and advise that the only concern would be any possible noise impact, therefore conditions are suggested. The building would be near the rear boundary with Lichfield Grove properties, however given the boundary height would be barely visible from the properties. In relation to noise, conditions are proposed to ensure appropriate noise mitigation. As such it is considered that there would be no undue impact on neighbouring amenity.

Response to Public Consultation

- Health risk, - Environmental Health have been consulted and raise no concerns in this regard.
- Personal health concerns, - Environmental Health have been consulted and raise no concerns in this regard.
- Safety and peace of mind- Environmental Health have been consulted and raise no concerns in this regard.

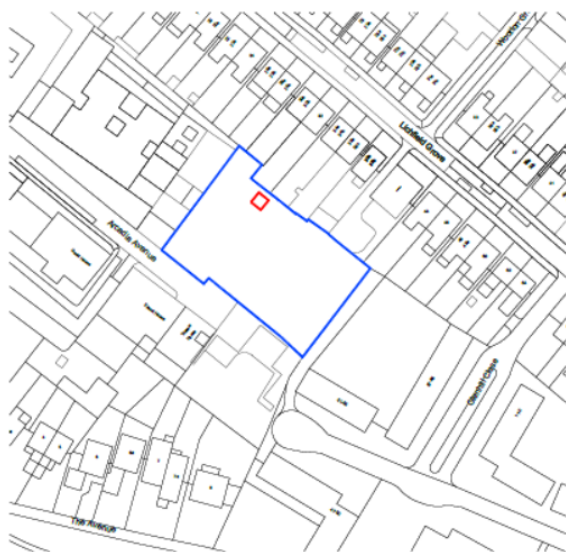
- Difficulty selling property, - Not a material planning consideration.
- The business makes a lot of noise, - this is not the subject of this application which relates only to the sub-station
- Noise concerns, - Environmental Health have been consulted and suggest conditions be attached to any grant of permission
- Why this was not included in the original application for the redevelopment of Dephna House, - applications have to be considered on their merits
- Overdevelopment of the existing proposal, - addressed within the report.

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.

Conclusion

The proposals would not detrimentally impact on the qualities of the adjacent building. The design, size and siting of the proposal is such that it preserves the amenities of the occupiers of the neighbouring properties and the character and appearance of the area. Therefore, the application is recommended for approval.



| | | |
|--------------------------|---|------------------------------|
| Location | The Brookdales Bridge Lane London NW11 9JU | |
| Reference: | 21/6800/FUL | Received: 29th December 2021 |
| | | Accepted: 5th January 2022 |
| Ward: | Hendon | Expiry: 2nd March 2022 |
| Case Officer: | Dominic Duffin | |
| Applicant: | Mr M Bishop | |
| Proposal: | Erection of 6 new houses and alterations to the existing garages with associated refuse/recycling and cycle shelter and amenity space | |

AGENDA ITEM 8

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 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.

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

- 475118/11 - Existing Site Plan
- 475118/12 Rev A - Proposed Site Plans
- 475118/13 - Proposed Floor Plans
- 475118/14 - Proposed Elevations and Sections
- 475118/15 - Existing Location Plan
- 475118/16 - Proposed Location Plan
- 475118/17 - Proposed Site Plan and Streetscene
- 475118/18 - Existing Elevations
- 475118/19 Rev A - Refuse Store details

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).

- 3 The finished levels of the building, roads and footpaths in relation to the adjoining land and highway and any other changes proposed in the levels for the development of the site shall only be as detailed on the approved plans. The development shall thereafter be implemented in accordance with the details as approved under this condition and retained as such thereafter.

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies D3,D4, D8 and G7 of the London Plan 2021.

- 4 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.
- b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
- c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and policy D4 and G7 of the London Plan 2021.

- 5 No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until the tree protection measures as detailed within the submitted documents - Arbol Euroconsulting: The Brookdales, Bridge Lane, Hendon, NW11 9JY Phase II Arboricultural Impact assessment (AIA) and ARBORICULTURAL METHOD STATEMENT (AMS) (Ref. 101 299) Revised 15/12/2021 Ref: 101 679, have been provided on site. 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 ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and policy D4 and G7 of the London Plan 2021.

6 7. Part 1

Before development commences other than for investigative work:

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

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

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

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

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

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 5.21 of the London Plan 2016.

- 7 a) Prior to occupation of the development, a scheme of proposed air pollution mitigation measures shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy GG3 and SI1 of the London Plan 2021.

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

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016) and Policy D14 of the London Plan 2021.

- 9 No occupation of the development shall take place until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations. The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016) and Policy D14 of the London Plan 2021.

- 10 a) Notwithstanding the details shown on the plans submitted and otherwise hereby approved, the development hereby approved shall not be first occupied or brought into use until details of all acoustic walls, fencing and other acoustic barriers to be erected on the site have been submitted to the Local Planning Authority and approved in writing.

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

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and policies SI.1 and D.14 of the London Plan 2021.

- 11 The building hereby permitted shall not be occupied until the windows on the west elevation facing The Brookdales (Flats 1-18) have been fitted with obscured glazing, of Pilkington level 5 or equivalent, and no part of those windows that are less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.

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).

- 12 Prior to commencement of development works, all existing advertisement hoardings, associated structures and materials shall be permanently removed from the site; and the site shall be left in a condition that does not endanger the public or impair visual amenity and shall be carried out to the reasonable satisfaction of the Local Planning Authority.

Reason: In the interest of highway safety and amenity in accordance with Policies DM01 and DM17 of the Development Management Policies DPD (adopted September 2012).

- 13 The materials to be used in the construction of the external surfaces of the building and hard surfaced areas of the development hereby approved shall be as detailed on the approved plans.

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).

- 14 Prior to the commencement of development, a detailed surface water runoff mitigation and drainage strategy for the site shall be submitted to and approved in writing by the local planning authority. The details should include, but are not limited to: a plan showing the drainage arrangements within the site, outlining the discharge point during demolition, downstream capacity and details of the mechanisms that will be used to limit the rate of discharge and reduce pollution of surface water during demolition. The surface water drainage strategy shall use SuDS to manage peak surface water runoff rates in accordance with S2 and S3 of the Non-statutory Technical Standards for Sustainable Drainage Systems. SuDS shall be used to provide volume control in accordance with S4, S5 and S6 of the Nonstatutory Technical Standards for Sustainable Drainage Systems. The surface water mitigation and drainage strategy shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.

Reason: To ensure that the development discharges surface water from the site in a manner that takes into consideration the statutory duties, legislation and regulatory requirements of authority(ies) receiving surface water and ensures that downstream flood risk is mitigated in accordance with Policy CS13 of the Barnet Local Plan, Policies SI.12 and SI.13 of the London Plan, and Approved Document Part H of the Building Regulations 2010).

- 15 The surface water drainage strategy for the site must be accompanied by evidence of an Adopting Authority accepting responsibility for the safe operation and maintenance of SuDS within the development. The Adopting Authority must demonstrate that sufficient funds have been set aside and / or sufficient funds can be raised to cover operation and maintenance costs throughout the lifespan of the development. The Adopting Authority shall be responsible for satisfying themselves of the suitability of the adopted SuDS prior to adoption, and shall keep records of operation and maintenance activities, for possible inspection by the Council.

Reason: To ensure that the development discharges surface water from the site in a manner that takes into consideration the statutory duties, legislation and regulatory requirements of authority(ies) receiving surface water and ensures that downstream flood risk is mitigated in accordance with Policy CS13 of the Barnet Local Plan, Policies SI.12 and SI.13 of the London Plan, and Approved Document Part H of the Building Regulations 2010).

- 16 Prior to the first occupation of the new dwellinghouses (Use Class C3) hereby approved they shall have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures 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. Each residential phase of the development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy SI5 of the London Plan 2021.

- 17 a) Before the development hereby permitted is first occupied, the enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins and other refuse storage containers where applicable, shall be provided as detailed on the approved plans and documentation.

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012); CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

- 18 Demolition or construction works shall take place only between 08:00 and 18:00 on Monday to Friday and between 08:00 and 13:00 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI10, SI1, D13 and T7 of the London Plan (2021).

- 19 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. This shall include the routing of construction vehicles, hours of access, access and egress arrangements, site preparation and construction stages of the development, the provision for the storage/delivery area for all plant and materials, details showing how all vehicles associated with the construction would be properly washed to prevent the passage to mud onto the adjoining highway, methods to be control the emission of dust, noise and vibration arising from construction works, noise mitigation measures for all plant and processors, details of contractor's compound and car parking arrangements, details of car parking management arrangements for the duration of construction, and the details of a community liaison contact. The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI10, SI1, D13 and T7 of the London Plan (2021).

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be constructed on the west elevation facing The Brookdales (Flats 1-18).

Reason: To safeguard the character and appearance of the host property and surrounding area, the amenities of neighbouring occupiers, the health of adjacent trees and the general locality in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012)

- 21 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to include 12 long stay and 2 short stay cycle parking spaces. Long stay cycle parking must be provided under a covered, sheltered, lockable and enclosed compound while short stay cycle parking can be provided in a covered, secure and lockable environment. The type of stands used must allow both wheels and the frame of the bicycles to be locked.

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

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 22 Prior to occupation of the development, parking spaces shall be implemented in accordance with the approved plans. Thereafter, the parking spaces shall be used only as agreed and not for any purpose other than the parking and access/turning of vehicles in connection with approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012 and policy T.6.1 of the London Plan 2021.

- 23 a) Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 3 of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a

further additional 13 of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

b) The development shall be implemented in full accordance with the details approved by this condition prior to the first occupation of the development or the commencement of the use and thereafter be maintained as such in perpetuity.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy T.6 of the London Plan 2021.

24 No development (including Demolition, Ground Works, and Site Preparation Works) shall commence within a phase until a Construction Environmental Management Plan, setting out the construction and environmental management measures associated with that Development Phase, has been submitted to and approved in writing by the Local Planning Authority. This is to ensure that any adverse effects are minimised during construction and Mutton Brook and in turn the River Brent is safeguarded. The CEMP shall include:

- a. Site information
- b. Description of works, equipment, and storage
- c. Programme of works
- d. Temporary hoarding and fencing
- e. Temporary works

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

25 The following ecological enhancements and mitigation, shall be incorporated into the development and implemented in full, and adhered to throughout the post-implementation process, incorporated into the design, and managed in perpetuity;

o The installation of a minimum of two bird boxes on either mature retained trees or on the developed building will provide additional nesting habitat for birds

o The installation of a minimum of two bat boxes on either of the retained mature trees around the site boundaries or on the developed building will provide additional roosting habitat for bats

Bat boxes should be positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance, away from artificial light.

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

- 26 No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

Any such written confirmation shall be submitted to and approved in writing by the Local Planning Authority beforehand.

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

- 27 a) No lighting shall be fixed on the external faces of the building hereby approved, unless and until details of external lighting are submitted to and approved in writing by the Local Planning Authority beforehand. Any lighting must be designed and used to minimise impacts on bats and their insect food. All exterior lighting should follow the guidance of the Bat Conservation Trust. Current (June 2014) advice is at <http://www.bats.org.uk/>.

b) The lighting shall be installed in accordance with the details approved before first occupation or the use is commenced and retained as such thereafter.

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

- 28 a) The mitigation measures as approved in the Environmental Noise Impact Assessment by Acoustic Principles dated, November 2021 shall be implemented in their entirety prior to the first occupation of the development and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016) and Policy D14 of the London Plan 2021.

Informative(s):

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

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

- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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

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

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

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

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive.

You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

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

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

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

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

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

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

Please visit

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

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

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

- 4 The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
- on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
 - on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert

in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

- 5 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 licenses please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email highwayscorrespondence@barnet.gov.uk
- 6 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.
- 7 If a concrete pump lorry is operated from the public highway, then 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
- 8 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 be submitted to and approved in writing by Local Planning Authority prior to the commencement of the development. The "after" survey shall be completed three months before the completion of the development and thereafter submitted to and approved in writing by the Local Planning Authority (TfL). 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

1. Site Description

The application site is located on the north side of Bridge Lane. It is located on the eastern

end of Bridge Lane, close to the junction with the North Circular Road, within the ward of Hendon.

The site is comprised of two buildings accommodating self-contained flats. To the eastern end of the site are a row of single storey garage buildings which this application relates to. To the north of the site is Metropolitan Open Land, however the site itself falls outside this designation.

To the north is Mutton Brook. Areas of the site fall within Flood Zone 2 and 3 according to the Environment Agency, however the garage building footprint itself falls outside these zones.

To the northern end of the site are several Tree Preservation Orders, close to the boundary of Mutton Brook. Trees on the embankment of the site have been felled since the scheme was refused by the Council. These trees were not the subject of a Tree Preservation Order.

The site is not within a conservation area and does not contain any listed buildings.

2. Site History

Reference: W03281P/07

Address: The Brookdales Ltd Bridge Lane Hendon NW11 9JU

Decision: Approved subject to conditions

Decision Date: 21/11/2007

Description: Rising barrier and gates to parking areas.

Reference: W03281Q/08

Address: The Brookdales Ltd Bridge Lane Hendon NW11 9JU

Decision: Approved

Decision Date: 19.03.2008

Description: Submission of details of Conditions 2 (external appearance and materials) and 3 (access control system) pursuant to planning permission W03281P/07 dated 21.11.07 for rising barrier and gates to parking areas.

Reference: 19/0527/FUL

Address: The Brookdales Ltd Bridge Lane Hendon NW11 9JU

Decision: Refused at committee, allowed at appeal - APP/N5090/W/20/3257641

Decision Date: Committee: 18.02.2020, Appeal determination - 30.06.2021

Description: Two storey extension above existing garages to provide six dwelling units and 16 integral garages. Associated cycle parking and refuse and recycling store and amenity space.

Committee reasons for refusal;

1. The proposed development, by virtue of the resultant felling of existing semi/early-mature trees, would result in the loss of their corresponding contribution to the setting of the existing buildings and street scene of the adjacent North Circular Road and the screening effect which they afford, to the detriment of the character and appearance of the host property and surrounding area and the residential amenity of occupiers of the existing buildings and to air quality and mitigating climate change, contrary to Policies 5.1, 7.14 and 7.21 of the London Plan (2016) and Policy DM01 of the LB Barnet: Local Plan (Development

Management Policies) DPD (2012)

2. The proposed development, by virtue of the siting of private and communal amenity spaces and corresponding felling of existing semi/early-mature trees, would result in a sub-standard acoustic and air quality environment and therefore fail to provide adequate useable amenity space, to the detriment of the residential amenity of future occupiers, contrary to Policies 3.5, 7.14, 7.15 and 7.21 of the London Plan (2016), the GLA: Housing SPG (2016), Policy DM02 of the LB Barnet: Local Plan (Development Management Policies) DPD (2012) and the LB Barnet: Sustainable Design and Construction SPD (2016)

3. Proposal

As detailed above, this scheme follows a recent appeal determination which granted consent for a similar development. The appeal scheme related to;

"Two storey extension above existing garages to provide six dwelling units and 16 integral garages. Associated cycle parking and refuse and recycling store and amenity space"

The report to committee expanded on this to state;

"The six units will form a three storey terrace with ground floor providing integral garages. At ground floor, the building footprint maintains the building line of the existing garages with the upper floors set back from the existing building footprint by 3.5 metres. The buildings have a total height of 10 metres from the existing ground level within the Brookdales site. The ground floor is 4 metres in height with a dummy pitched roof providing a balustrade for the walkway on the roof of the ground floor. The elevation is then stepped in and has a height of 6.4 metres to the eaves (or 3 metres from the roof of the ground floor) before the roof pitches away. The building has a depth of 6.7 metres at ground floor and 8.4 metres at first and second floor. The height of the eaves from ground level on the eastern side is 5.4 metres. The terrace has a total width of 52 metres.

The development description for this scheme states;

"Erection of 6 new houses and alterations to the existing garages with associated refuse/recycling and cycle shelter and amenity space".

Four 2 bed/4 person and two 3 bed/5 person units are proposed. An area of communal amenity space, 16 parking spaces within the integral garages, and a cycle parking are will also be provided. The changes are as follows;

- o The proposed scheme is not as wide (Length wise) as the approved scheme (by 1.8m).
- o The proposed scheme staggers to follow the slight stagger of the existing garages.
- o The proposed scheme is deeper than the extant block (by 1.1m) and the wall facing the existing block of flats has moved closer to it (by 0.85m).
- o The West elevation eaves are higher by 0.75m and as such the pitch of the roof has reduced on both west and east elevations, the ridge level is 0.40m lower
- o The units have been adjusted in layout. Three bed units are now mid-terrace properties.
- o Additional obscured velux windows have been added to the west elevation, at 4 per unit.

A refuse and recycling area would be relocated to the front entrance of the site.

4. Public Consultation

Consultation letters were sent to 100 neighbouring properties.
5no objections have been received, and 1no representation

The objections can be summarised as follows:

- There has been no consultation with residents of The Brookdales.
- There would be a loss of much needed amenity space.
- Overdevelopment
- There would be a loss of parking spaces and additional parking spaces would be required.
- As displayed with the removal of trees, there is a complete disregard for the residents and neighbours - they were an important visual and sound barrier with the noisy A406.
- The new awful-looking and unsightly view of the dual carriageway with the trees no longer, and the immense level of noise pollution (especially at night) intolerable and frankly unendurable.
- Additional accommodation within the curtilage of The Brookdales would require an estate / service charge contribution. This would require a Deed of Variation to each existing lease.
- Request and suggest that any grant for this application agrees significant new planting
- Loss of light/overshadowing/loss of privacy effecting all apartments directly next to the new build
- Concern about impact on residents of Southbourne Crescent, the removal of trees has exposed these properties.
- Additional refuse/recycling units - we are currently at the full capacity, some weeks refuse is overflowing, I believe there is no space to be expanding the current refuse area safely
- Loss of green spaces and surrounding natural habitat.

Representation;

- Where are all these new residents going to park their cars? Also, the people whose garages you are demolishing? Already there is limited parking on the street, there is not room for many more residents' cars.
- What planning is there around the building work? How much and for how long is the road going to be affected by building traffic?

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) is a key part of the Governments reforms

to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2021

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS14.
- Relevant Development Management Policies: DM01, DM02, DM03, DM06, DM17.

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

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:

- Planning History of the site
- Principle of the development
- 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 living conditions of future occupiers;
- Impact on trees/landscape
- Impact on potential flood risk
- Impact on Highways

5.3 Assessment

Planning History of the site

As detailed above, a previous planning application was refused consent at committee, for the reasons highlighted above, and the scheme was allowed at appeal. Any appeal decision is a material consideration of significant weight.

A lot of the concern previously centred around the loss of the tree screen along the North Circular Road, and the impacts this would have on character, existing residential amenity, and the potential noise and air quality impacts that would result from the exposure of the adjoining road to future residents, with particular reference to the quality of the amenity space area.

The Inspector noted that whilst trees had been felled between the committee determination and the appeal, they were not the subject of a Tree Preservation Officer. He then went on to take the new context into consideration as part of the determination.

In that regard it is evident that on matters of character, neighbour amenity and the amenity of future occupants, the Inspector was content that there was either no issue of such weight to warrant a dismissal of the appeal or that matters, particularly on noise and air quality,

could be addressed by scheme characteristics and appropriate conditions. These matters will be discussed in more detail below, but the site currently benefits from an extant consent for a broadly similar scheme, and officers consider the existence of this consent should figure prominently with regards to any new determination under this application.

In essence, the new scheme would need to present new issues, not deliberated under the appeal scheme, in order to ensure defensible reasons at any future appeal.

Principle of Development

The application site has not been identified for any specific use in development plan planning policies, is previously developed land and is situated in an area characterised by residential housing. The land is located within walking distance of a number of bus stops, is close to local amenities and utilises existing access off of Bridge Lane.

Therefore the principle of this redevelopment is once again acceptable, subject to the proposal being compliant with the relevant development plan policies.

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

Policy CS1 of Barnet's Core Strategy (2012) states that will seek the highest standards of urban design in order to generate development proposals of landmark quality. Policy CS5 of the Core Strategy states that the Council 'will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high-quality design'.

Policy DM01 of the Council's Development Management Policies (2012) states that 'development proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets' development (should) demonstrate a good understanding of the local characteristics of an area. Proposals which are out of keeping with the character of an area will be refused'.

Under the appeal scheme the officer report to committee recorded the following;

"The Brookdales comprises three purpose built blocks of flats which are of similar form, design and materiality, and appear to be constructed at the same time. The building closest to the proposed development is a five-storey brick built building with a steeply pitched tile roof, external balconies and limited elevational detailing. The south-eastern corner (which acts as the entrance to the building) is partly stepped with a pitched roof set slightly lower.

The proposed development would retain garages at ground floor, with a dummy pitched roof above. The first floor would be simple in elevational design and the roof form would be similar to that of the adjacent building. The design, although simple, takes cues from the main building and its height and scale would remain subordinate to the adjacent five storey building(s). The development would also be set back from the frontage of Bridge Lane.

For these reasons it is not considered that the proposed development would detract or harm the character and appearance of the adjacent buildings at The Brookdales or street scene of Bridge Lane. Furthermore the proposal would also involve the removal of unsightly advertising hoardings from the site along with the provision of a dense belt of planting along the main North Circular road, A406. The removal of the advertisement hoardings and

landscaping/planting etc. would be secured through appropriate conditions.

To the north of the site is Metropolitan Open Land, however the site itself falls outside this designation. In accordance with Policy DM15, due to its distance from MOL land, it is considered the proposed scheme would not have a detrimental impact on visual amenity and would respect the character of its surroundings.

Therefore it is considered that the proposal is acceptable".

It is noted that the committee raised concern that the proposed development, by virtue of the resultant felling of existing semi/early-mature trees, would result in the loss of their corresponding contribution to the local setting and the screening effect which they afford. On this matter the Inspector opined that;

..." The proposed beech hedge and tree planting would strengthen the delineation of the boundary of the site. These measures would assist with the integration of the proposal with the local context. As such, although the recent removal of the tree group is regretful, the proposal would sufficiently offset this loss to the streetscene and would make a positive contribution to the character and appearance of the area".

This scheme does make alterations to the façade of the proposed development, but the proposed raising of the eaves and roof reconfiguration provides a more symmetrical finish and raises no real concerns. The additional rooflights on the western elevation are similarly acceptable and would not detract from the proposed building or wider streetscene. The slight stagger in the elevation to follow the existing stagger to the garages is a minor alteration. The proposed building would continue to be "a subservient addition to the site that would frame the North Circular with build form and would reinforce the perimeter of the site". The alterations are relatively minor and the overall design and replacement landscaping, which can be secured by condition, would ensure an appropriate redevelopment of the site from an aesthetic viewpoint.

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

In regards to privacy, Barnet's Sustainable Design and Construction SPD (2016) states in Table 2.4 that in new residential development there should be a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 m to a neighbouring garden. The development would not meet these requirements, at a distance of 10.80m, moving closer than the previous distance of 11.75m. metres.

However, once again, at ground floor, the building footprint maintains the building line of the existing garages with the upper floors set back from the existing building footprint by 2.75 metres. The first floor would be sited 10.80m metres from the existing windows.

It is again important to note that the proposal shows kitchen and bathroom windows at first floor level facing the Brookdales development, with the kitchen windows being secondary windows. As a result, these windows are proposed to be obscure glazed. Provided obscure glazing is used and secured through condition, no overlooking or loss of privacy would occur.

Whilst the front elevation of the proposed dwellings would be closer to the existing Brookdales building, as a result of the change to the angle of the roof, the overall impact is not considered to result in materially greater harm to outlook from the neighbouring ground floor windows than the previously approved scheme.

As with the appeal scheme, at the second floor, there are no windows facing the Brookdales, only rooflights. The revised second floor roof form is pitched and slopes away from the existing flats. Given the roof angle proposed, it is not considered the proposed rooflights would cause an undue loss of privacy to the adjacent neighbours.

The second floor (roof level) would be sited a similar distance and would angle away. Although views from these windows would be different to what is existing, taking into consideration the distance, it would not be so altered as to materially and adversely affect the visual amenity of these neighbouring windows.

On the matter of neighbour amenity, the Inspector stated;

The Council's Sustainable Design and Construction SPD requires a separation distance of 21 metres between facing habitable room windows. The proposal would be around 11.75 metres from the existing block. However, the elevation of the proposal that would look toward The Brookdales would consist of windows serving kitchens and bathrooms. These could be obscurely glazed by way of condition to prevent overlooking. Furthermore, the rooflights above would only enable oblique views. The proposed development would be to the east of The Brookdales. As a result, the proposal would obscure some morning sunlight. However, due to the limited number of windows on the west elevation of this block, the separation distance and low profile of the proposal the impact of loss of sunlight would be negligible. For similar reasons the effect on access to daylight would also be limited. Accordingly, the proposal would not substantially affect the living conditions of neighbouring existing occupiers with respect to privacy, sunlight or daylight.

It is, once again, accepted there would be some degree of impact to the existing residents of The Brookdales. However, with appropriate conditions in place the proposal is considered acceptable within the context of the previously allowed scheme.

Whether harm would be caused to the living conditions of future occupiers

All residential accommodation is expected to meet the minimum space standards as advocated within the Sustainable Design and Construction SPD and the London Plan 2021. Table 2.2 of the Sustainable Design and Construction SPD specifies that double bedrooms should provide a minimum floor area of 11.5m² and single bedrooms a minimum floor area of 7.5m², in line with the National standards. The minimum standards as set out in the London Plan for a 3-bedroom 5-person unit over two storeys is 93m². For a 2-bed 4-person unit it is 79m². All the proposed dwellings and bedrooms would comply and exceed the minimum space standards.

All proposed residential development should provide suitable outlook and daylight for future units. All habitable rooms would benefit from suitable outlook and light.

Policy DM02 of the Local Plan requires development to demonstrate compliance with a range of measures, including for outdoor space to be in accordance with the Council's Sustainable Design and Construction SPD (2016). The SPD requires, at table 2.3, for houses with four habitable rooms to have access to 40 sqm of outdoor amenity space and for those with six habitable rooms to have access to 70 sqm. The London Plan's Housing SPG (2016) requires, a minimum of 5 sqm of private outdoor space to be provided for 1-2 person dwellings and an extra 1 sqm for each additional occupant.

The depth of the rear gardens is once again limited at only 4m and the private outdoor areas are below the recommended guidelines (27sq m - 37sq m), however the proposal also provides over 300m² of shared communal amenity space. Furthermore, Brent Park is adjacent to the site. In combination these areas would result in a reasonable provision of external space for new residents associated with the proposal. Therefore, although the proposed outdoor areas would be marginally below the recommended guidelines, the provision is adequate and of sufficient quality within the identified local context. Therefore, the proposal is considered acceptable.

In order to avoid overlooking and outlook issues, the proposed main habitable rooms would face towards the main North Circular Road. The noise impact assessment and the air quality report detail accurate measurements taken on site. These measurements demonstrate that the levels of noise and air quality pollution measured on site are lower than the Council had initially anticipated. In addition, the reports outline mitigating measures to ensure the proposed development provides adequate quality living accommodation within the accepted ranges.

The Inspector was satisfied that acoustic glazing would create effective noise reduction to prevent noise disturbance. A mechanical ventilation system with acoustic trickle vents would also prevent the need to open windows that face the A406. Furthermore, the proposed acoustic fence and landscaping would further mitigate noise impact.

With mitigation by improved acoustic glazing for the habitable residential rooms, passive ventilation to minimise use of opening windows, then the indoor noise levels from traffic, easily adhere to and are better than BS8233:2014 and World Health Organisation Guidelines."

The key air pollution sources are the local roads. The use of passive acoustic ventilation with good acoustic properties, would remove traffic fumes and provide noise attenuation similar to acoustic glazing. The Inspector observed that prevailing winds from the south west would take the majority of vehicle pollution away from the development site. The proposed mechanical ventilation system would provide future occupiers with good quality air and negate the need to open windows. The proposed beech hedge and trees would provide some absorption of nitrogen dioxide NO₂ and other particulates which would moderately improve local air quality. Accordingly, the proposed mitigation measures would reduce the effects of the proximity of the North Circular. Air mitigation measures could be secured by condition.

The proposal has also been reviewed by the council's environmental health team who have raised no objections and recommend a number of conditions relating to contaminated land, noise and air quality.

Accordingly, once again, it is considered that with appropriate conditions which would secure the details of materials and details such as ventilation and glazing the proposed development would provide an acceptable living standard for future occupants.

Impact on trees/landscape

The proposal has been reviewed by the council's tree and landscape officer who has raised no objections. In summary the officer acknowledges the loss of a conifer hedge and self-seeded sycamore trees growing along the boundary. It is acknowledged that the individual value of these trees is low and as discussed, the trees have since been removed, were

deemed low value/quality and do not merit special protection by Tree Preservation Order. 1 unprotected tree will be removed, a sycamore T8 on applicant's plan. This tree has a large cavity on the stem and removal is required regardless of the application. A new TPO protects important trees in close proximity to the development and these will provide some screening to the development from north circular road (A406).

The Inspector concluded that *"the proposal includes the removal of the advertisement hoarding, and the addition of new fencing and landscaping. The proposed beech hedge and tree planting would strengthen the delineation of the boundary of the site. These measures would assist with the integration of the proposal with the local context. As such, although the recent removal of the tree group is regretful, the proposal would sufficiently offset this loss to the streetscene and would make a positive contribution to the character and appearance of the area"*.

The tree officer recommends that the proposed beech hedge should be planted as 'instant hedgerow' at 2m high and the 5 trees along 56m of frontage to the main road is inadequate. There must be a tree planted every 5 meters along the rear fence line to help screen the property from the road and visa versa.

Therefore it is concluded that the loss of low value trees to facilitate the proposal can be offset by the provision of new trees and hedging. Details can be submitted at a later stage to ensure compliance with the local planning policy DM01. These details will be secured through appropriate conditions.

Ecological Considerations

The submission is supported by a Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech February 2022). This has been reviewed by the ecologist.

The bat report states that 'No bats or evidence of bat activity i.e., droppings or feeding remains were located internally or externally on the survey building' Therefore, no further bat surveys are required.

There is one statutory site, Big Wood and Little Wood (LNR) located 1.22 km east of the site and nine Sites of Importance for Nature Conservation. Mutton Brook is located adjacent to the site's northern boundary and this brook is a tributary of the River Brent which feeds into the Brent Reservoir SSSI. The brook is a 'wildlife corridor' and therefore in accordance with the National Planning Policy Framework (2021) 'plans should identify, map and safeguard' Recommendations for a planning condition to safeguard the river are outlined below.

The development does not fall into an of the categories listed by Natural England that would require consultation under the SSSI Impact Risk Zones - For use by Local Authorities to assess planning applications for likely impacts on SSSIs/SACs/SPAs & Ramsar sites (England) criteria version 4 (Natural England April 2021

The ecologist has no objection to the application, subject to conditions agreeing an Environmental Management Plan, site clearance outside the bird breeding season, a lighting strategy and ecological enhancements. The application can be conditioned accordingly.

Impact on Highways

The above application is for the erection of six residential units with 16 garages. There are currently 19 garages in situ. The proposed development re-provides garages for parking on the ground floor.

The proposed development is located within a PTAL of 0 and there are few available public transport modes within the calculation area. The surrounding area is not covered by a CPZ.

Policy DM17 of Barnet's Development Management Policies Document DPD (2012) states that the council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be 1.5 to 1 spaces per unit for terraced houses.

The re-provided garages are a similar size to a typical parking space (2.4 x 4.8) there for would be suitable for the parking and storage of modern vehicles. Although the provision exceeds the maximum standard, given the low PTAL rating, it is not considered necessary to enforce a reduced number of spaces.

The development provides cycle parking in line with London Plan stated minimum cycle parking levels. Cycle stores are located conveniently and are secure/ weatherproof.

The revised scheme proposes refuse stores close to the boundary of the site which avoids vehicles having to enter the site. The bin stores are a reasonable proximity from the public highway and can be easily accessed by refuse operatives. The design of the refuse store building is acceptable for its purpose.

A minimum of 12 long stay and 2 short stay cycle parking spaces are requested. 12 cycle parking have been indicated but this is not in a fully enclosed compound. Also no short term spaces are proposed. Long stay cycle parking must be provided under a covered, sheltered, lockable and enclosed compound while short stay cycle parking can be provided in a covered, secure and lockable environment. The type of stands used must allow both wheels and the frame of the bicycles to be locked. A cycle parking condition is therefore requested.

Electric vehicle charging points are to be provided in accordance with TfL guidance, with 20% of spaces fitted with active points and the remaining 80% provided with passive infrastructure. For the 16 spaces this equates to 3 active and 13 passive spaces. This is to be secured by way of a planning condition.

Highways officers have raised no objection to the principle of the proposals as there is parking available in association with the application.

The site of the proposed development is less than 60m from the A406 North Circular Road which forms part of the Transport for London Road Network (TLRN). TfL were consulted as the authority is concerned with development impacting the safe and reliable operation of the TLRN.

TfL has advised that the proposed construction works are less than 10m from the TfL retaining structure for the A406. TfL requests that before construction commences, that the developer provides details of their construction methodology.

Delivery and Servicing Plan (DSP) and Construction Logistics Plan (CLP) should be secured by condition which TfL should be consulted on. This should demonstrate how deliveries and construction arrangements. Both these documents should follow TfL guidance.

TfL notes the proposed level of car parking is 16 spaces which is considered contrary to draft London Plan policy. TfL has requested the provision is reduced consistent with the objective to reduce congestion and traffic levels and to avoid undermining walking, cycling, or public transport.

In principle, TfL does not object to the regeneration of this site. However, the proposed car parking exceeds London Plan maximum standards, and therefore does not conform to the Mayors target of achieving 80% of journeys being made through active travel and public transport. Furthermore, the uncertainty regarding the impact the development could have on the TLRN is a concern. Therefore, in its current form, TfL objects to this application.

The comments from TfL are noted however considering the site is in a PTAL 0 area, it is not recommended to reduce the parking provision. Parking provision has not previously resulted in the refusal of consent for the redevelopment of the site for a similar scheme.

Therefore, with the relevant conditions imposed again, the proposal is once again considered acceptable.

Impact of development on flood risk

Although the majority of the site the development is proposed on is within flood zone 1 (low probability of flooding), the area of land adjacent to the Mutton Brook (main river) and within the site boundary is within flood zone 2, 3a and 3b. Therefore a flood risk assessment (FRA) has been submitted in accordance with Environment Agency requirements. The development is not considered to be minor, however, as the proposed location of the residential units lies entirely within flood zone 1, the Sequential and Exception Test are not considered to be required.

The submitted FRA confirms that there will be no change to the impermeable area of the site as the extension will be built on top of existing garages. The development will not increase the site impermeable area and/or footprint of the buildings. The areas within flood zone 2 and 3 will remain soft landscaping; as such it will have no adverse impact on local flood risk. The report confirms that construction will utilise flood resistant materials and services will be placed as high as practicable to reduce impact of flooding. In addition, occupants will sign up for EA Emergency Flood Warning Direct Service; and there would be safe egress to flood zone 1 is available within the site boundaries and safe refuge is available on upper floors.

Surface Water Management (SuDS), would also reduce current surface water run-off rates, with consideration given to soakaways, rainwater harvesting and permeable paving where possible.

The report concludes that the site is considered to be at low overall risk of flooding. No previous records of fluvial, tidal or surface water flooding incidents were found and the proposed development will not increase local flood risk and it will be safe for its residents. Accordingly, with appropriate conditions it is considered the proposal is acceptable.

5.4 Response to Public Consultation

- There has been no consultation with residents of The Brookdales.
- As displayed with the removal of trees, there is a complete disregard for the residents and

neighbours - they were an important visual and sound barrier with the noisy A406.

-The new awful-looking and unsightly view of the dual carriageway with the trees no longer, and the immense level of noise pollution (especially at night) intolerable and frankly unendurable.

Officer Comment: The council has carried out its statutory consultation duties. Whilst it can be good practice to inform neighbours in relation to an application there is no requirement for a developer to do so, and a similar scheme of redevelopment has been granted at appeal. This proposal relates to alterations to an approved scheme, and trees had been removed at the time of appeal and were not worthy of protection. The proposed terrace would in itself provide solid screening for existing residents from the A406.

-There would be a loss of much needed amenity space.

-Overdevelopment

Officer Comment: The scheme largely builds above existing garages and would provide a more regulated amenity space.

-There would be a loss of parking spaces and additional parking spaces would be required.

Officer Comment: The proposal provides in excess of the London Plan/Local Plan parking requirements.

-Additional accommodation within the curtilage of The Brookdales would require an estate / service charge contribution. This would require a Deed of Variation to each existing lease.

Office Comment: This is not a matter that can be considered under a planning application.

-Request and suggest that any grant for this application agrees significant new planting

Officer Comment: New planting will be agreed by condition.

-Loss of light/overshadowing/loss of privacy affecting all apartments directly next to the new build

Officer Comment: Addressed in amenity section above.

-Concern about impact on residents of Southbourne Crescent, the removal of trees has exposed these properties.

Officer Comment: Replacement trees are proposed, however given the distance to Southbourne Crescent, circa 60m, it is difficult to conclude the loss of trees seriously impacts amenity.

-Additional refuse/recycling units - we are currently at the full capacity, some weeks refuse is overflowing, I believe there is no space to be expanding the current refuse area safely

Officer Comment: The scheme proposes new refuse/recycling facilities to serve the development.

-Loss of green spaces and surrounding natural habitat.

Officer Comment: The site is brownfield, will result in its more efficient use in the provision

of housing, and replacement vegetation can be secured by condition.

-Where are all these new residents going to park their cars? Also, the people whose garages you are demolishing? Already there is limited parking on the street, there is not room for

many more residents' cars.

-What planning is there around the building work? How much and for how long is the road going

to be affected by building traffic?

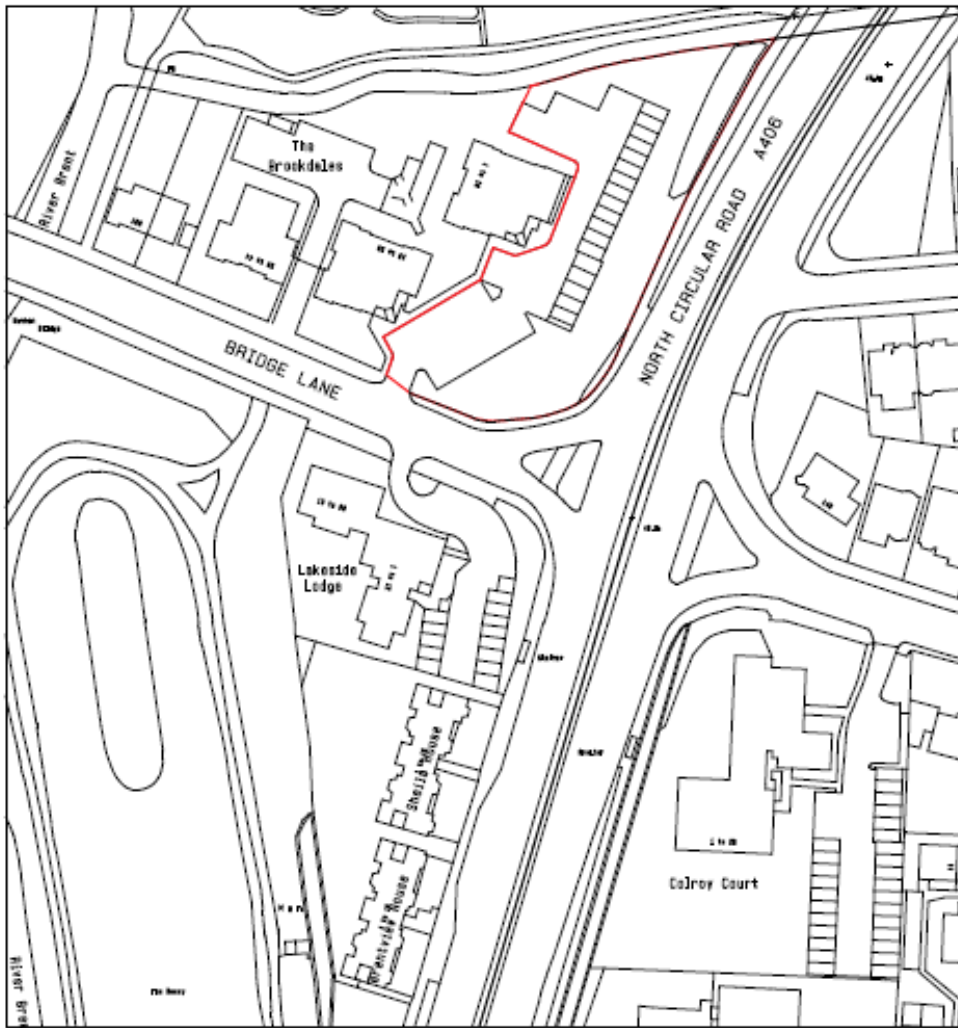
Officer Comment: The proposal has been reviewed by highways who raise no issue subject to conditions, this will include a Construction Management Plan which would reduce disturbance during the construction phase.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed amended development provides minor alterations to the extant scheme and 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.



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Location Land Adjacent To 1 Gaydon Lane London NW9 5WA

Reference: 21/2810/FUL Received: 20th May 2021
Accepted: 21st May 2021

Ward: Burnt Oak Expiry 16th July 2021

Case Officer: Erica Mason

Applicant: Mr Hugh Rayner

Proposal: Erection of a two storey dwelling house. Associated refuse/recycling store, amenity space and provision of off street 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 / documents:

- 1GL-2021-PL-E01 Location Plan
- 1GL-2021-PL-E02 Photosheet
- 1GL-2021-PL-E03 Existing Block Plan
- 1GL-2021-PL-E04 Rev 01 Existing Ground Floor
- 1GL-2021-PL-E05 Rev 01 Existing First Floor
- 1GL-2021-PL-E06 Existing Roof Plan
- 1GL-2021-PL-E07 Existing Side Elevation
- 1GL-2021-PL-E08 Existing Front Elevation
- 1GL-2021-PL-E09 Rev 01 Existing Rear Elevation SE
- 1GL-2021-PL-E10 Existing Section A-A
- 1GL-2021-PL-P01 Proposed Block Plan
- 1GL-2021-PL-P02 Rev 03 Proposed Ground Floor (with Root Protection Area)
- 1GL-2021-PL-P03 Rev 01 Proposed First Floor
- 1GL-2021-PL-P04 Proposed Roof Plan
- 1GL-2021-PL-P05 Proposed Side Elevation
- 1GL-2021-PL-P06 Proposed Front Elevation
- 1GL-2021-PL-P07 Proposed Rear Elevation
- 1GL-2021-PL-P08 Proposed Section A-A

- 1GL-2021-PL-P09 Proposed Surface Water Drain
- The Tree Bureau Arboricultural Impact Assessment Reference AIA 7634 Dated 15.05.2021
- Design and Access Statement
- Agents Covering Letter from CPMC Chartered Surveying dated 26 April 2021
- Agents Letter from CPMC Chartered Surveying dated 26 April 2021 to owner of no.1 Gaydon Lane

Reason: For the avoidance of doubt and in the interest of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed 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) Notwithstanding the submitted drawings, no development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies D3 and D4 of the London Plan 2021.

- 4 a) No development shall take place until complete details of the levels of the building(s), road(s) and footpath(s) and soft landscaping in relation to the adjoining land, trees 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 D1, D2, D3 and G7 of the London Plan 2021.

- 5 a) No site works or works on this development including construction work shall commence until a Construction Management and Logistics Plan (CMLP) has been submitted to and approved in writing by the Local Planning Authority. All works must be carried out in full accordance with the approved details unless previously agreed in writing by the Local Planning Authority. The 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 D14, SI 1 and T7 of the London Plan (2021).

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

- b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown

on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy G7 of the London Plan 2021.

- 7
- 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 G7 of the London Plan 2021).

- 8
- 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 DM01. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy G6 of the London Plan 2021.

- 9
- a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.
 - b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
 - c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely

damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and G7 of the London Plan 2021.

- 10 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 Policy D7 of the London Plan 2021 and the 2016 Mayors Housing SPG.

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

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy SI 5 of the London Plan 2021 and the 2016 Mayors Housing SPG.

- 12 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 10% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The 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 SI 2 of the London Plan (2021) and the 2016 Mayors Housing SPG.

- 13 a) Notwithstanding the approved plans, before the development hereby permitted is

first occupied, details of cycle parking spaces and cycle storage facilities - including a revised location to the rear of the site - shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in policy T5 of The London Plan (2021) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

14 a) Notwithstanding the submitted drawing no. 1GL-2021-PL-P02 Rev 02 Proposed Ground Floor, before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

15 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages shown on Drawing No. 1GL-2021-PL-P02 Rev 03 Proposed Ground Floor (with Root Protection Area); shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policy T6 of the London Plan (2021).

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

- 18 Before the building hereby permitted is first occupied the first floor windows in the side elevation hereby approved, facing Heywood Avenue, shall be glazed with obscure glass only and shall be permanently fixed shut or provided with only a fanlight opening and shall be permanently retained as such thereafter.

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 (adopted April 2016).

- 19 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 Class of Part 1 of Schedule 2 of that Order shall be carried out within the area of land adjacent to 1 Gaydon Lane NW9 5WA, hereby approved.

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

- 20 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

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

Informative(s):

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

- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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

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

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

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

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of

planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

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

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

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

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

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

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by

telephoning 0208 359 4500.

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

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

OFFICER'S ASSESSMENT

1. Site Description

The proposal site is set adjacent to no. 1 Gaydon Lane NW9, which is a two storey end of terrace dwellinghouse, featuring a gable ended main roof. The rear boundary faces the junction with Heywood Avenue.

Gaydon Lane is a small cul-de-sac lying within an area of former MoD housing of no great architectural merit, but which benefits from substantial tree planting that softens the impact of the built development. It is evident that Gaydon Lane streetscape includes open soft landscaped outer edges at the end of terraces.

The application site has a 'Public Transport Accessibility Level' (PTAL) rating of 2 which is regarded as poor accessibility.

The proposal site measures some 205m² as specified on the submitted planning application form. The site is not within a Conservation Area or subject to any other relevant planning designation. A tree is set to the rear of the site and is protected under a Tree Preservation Order reference TPO/CA/318/T4 Horse Chestnut and T5 Lime. Furthermore, the site does not fall within a flood zone.

2. Relevant Planning History

Reference: W02260P

Address: Land Adjacent To 1 Gaydon Lane London NW9

Decision: Approved Subject To Conditions

Decision Date: 15 July 1987

Proposal Description: Detached house with integral garage and formation of vehicular access to Gaydon Lane. (Outline Application).

Reference: W11044

Address: Land Adjacent To 1 Gaydon Lane London NW9

Decision: Approved Subject To Conditions
Decision Date: 28 January 1997
Proposal Description: Erection 2 storey house with integral garage and access from Gaydon Lane.

Reference: W11044B
Address: Land Adjacent To 1 Gaydon Lane London NW9
Decision: Approved Subject To Conditions
Decision Date: 13 September 1999
Proposal Description: Erection of 2 storey house with integral garage and access from Gaydon Lane.

Reference: 21/0792/192
Address: 1 Gaydon Lane NW9 5WA
Decision: Lawful
Decision Date: 08 March 2021
Proposal Description: Replacement of existing windows to match existing and new windows. Erection of a rear outbuilding.

Reference: 20/4229/PNU
Address: 1 Gaydon Lane NW9 5WA
Decision: Prior Approval Required and Refused
Decision Date: 09 November 2020
Proposal Description: Construction of an additional floor with same roof pitch and roof tiles and matching wall.

Reference: 20/3148/HSE
Address: 1 Gaydon Lane NW9 5WA
Decision: Prior Approval Required and Refused
Decision Date: 17 September 2020
Proposal Description: First floor rear extension, new front porch and rear outbuilding. New first floor windows to side elevation.

Reference: 20/0295/HSE
Address: 1 Gaydon Lane NW9 5WA
Decision: Prior Approval Not Required
Decision Date: 25 February 2020
Proposal Description: Single storey rear extension with a proposed depth of 6.00 metres from original rear wall, eaves height of 3.00 metres and maximum height of 4.00 metres.

Reference: 19/6508/HSE
Address: 1 Gaydon Lane NW9 5WA
Decision: Approved Subject To Conditions
Decision Date: 12 February 2020
Proposal Description: Demolition of existing conservatory. Single storey rear extension, including 2no. skylights.

Reference: H/00644/11
Address: Land At And Adjacent To 13 Gaydon Lane, London, NW9 5WA
Decision: Approved Subject To Conditions
Decision Date: 28 April 2011

Proposal Description: Construction of no. 2 two-storey dwelling houses, formation of a new vehicular access from Lanacre Avenue and associated provision of two off-street car parking spaces.

Reference: W10961

Address: Land Adjoining 16 & 17 Gaydon Lane London NW9

Decision: Approved Subject To Conditions

Decision Date: 30 October 1996

Proposal Description: Erection of one detached two storey house.

3. Proposal

This application seeks planning permission for the 'Erection of a two storey dwelling house. Associated refuse/recycling store, amenity space and provision of off street parking'.

It is noted that various approvals for a dwelling and a two storey side extension at the site was granted over the years as listed above.

The proposed dwelling would be attached to the neighbouring property at no. 1 Gaydon Lane - being almost identical in size and having a similar design. It would have a width of 7.4m (no. 1's width is 7.2 metres), an eaves height of 5 metres and 6.8 metres to the top of the gable ended roof (same as no. 1). The ground floor would have a lesser depth than its' attached neighbour who benefits from a single storey rear extension. The proposed ground floor of the new dwelling would measure 9.5 metres deep to include a front porch projection of approximately 1.5 metres; and the first floor would measure 8.1 metres and would not project beyond the attached neighbouring rear elevation at that level.

The new dwelling will be set away by 0.7m from the boundary facing the junction at Heywood Avenue having a pavement width of 2m and a further grass verge facing the junction.

There are no immediate neighbouring properties to the rear of this section of Gaydon Lane and the nearest neighbouring properties at the rear are separated by Heywood Avenue. The nearest properties to the rear are set some 30m away from the site at no.s 46 - 49 Elvington Lane.

4. Public Consultation

Consultation letters were sent to 35no. neighbouring properties and a site notice was posted dated 03 June 2021.

20no. objections and 1no. representation was received.

The comments can be summarised as follows:

- Loss of Green and trees unacceptable and may lead to global warming.
- This is classed as a natural green area and natural open spaces.
- Building will affect the biodiversity and nature conservation, also ruins beauty of the area.
- Potential Tree Protect issues.

(Officer Comment: Arboricultural Officer comments below)

- Overcrowding. Family have been converted causing over population.

(Officer Comment: 1no. two bedroom dwelling is not considered to cause overcrowding)

- Car traffic/parking/safety of pedestrian (including children and the disabled), cycles and cars in relation to oncoming traffic and from construction staff.

- Danger hazards for traffic as it's on a bend and many homes have kids on the street where they play.
- Impact on Emergency Services gaining access to Gaydon Lane.
- The erection of the proposed garden fence will obscure oncoming traffic on an already blind corner.
- Due to the large variance in ground level around this site, there will be a large amount of excavation required, very likely affecting the current road adjacent to the proposed site.
- Bin collection trucks may be hindered from accessing the street and even when they do, they find it difficult to turn the vehicles, further exacerbated by the proposed development.
(Officer Comment: Highways comments below)
- Major disruptions, building noise, noisy early morning materials deliveries, construction vehicles, Excavation, mud, dust, etc. and the rubbish that comes with it.
(Officer Comment: A condition will be added into approval relating to reasonable hours of construction, in order to protect neighbouring amenity in relation to above issues).
- Change the street view, nature, culture and historic façade of the street of Gaydon Lane taking away the history of Adastral village, an area which was built to house former RAF officers.
- Loss of light, overshadowing and loss of privacy.
- The proposed building will alter the structure and uniformity of the buildings in the entire street.
- The proposed building would, because of the design, size and sitting be overbearing and detrimental to the entire outlook of adjoining properties, especially due to its conspicuous location.
- Windows will look into house with garden backing on to site.
(Officer Comment: Character, design, size and siting and neighbouring amenities discussed below in main body of report)
- The applicant was previously refused permission on application W02260CF Erection of two detached houses/ Land Adjacent & Rear Of 4 Elvington Lane London NW9 for the above reasons.
- Similar application by the same developer with reference ns W11044C/06 & W10961B/06 was collectively objected to by the all the residents of Gaydon Lane.
- Applicant has other undeveloped properties, which he could develop without the need of impacting on the current look and feel of the street of Gaydon Lane.
(Officer Comment: Some of the above applications were Withdrawn and not refused. It should be noted that every application is decided on its' own merits)
- Devaluation of no. 1 Gaydon Lane and the proposed property.
(Officer Comment: Devaluation of properties are not a planning consideration)
- The lane numbers will not be running in order starting the lane with 1A would I'm sure will cause postal errors.
- Potential post and delivery issues.
(Officer Comment: An informative is added in relation to Street Naming and Numbering Team)

Internal Consultees -

- **Trees and Landscaping:**
- Concerns raised regarding the loss of public open space at the site.
- Potential post development pressure for tree pruning. Tree works will be controlled as the tree (horse chestnut) is protected by a TPO. This tree is only 13m high and has the potential to grow up to 25m high, a large landmark tree, contributing to the Mayor of London's target of 10% increase in canopy cover by 2050.
- Approving this development means further growth is likely to be constrained though pruning to achieve liveability for new residents, thus reducing the trees contribution to

canopy cover target.

Recommendation:

Conditions and informatives should be applied accordingly to obtain a more suitable development:

Standard conditions

C260 Hard & Soft landscaping

C263 Tree protection and method statement to include on site monitoring of tree protection measures

Reason:

The above conditions would be required, pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy G7 of the London Plan 2021.

Biodiversity

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

Reason:

The above conditions would be required, pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy G6 of the London Plan 2021.

Informative

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."

- Highways

Highways Officer Comments:-

Parking and Highways:

- Gaydon Lane NW9 and the nearby roads have been included in a Permit Parking

Area (Zone CL1) operating from Monday to Friday between 9am and 4pm. Vehicles are not allowed to either wait or park at the adjoining junction by a way of double yellow lines.

- The Public Transport Accessibility Level (PTAL) for the site is assessed as 2 which is regarded as poor accessibility.
- The proposal is for the erection of a two-storey dwelling house (Use Class C3) consisting of 3 bedrooms. 1 off-street parking space will be accommodated within the curtilage of the site and will be facilitated by a proposed vehicular crossover off Gaydon Lane, NW9.
- The provision of the vehicular crossover will require the applicant to submit a separate application under S184 of the Highways Act 1980 to Barnet Council's Highways Crossovers Team.
- Please note that the Council's Domestic Crossover Policy adopted in April 2019 allows crossovers of 2.4 metre minimum width and 4.2-metre maximum width with a minimum distance of 2.4 metres between adjacent crossovers. The distance of the crossover from the adjoining junction should be at least 8 metres.
- The new Policy also requires that the location of a boundary wall, fence or hedge needs to be within 0.6 metres of the edge of the crossing to prevent vehicles entering their frontage from overriding the adjacent footway.
- Additionally, there is an existing lamp column close to the site's southern boundary. Please note that a minimum distance of 1.2 metres is generally required between a proposed crossover and any existing street furniture including lamp columns. Otherwise, the lamp column will need to be relocated and the associated costs will be borne by the applicant.
- Considering the above, the applicant will need to provide a revised site layout plan showing the details for the access arrangements in accordance with the above requirements prior to any recommendation being made on highway grounds.
- The forecourt area will also benefit from a pedestrian access off Gaydon Lane, NW9 leading to the building entrance.
- According to the Parking Standards as set out in Barnet Council's Local Plan Development Management Policy DM17, the proposed development would be required to provide between 1 and 1.5 off-street parking spaces.
- Based on the PTAL rating for the site as 2 (poor accessibility), 1.4 off-street parking spaces would be required to meet the parking standards of DM17 policy.

However, taking into consideration the following factors:

- Although the site lies in a PTAL zone 2 (poor accessibility), there are three Transport for London (TfL) bus routes (186, 204, N5) running on Lanacre Avenue, NW9 providing connections to Colindale, Hendon Central and Edgware Underground stations accessed by Northern Line services and Brent Cross Shopping Centre.
- Our observation shows that potential overspill of 1 parking space on street can be accommodated on the surrounding local highway network.

- The site is within walking distance to a short range of local facilities such as schools
- On balance, the provision of 1 parking space would be acceptable on highway grounds.

Cycle Parking and Storage:

- The proposed development will need to provide 2 long stay cycle parking spaces in accordance with the London Plan Cycle Parking standards. The cycle parking spaces will need to be secured in an enclosed compound that is 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 associated storage facility will also need to be provided in accordance with the London Cycle Design Standards (LCDS). This information will be requested by a way of a condition.

Refuse Collection Arrangements:

- Drawing No. 1GL-2021-PL-P02 shows that the proposed bin store will be located within 10 metres from public highway with clear and levelled access for the refuse crews to remove the waste on collection days which is acceptable on highway grounds.

Construction Management and Logistics Plan (CMLP):

- The scale of the construction works to deliver the proposed development will require the submission of a robust Construction Management and Logistics Plan (CMLP) to ensure that road safety will be maintained especially for vulnerable road users throughout the works, delivery and construction-related trips to and from the site will be reduced as much as possible to ease congestion on the surrounding roads and follow access routes that minimise disruption to local residents. The CMLP report will be requested by a way of a condition.

RECOMMENDATION:

- The applicant will need to provide a revised site layout plan including details for the vehicular access reflecting the requirements as set out in the Council's Domestic Vehicle Crossover Policy adopted in April 2019.

Highways Crossover Officer Comments: -

- Following review of the amended Site Plan, as long as the minimum depth of hardstanding is achieved and the crossover is no larger than 4.2m allowing 1.2m from the street light, the proposal is acceptable.

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 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.

Relevant Policies: D3 (Optimising Site Capacity), D4 (Delivering Good Design), D6 (Housing Quality and Standards), D14 (Noise), G6 (Biodiversity and Access to Nature), G7 (Trees and Woodlands), H1 (Increasing House Supply), T4 (Assessing and Mitigating Transport Impacts), T5 (Cycling) and T6 (Car Parking).

LB Barnet Local Plan 2012

Relevant Core Strategy Policies: CS NPPF, CS1 (Barnet's place shaping strategy), CS3 (Distribution of growth in meeting housing aspirations), CS4 (Providing quality homes and housing choice), CS5 (Protecting and enhancing Barnets' character) and CS9 (Providing safe/effective travel).

In particular:-

Core strategy policy CS3 seeks to encourage higher densities in order to meet the housing targets for the Borough. The policy identifies areas of growth that are appropriate for regeneration and higher densities of development, noting that these areas are either town centres or are accessible by public transport. The policy further states that whilst higher density can be encouraged as a means of meeting housing targets, it should not drive development, rather it is a factor to be considered alongside the local context, design, transport accessibility and infrastructure.

Core strategy policy CS4 seeks to provide a range of sizes and types of accommodation, including homes for those who need larger dwellings including families, as well as homes for smaller households such as single key workers or older and vulnerable people.

Core strategy policy CS5 sets out the LPAs objective to promote a sense of place throughout the Borough by responding to locally distinctive characteristics and patterns of development. The policy text goes further to state that the Core Strategy aims to address strategic needs for family accommodation. The main source of supply to meet demand is largely provided by our suburban housing stock. We therefore need to protect such housing within established residential streets which, because of their rhythm and cohesiveness, contribute to local character.

Relevant Development Management Policies: DM01, DM02, DM08, DM17

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Policy DM08 seeks to both maintain and increase the supply of housing across the Borough. Subsection j (vi) & (vii) states that development proposals will be required to include hard and soft landscaping and that trees in particular contribute to biodiversity including the retention of existing wildlife habitat. Therefore, existing trees and their root systems should be adequately protected.

Policy DM17 states that the council will ensure that the safety of all road users is taken into account when considering proposals, and will refuse proposals that unacceptably increase conflicting movements on the road network or increase the risk to vulnerable users. The policy further states that a development of this scale would be expected to provide a maximum of 1.5 vehicle parking space per dwelling.

Residential Design Guidance SPD (2016)

Sets out information for applicants to help them design developments which would receive favourable consideration by the Local Planning Authority. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene. It states:

- Developments 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 it states that developments 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 the 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 (2016)

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

Barnet's Local Plan (Reg 22)

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.

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 street scene and the wider area;
- Whether harm would be caused to the living conditions of neighbouring residents
- Whether harm would be caused to the living conditions of future occupiers
- Impact on Trees and Ecology
- Impact on highways and parking

5.3 Assessment

Principle of development

The proposal relates to the 'Erection of a two-storey dwelling house. Associated refuse/recycling store, amenity space and provision of off-street parking'.

The principle of a dwelling at the site was established under three separate planning approvals under the following applications:

- Reference: W02260P date: 15 July 1987 for 'Detached house with integral garage and formation of vehicular access to Gaydon Lane. (Outline Application).'
- Reference: W11044 date: 28 January 1997 for 'Proposal Description: Erection 2 storey house with integral garage and access from Gaydon Lane.'
- Reference: W11044B date: 13 September 1999 for 'Erection of 2 storey house with integral garage and access from Gaydon Lane.'

Also, an approval was granted for properties within the vicinity including for a larger proposal as follows:

- Reference: H/00644/11 date: 28 April 2011, address: Land At And Adjacent To 13 Gaydon Lane, NW9 5WA for: Construction of 2no. two-storey dwelling houses, formation of a new vehicular access from Lanacre Avenue and associated provision of two off-street car parking spaces.

The established character of the vicinity consists of two and three storey terraced dwellings. Therefore, along with the planning history of the site and other similar plot and resultant planning approval, it is considered that the principle of the proposal is acceptable.

Whether harm would be caused to the character and appearance of the street scene and the wider area;

Policy DM01 of the Development Management Policies (2012) relates to the Protection of Barnet's Character and Amenity. The policy advises that all development should represent high quality design and be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The proposed property at land adjacent to no. 1 Gaydon Lane would largely replicate the style of the existing building albeit smaller in depth. The new dwelling would be attached to no. 1 Gaydon Lane. Effectively, the building would extend in width by 7.4m towards the junction with Heywood Avenue, having the same eaves height of 5m and 6.8m to the top of the gable ended roof, as no. 1 Gaydon Lane. The ground floor would have a lesser depth than its' attached neighbour who benefits from a single storey rear extension. The proposed ground floor of the new dwelling would measure 9.5m deep to include a front porch projection of approximately 1.5m; and the first floor would measure 8.1m and would not project beyond the attached neighbouring rear elevation at that level.

The new dwelling will be set away by 0.7m from the boundary facing the junction at Heywood Avenue having a pavement width of 2m and a further grass verge facing the junction.

Furthermore, there are no immediate neighbouring properties to the rear of this section of Gaydon Lane and the nearest neighbouring properties at the rear are separated by Heywood Avenue. The nearest properties to the rear are set some 30m away from the site at no.s 46 - 49 Elvington Lane.

It is considered that the design of the building would fit with the surrounding local context, and would not appear unduly prominent due to its size, siting and design. It is not considered that the proposed dwelling would appear obtrusive or incongruous in this location.

The current scheme is considered to be acceptable proposing a traditional design and appropriate matching materials consisting brick built and rendered walls, roof tiles and UPVC windows, timber fencing and soft and hard landscaping. A condition has been added requesting submission of materials so that this can be fully assessed, in order to ensure the scheme harmonises with the character and appearance of the immediate and general locale.

The levels at the site gradually decrease in gradient from south to north. Whilst no garage is proposed, the area of hardstanding to the front would be used for parking. Parking requirements are further discussed below in the Highways section of the report. To the rear, the garden area will consist of mainly soft landscaping with a minimal amount of hard landscaping.

The bulk, massing and footprint of the proposed development is similar to the existing dwelling at no. 1 Gaydon Lane. Therefore, the new dwelling is considered to be of an acceptable scale and would not be harmful in its' surrounding context.

The immediate vicinity surrounding the site currently benefits from an ample amount of green space. The proposed development would however involve an increase in hardscape to facilitate the new dwelling and some of the existing greenery would be lost. Whilst this is regrettable, the applicant has provided adequate information to protect the tree at the rear. Therefore, the loss of the section of the green element of the area would not alone warrant

a reason for refusal. However, the loss does increase visibility of the proposed hardscape. Once again, appropriate conditions have been added to accommodate green planting and hedging to enhance the site, and is discussed in more detail within the Tree and Biodiversity section of the report, below.

It is therefore considered that the dwelling would not harm the character and appearance of the streetscene and general locality.

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

Policy DM01 of the Development Management Policies (2012) advises that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

Paragraph 14.4 of Barnet's Residential Design Guidance SPD (2016) states that: Extensions to properties should not be overbearing or unduly obtrusive and care should be taken to ensure they do not result in harmful:

- o loss of privacy by overlooking adjoining properties
- o loss of light or overshadowing of adjoining properties, particularly loss of light to main windows serving principal rooms such as living or dining rooms
- o loss of outlook from adjoining properties
- o sense of enclosure or overbearing impact on adjoining properties

The host site benefits from one main neighbouring property at No. 1 Gaydon Lane. The flank walls of the proposed dwelling would not extend beyond the front or rear building line of no. 1 Gaydon Lane. In fact, the existing ground floor element of the existing dwelling would project beyond the proposal rear elevation by approximately 3m with the first floor lining up at the same depth. It is not considered that the proposal would harm the amenities of the occupiers of this property by reason of the size of the dwelling including depth and height. It would not lead to a sense of enclosure or and would not be obtrusive or overbearing on this neighbour.

Also, the proposal is not considered to result in a loss of light or outlook as the neighbouring house stood for the majority of its' existence. Furthermore, it is considered that no loss of privacy would be caused to the neighbouring property or site. It is noted that the rear first floor windows to both the existing property at no. 1 Gaydon Avenue and the new dwelling would have mutual overlooking from the rear windows and therefore no further harm is envisaged in this regard.

It is noted however that 1no. ground floor window and 2no. first floor windows as shown on drawing no. 1GL-2021-PL-E07 (Existing Side Elevation-NE) exist in the flank elevation of the existing dwelling at no. 1 Gaydon Avenue. It is noted that the windows are detailed under planning reference: 21/0792/192, approved 08 March 2021. It is noted that an objection raised related to this window. On further investigation by the officer utilising dated online images, the flank windows do not appear to have existed in March 2021 but appear to have been installed subsequently, prior to the submission of this current application registered on 21 May 2021.

Notwithstanding this fact, with reference to the plans under 21/0792/192 these windows serve a shower room, stairwell and as a secondary window to Bedroom 3 (of 1no Gaydon lane). As such, it is considered that the blocking up of these windows to enable the new dwelling would not have an adverse impact on the residential amenity of occupiers at No 1.

Also, the nearest rear neighbour will not only be separated by Heywood Avenue but is set at least 30m away, this distance is considered to adequately allow for an acceptable impact on the neighbouring amenities including overlooking and loss of privacy. Also, a condition will be added to ensure adequate boundary treatment is forthcoming to further mitigate potential loss of privacy.

It should be noted that the dwelling has no neighbouring property set to the rear and its' only neighbouring property would be no. 1 Gaydon Lane.

Therefore, the Local Authority are satisfied that the proposed dwelling would provide acceptable amenity to the neighbouring occupiers as explained above and in accordance with Policy DM01 and DM02 of Barnet's Development Management Policies Document DPD (2012), the requirements of Barnet's Sustainable Design and Construction SPD (2016) and Policy D3 of the London Plan (2021).

Impact on amenity of future occupiers:

Table 3.1 of the London Plan (2021) sets out minimum Gross Internal Area (GIA) standards for new dwellings.

The GIA for a two storey 3no. bedroom, 5no. person dwelling requires at least 93m². The submitted plans also confirm that the minimum space standards would be largely complied with. The standards set out minimum acceptable room sizes for single and double bedrooms, confirming that at least 7.5m² should be provided for the former and 11.5 m² should be provided for the latter. The proposed bedrooms will consist of 2no. double bedrooms and 1no. single bedroom measuring as follows:

Bedroom 1: 13.4m²

Bedroom 2: 12.3m²

Bedroom 3: 11.3m²

The dwelling will also include a dining and living room ground floor area measuring 25.9m².

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. Table 2.4 of the Sustainable Design and Construction SPD (2016) advises that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room to accommodate natural light and outlook for future occupiers. The proposal will provide the following fenestration:

Bedroom 1: approximately 2.04m²

Bedroom 2: approximately 2.5m²

Bedroom 3: approximately 3.36m²

The proposal is considered to largely adhere to the Guidance in the above regards allowing for adequate glazing - however with a slight shortfall for bedroom no.1 of 0.64m² of fenestration. However, the other glazing allows for natural light and outlook for future occupiers in excess of the policy and enables the character and appearance of the street scene to be carried through into the new development. The scheme is therefore considered acceptable.

In relation to Outdoor Amenity Space Requirements, Table 2.3 of the Sustainable Design and Construction SPD (2016) advises that for Houses:

- o40 m² of space for up to four habitable rooms
- o55 m² of space for up to five habitable rooms
- o70 m² of space for up to six habitable rooms
- o85 m² of space for up to seven or more habitable rooms.

The proposal site area is approximately 205m² which clearly illustrates the adequate size and proportions of the development. Adequate outdoor amenity space would be retained at approximately 96.8m². The proposal therefore complies and exceeds the Guidance of the required rear garden amenity space.

Therefore, the Local Authority are satisfied that the proposed dwelling would provide acceptable living conditions and amenity for future occupiers in accordance with Policy DM01 and DM02 of Barnet's Development Management Policies Document DPD (2012), the requirements of Barnet's Sustainable Design and Construction SPD (2016) and Policy D3 of the London Plan (2021).

Impact on Trees / Biodiversity:

Policy DM01 of Barnet's Development Management Policies Document (2012) advises that trees should be safeguarded. Furthermore, policy G7 of the London Plan states that development proposals should ensure that, wherever possible, existing trees of value are retained. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. High quality landscape design can help to create spaces that provide attractive settings for both new and existing buildings, contributing to the integration of a development into the established character of an area.

There are 2no. Tree Preservation Order (TPO) trees on the application site. The TPO reference is TPO/CA/318/T4 Horse chestnut and T5 lime. It is noted that the tree existed at the time of submission of planning application reference W11044B dated 13 September 1999, for the erection of a two storey house with integral garage and access from Gaydon Lane. The applicant's agent has submitted the following document: The Tree Bureau Arboricultural Impact Assessment Reference AIA 7634 Dated 15.05.2021. The tree officer has reviewed the application and the following comments were made:

- Concerns raised regarding the loss of public open space at the site.
- Potential post development pressure for tree pruning. Tree works will be controlled as the tree (horse chestnut) is protected by a TPO. This tree is only 13m high and has the potential to grow up to 25m high, a large landmark tree, contributing to the Mayor of London's target of 10% increase in canopy cover by 2050.

Following further discussions, more comments were provided by the Tree officer stating that the Green Infrastructure SPD sets out a strategic approach for the creation, protection and management of networks of green infrastructure. Infrastructure should be provided where it will reduce the impact of climate change, improve local ecosystems and habitats and retain, enhance or create green corridors that enable linkages between rural, urban fringe and urban green spaces.

To mitigate the loss of the amenity grass area the applicant must demonstrate within a landscape design for the garden ways to improve habitat. This could be achieved by planting a privet hedge around the garden. Privet is a good source of nectar for pollenating insects when flowering in July and August. These details along with other interventions should be included with an ecological improvement and management plan. However, it should also be noted that for reasons of demarcation of the boundary, fencing would also be required; and therefore the buses would be set within the boundary fencing.

Also, regarding Biodiversity, a pre-commencement condition was recommended for the applicant to submit 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).

The above would be required, pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy G6 of the London Plan 2021.

Furthermore, hard and soft landscaping details are secured via a condition in order to accommodate overall loss of the existing green area at the site, to assist in mitigating the hardscape of the development to provide a more acceptable impact on the overall character of the area, amenity and protect biodiversity.

Impact on Highways and Parking:

Policy DM17 outlines the adopted parking standards for residential developments. It states that a terraced house with 3no. bedrooms is required to provide 1.5no. to 1no. off-street car parking spaces in accordance with policy DM17. There is sufficient space on the front drive to accommodate this.

Furthermore, the councils Highway Team were consulted on the current scheme and have raised no objections. The initial advice provided on the current scheme is summarised as follows:

- Although the site lies in a PTAL zone 2 (poor accessibility), there are three Transport for London (TfL) bus routes (186, 204, N5) running on Lanacre Avenue, NW9 providing connections to Colindale, Hendon Central and Edgware Underground stations accessed by Northern Line services and Brent Cross Shopping Centre.
- Our observation shows that potential overspill of 1 parking space on street can be accommodated on the surrounding local highway network.
- The site is within walking distance to a short range of local facilities such as schools

-On balance, the provision of 1 parking space would be acceptable on highway grounds.

It was also advised that due to the proposed development involving construction works, a Construction Management and Logistics Plan (CMLP) is required. Therefore, a planning condition has been added to secure this.

Also, comments were received from the Highways Crossovers Team confirming that the proposed development will need to provide 2 long stay cycle parking spaces in accordance with the London Plan Cycle Parking standards. The cycle parking spaces will need to be secured in an enclosed compound that is 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 associated storage facility will also need to be provided in accordance with the London Cycle Design Standards (LCDS). A condition has been added to accommodate this requirement.

In general, Highways raised no objection to the proposal. Therefore, the scheme is acceptable on Highways grounds, subject to the suggested condition(s) and Informative(s).

5.4 Response to Public Consultation

All relevant planning considerations are discussed in the report above.

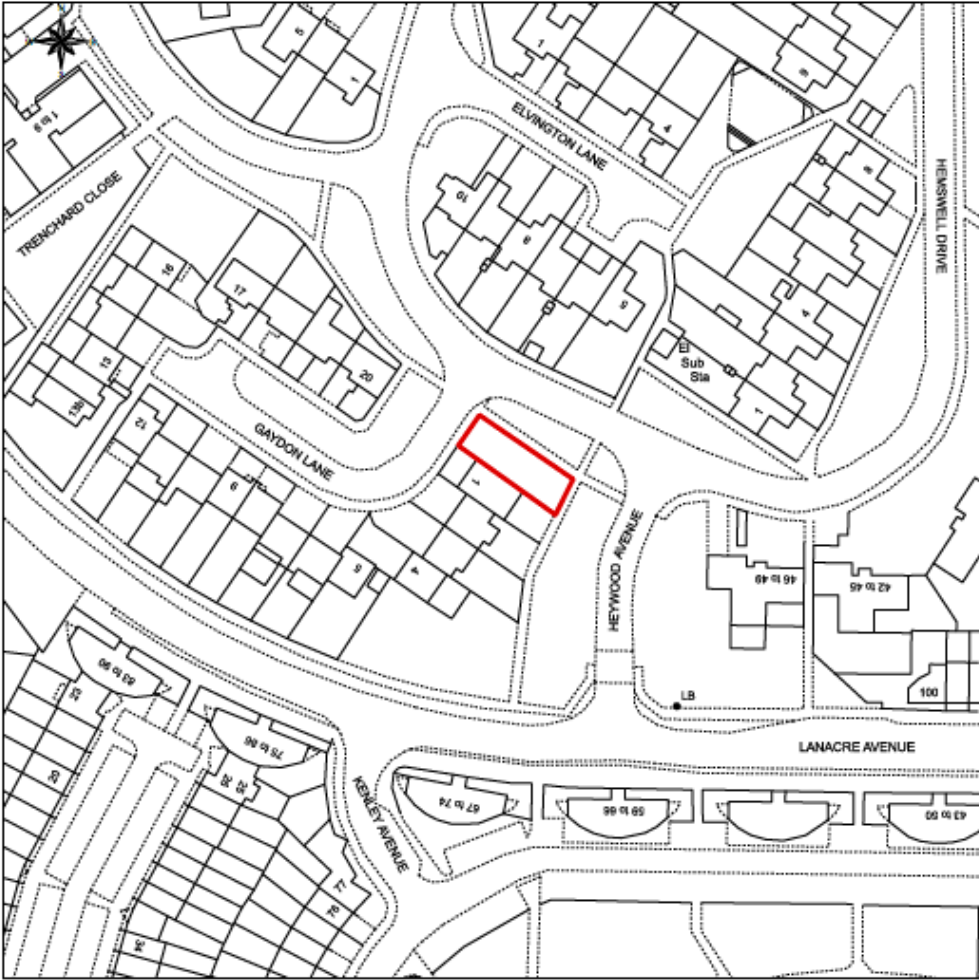
6. Equality and Diversity Issues

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

7. Conclusion

Taking all material considerations into account, it is considered that the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. In addition, the proposed development is considered not to have an adverse impact on the amenities of neighbouring occupiers.

Accordingly, this application is therefore recommended for APPROVAL, subject to conditions.



Location 58 Crewys Road London NW2 2AD

Reference: 22/0012/S73

Received: 4th January 2022

AGENDA ITEM 10

Accepted: 4th January 2022

Ward: Childs Hill

Expiry 1st March 2022

Case Officer: Sinead Normoyle

Applicant: Mr Roy Graham

Proposal: Variation of condition 2 (Hours of Use) of planning permission reference C01032M/03 dated 03/06/2003 for 'Alterations to front elevation including new entrance doors and windows and conversion of building into 4no. separate B1 units.' Variation to include changes to the wording of the condition to read, 'The use hereby permitted shall only be carried out between the following times, Units 56, 56A and 58 - 9am to 6pm Monday to Saturday, Unit 58A - 8am to 8pm Monday to Friday and 9am to 1pm Saturday. The use shall not be carried out at any time on Sundays or Public Holidays.' The amended hours relate to unit 58A only

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:

Planning statement, Henry Planning
31,
32,
33 Rev A ,

Site location plan

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

- 2 The use hereby permitted shall only be carried out between the following times, Units 56, 56A and 58 - 9am to 6pm Monday to Saturday, Unit 58A - 8am to 8pm Monday to Friday and 9am to 1pm Saturday. The use shall not be carried out at any time on Sundays or Public Holidays. The units are numbered as shown on Plan No. 33 Rev A).

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

Informative(s):

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

OFFICER'S ASSESSMENT**1. Site Description**

Unit 58A is occupied by a Jewish educational youth charity. The site is situated within the Childs Hill Ward.

The site is not within a conservation area and does not contain any listed buildings.

2. Site History

Reference: 21/1114/S73

Address: 58 Crewys Road, London, NW2 2AD

Decision: Refused

Decision Date: 9 July 2021

Description: Variation of condition 2 (Hours of Use) of planning permission reference C01032M/03 dated 03/06/2003 for 'Alterations to front elevation including new entrance doors and windows and conversion of building into 4no. separate B1 units.' Variation to include changes to the wording of the condition to read; The use hereby permitted shall only be carried out between the following times; Units 56 and 58 - 9am to 6pm Monday to Saturday, and 9am to 1pm Saturday and not at any times on Sundays or public holidays. Unit 58A - 8am to 10pm Monday to Friday, and 9am to 6pm Saturday and Sunday and not at all on public holidays.' To allow changes to hours of use

Reason:

1. The proposed extended hours are considered likely to result in undue noise and disturbance from associated activity which would be detrimental to the residential amenities of neighbouring properties on Crewys Road, contrary to Policy CS5 of the LB Barnet: Local Plan (Core Strategy) DPD (2012), Policy DM01 and DM04 of the LB Barnet: Local Plan (Development Management Policies) DPD (2012) and the Sustainable design and Construction SPD (2016).

Reference: C01032M/03

Address: 58 Crewys Road, London, NW2 2AD

Decision: Approved subject to conditions

Decision Date: 3 June 2003

Description: Alterations to front elevation including new entrance doors and windows and conversion of building into 4no. separate B1 units

Condition 2 states:

"The use hereby permitted shall only be carried out between the following times:-

Units 56, 56A and 58 - 9am to 6pm Monday to Saturday

Unit 58A 9am to 6pm Monday to Friday

9am to 1pm Saturday

The use shall not be carried out at any time on Sundays or Public Holidays"

Reference: C01032T/06

Address: 58 Crewys Road, London, NW2 2AD

Decision: Approved subject to conditions

Decision Date: 13 July 2006

Description: Alterations to Roof Including Dormers to Both Sides and Other Minor Alterations to Building to Provide Additional Office Space at First Floor Level

Reference: C01032R/05

Address: 58 Crewys Road, London, NW2 2AD

Decision: Withdrawn

Decision Date: 19 December 2005

Description: Alteration to roof including dormer windows to both sides and other minor

alterations.

Reference: C01032S/05

Address: 58 Crewys Road, London, NW2 2AD

Decision: Approved subject to conditions

Decision Date: 9 February 2006

Description: Alterations to roof including dormer windows to both sides and other minor alterations to provide additional office space at first floor level.

Condition 3 states:

"The use hereby permitted shall not be carried out before 9.00am or after 6.00pm on Monday to Saturdays and at any time on Sundays and Bank holidays"

3. Proposal

Variation of condition 2 (Hours of Use) of planning permission reference C01032M/03 dated 03/06/2003 for 'Alterations to front elevation including new entrance doors and windows and conversion of building into 4no. separate B1 units.' Variation to include changes to the wording of the condition to read, 'The use hereby permitted shall only be carried out between the following times, Units 56, 56A and 58 - 9am to 6pm Monday to Saturday, Unit 58A - 8am to 8pm Monday to Friday and 9am to 1pm Saturday. The use shall not be carried out at any time on Sundays or Public Holidays.' The amended hours relate to unit 58A only

4. Public Consultation

Consultation letters were sent to 149 neighbouring properties -

36 objections received. Summaries below:

- o Activities that will disturb the neighbours.
- o Disturbed the neighbouring properties.
- o Proposed hours are unreasonable.
- o Increase in traffic.
- o Increase in traffic nuisance
- o Additional Parking at busy times of day ie school drop off, people returning from work.
- o Light pollution.
- o Climate change.
- o Noise disturbance.
- o Noise from events.
- o Refuse/Rubbish
- o This is a residential area.
- o If granted other business will increase hours of operation.
- o Impact the neighbouring properties enjoyment of their home.

Internal consultation

Environmental health - No objection to the proposal.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The Revised National Planning Policy Framework (NPPF) was published in 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.

Existing policies in Barnet's Local Plan (2012) and the London Plan (2021) should not be considered out-of-date simply because they were adopted prior to the publication of the revised NPPF. Due weight should be given to them, according to their degree of consistency with the revised NPPF.

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. 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 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, DM04

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted 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

Officers consider that the main planning considerations are as follows:

- 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

Potential impacts upon the character and appearance of the existing building, the street scene and the wider locality

No external alterations are proposed as part of this application.

As such, the proposed development is not considered to negatively impact the character of the existing dwelling, streetscene and wider area and is therefore acceptable under Policy DM01.

Potential impacts upon the amenities of neighbouring residents

It is important that any scheme addresses the relevant development plan policies (for example policy DM01 and DM04 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 is made in respect of application ref: C01032M/03, granted planning permission 3rd June 2003. Condition 2 of that permission states:

"The use hereby permitted shall only be carried out between the following times:
Units 56, 56A and 58 - 9am to 6pm Monday to Saturday
Unit 58A - 9am to 6pm Monday to Friday - 9am to 1pm Saturday. The use shall not be carried out at any time on Sundays or Public Holidays."

The proposal seeks an amendment to allow extended hours to unit 58A.

The proposal seeks an amendment to the condition to read:

'The use hereby permitted shall only be carried out between the following times, Units 56, 56A and 58 - 9am to 6pm Monday to Saturday, Unit 58A - 8am to 8pm Monday to Friday and 9am to 1pm Saturday. The use shall not be carried out at any time on Sundays or Public Holidays.' The amended hours relate to unit 58A only'.

The proposal would see an increase of one hour in the morning and 2 hours in the evening, Monday to Friday only.

A previous application to vary hours was refused and proposed opening till 10pm Monday to Friday and also 9am to 6pm on Sundays.

The applicant states that:

"Unit 58A is owned by Habonim Dror who are a Jewish educational youth charity. The unit is used by the charity for administrative purposes and incidental storage. The offices are also used for meetings with trustees and volunteers which are required to be held in the evening or Sundays because of the work commitments of volunteers. Unit 58A could have up to 12 people working in the offices but it would be rare for all 12 to work in the offices at the same time because not all the workers work full time, and the workers operate on flexible hours.

The extended hours are required for the following reasons:

- o Evening meetings with volunteers are required because volunteers have other work or educational commitments - some volunteers are students.
- o Contact with participants and their parents/guardians is often required in the evening or at the weekend.
- o Much of the educational programming takes place in the evenings and on Sundays.
- o The busiest time is during the summer holidays when the operation has an intensive 2-3 weeks of preparations for summer camps - extended opening hours are especially required for these preparations.
- o The staff work flexible hours which are not possible to accommodate with the existing hours of operation. Since the COVID pandemic flexibility on operating hours is even more important.
- o Cleaners require access to the offices at reasonable times.
- o The operation is an international organisation with colleagues around the world working in different time zones."

It is noted however, that the application no longer proposes opening on Sundays.

An Environmental Health officer has examined the planning statement submitted by the agent on behalf of the applicant for Unit 58A - 'the proposal does not appear to have a particularly noisy (or otherwise polluting) use. The closest receptor is the residential dwelling located adjacent to Gabriel Mews leading towards the back of the site. No windows are located on the residential façade facing Gabriel Mews/58-58A Crewys Road. As such, Environmental Health have no objections to the applicant's proposal'.

Given the more limited opening hours proposed in this application, officers consider that neither opening at 8am or closing at 8pm on weekdays only would generate such noise and disturbance that unacceptable harm to the neighbouring residents would be caused.,

The proposed extended hours under the subject application are not considered to interfere with the use and enjoyment of neighbouring properties. It is also noted that this is a charity and would benefit the community.

Therefore, it is considered that the proposed development would not unreasonably or substantially interfere with the use and enjoyment of neighbouring properties in the surrounding area. As such, the proposed development is considered to be in accordance with the expectations established in Policy DM01.

5.4. Response to Public Consultation

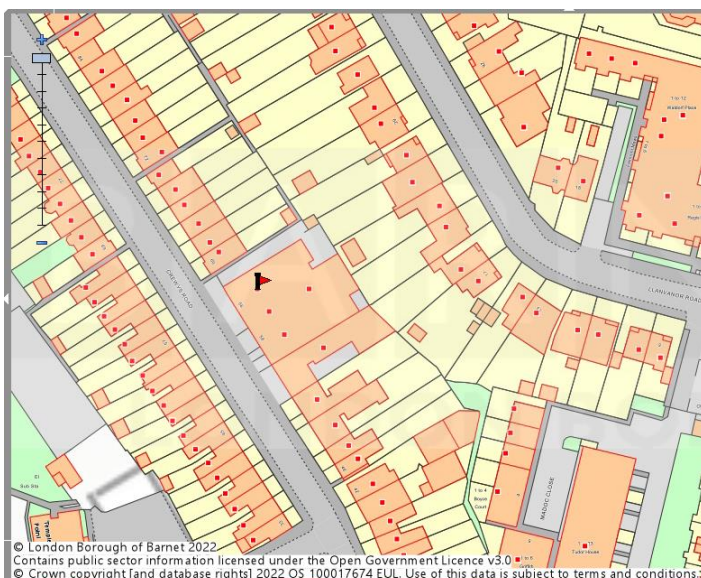
- o Activities that will disturb the neighbours. - Environmental Health have stated the proposal does not appear to have a particularly noisy (or otherwise polluting) use.
- o Disturbed the neighbouring properties. - Environmental Health have stated the proposal does not appear to have a particularly noisy (or otherwise polluting) use.
- o Proposed hours are unreasonable. - Addressed in the report
- o Increase in traffic nuisance - It is not considered that increasing the hours of operation will have a detrimental impact on traffic given the likely numbers of users.
- o Parking - It is not considered that increasing the hour of operation will have a detrimental impact on parking.
- o Light pollution. - It is not considered that increasing the hours of operation will have a detrimental impact on light pollution.
- o Climate change. - It is not considered that increasing the hours of operation will have a detrimental impact on climate change.
- o Disturbance and Noise from events. - Environmental Health have stated the proposal does not appear to have a particularly noisy (or otherwise polluting) use.
- o Refuse/Rubbish - The increase in hours of operation will not have a detrimental impact on Refuse collection or storage.
- o This is a residential area. - This is an existing use on a largely residential road.
- o If granted other businesses will increase hours of operation. - each case must be considered on its merits
- o Impact the neighbouring properties enjoyment of their home. -Addressed in the report.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account this application is therefore recommended for APPROVAL.



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Location **Rowlandson House 289 - 297 Ballards Lane London N12 8NP**

Reference: **21/6628/FUL** Received: 17th December 2021
Accepted: 20th December 2021

Ward: West Finchley Expiry 14th February 2022

Case Officer: **Wilf Foster**

Applicant: Greenhold Properties

Proposal: Additional storey to the front elevation and addition of two storeys at rear to provide 7no self-contained units. Associated amenity space, bicycle storage, parking and refuse and recycling

AGENDA ITEM 11

OFFICER'S RECOMMENDATION

Approve subject to s106

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

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. Amendment to Traffic Management Order -
- A contribution of £2,392.01 to ensure that the new occupants are prevented from purchasing CPZ parking permits;

- A contribution of £101.10 to meet the Council's costs of monitoring the planning obligation.

RECOMMENDATION II:

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

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

Drawings: 08 CO revP3; 09 CO revP2; 10 CO revP3; 11 CO revP2; 12 CO revP3; 13 CO revP2.

Daylight and Sunlight Report (ref: 1868/JN), Planning Architecture Ltd., 23 February 2022.

Daylight and Sunlight Appendix B.

Energy Assessment, ClearStream, December 2021.

Air Quality Assessment (ref: 21-8484), Syntegra Consulting, December 2021.

Fire Statement (version 1.1), Fire Safety South East.

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

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

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

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7

of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies D4, D5, D8 and G7 of the London Plan 2021.

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy D4 of the London Plan 2021.

5 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.

b) The screens shall be installed 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), the Residential Design Guidance SPD (adopted October 2016) and the Sustainable Design and Construction SPD (adopted October 2016).

6 Notwithstanding the parking layout submitted with the planning application, prior to construction of the development; a revised parking layout plan showing the exact dimensions of the existing/proposed crossovers and proposed off-street parking spaces including at least 1 disabled space shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the off-street parking space shall be used only as agreed and not to be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

7 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, cycle 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 bicycles 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.

- 8 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:
- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
 - ii. site preparation and construction stages of the development;
 - iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
 - iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
 - v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
 - vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
 - vii. noise mitigation measures for all plant and processors;
 - viii. details of contractor's 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.
 - xi. Provision of a competent banksman.

Reason

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

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

guidance.

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

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

Reasons: In the interest of good air quality in accordance with London Plan Policy SI1.

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

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy SI5 of the London Plan 2021

- 11 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.

- 12 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 London Plan 2021.

- 13 The property shall be used as self-contained units as shown in the hereby approved

drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

14 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012); CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

RECOMMENDATION III:

1 That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 17.09.2022, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

The development fails to provide a legal undertaking to enable an amendment to the Traffic Regulation Order and contribution towards the associated monitoring costs to mitigate the on-street parking impact in the vicinity of the site, contrary to policy DM17 of the Development Management Policies DPD and the Planning Obligations SPD.

Informative(s):

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

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

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

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

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

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

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

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

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

Please visit

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

- 3 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

Works on public highway shall be carried out by the Council's contractors. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, 2 Bristol Avenue, Colindale NW9 4EW.

Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an un-adopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The

applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.

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. 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.

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

- 4 The submitted Construction Method Statement shall include as a minimum details of:
- o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable

means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.

- o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.

- o For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

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

OFFICER'S ASSESSMENT

1. Site Description

The application site is located on the north-western side of Ballards Lane, within the West Finchley ward. It comprises a three-storey building. Prior notification was granted in 2019 for the conversion of the previous office use on the site to a total of 37no self-contained residential flats. It is understood that this has been recently implemented.

The site is located within the North Finchley Town Centre. The surrounding area is mixed, comprising a mix of commercial uses at ground floor with some residential uses above.

2. Site and other Relevant History

Reference: 17/7863/PNO

Address: Rowlandson House, 289 - 293 Ballards Lane, London, N12 8NP

Decision: Prior Approval Required and Approved

Decision Date: 11 May 2018

Description: Change of use from Use Class B1 (office) to Use Class C3 (residential) to provide (47 Units)

Reference: 19/0948/PNO

Address: Rowlandson House, 289 - 293 Ballards Lane, London, N12 8NP

Decision: Prior Approval Required and Approved

Decision Date: 27 September 2019

Description: Change of use from office space (Class B1a) to 37no. residential units (Class C3)

Reference: 19/5574/FUL

Address: Rowlandson House, 289 - 293 Ballards Lane, London, N12 8NP

Decision: Approved subject to conditions

Decision Date: 16 December 2019

Description: Replacement of existing metal framed windows with grey UVPC windows, insertion of doors and addition of external staircase

Reference: F/00246/13

Address: Rowlandson House, 289 - 293 Ballards Lane, London, N12 8NP

Decision: Approved subject to conditions

Decision Date: 2 May 2013

Description: Change of use of existing ground floor office space to ancillary Cafe

Reference: F/03594/08

Address: Rowlandson House, 289 - 293 Ballards Lane, London, N12 8NP

Decision: Approved subject to conditions

Decision Date: 1 December 2008

Description: Installation of new electrical substation and electrical cupboard at front of existing office block and associated landscaping. Reconfiguration of car parking spaces.

3. Proposal

The application seeks approval for "Additional storey to the front elevation and addition of two storeys at rear to provide 7no self-contained units. Associated amenity space, bicycle storage, parking and refuse and recycling".

The proposed extension would extend the existing building upwards by one storey to the front and two storeys to the rear to form a four-storey building. The fourth storey is set back from the front and finished in render, in contrast to the brick finish for the lower levels.

The proposals will provide a total of 7no additional residential units. The proposed units are as follows:

- Unit 1: 4-bedroom/8-person, 135.6 sqm;
- Unit 2: 3-bedroom/6-person, 110.3 sqm;
- Unit 3: 3-bedroom/6-person, 102.7 sqm;
- Unit 4: 3-bedroom/6-person, 108.7 sqm;
- Unit 5: 2-bedroom/4-person, 87.3 sqm;
- Unit 6: 2-bedroom/4-person, 80.8 sqm;
- Unit 7: 3-bedroom/6-person, 103.3 sqm.

The proposal includes terraces for each unit providing outdoor amenity space. The total amenity space provision is approx. 275 sqm. The proposals include the provision of 5no off-street car parking spaces, including 1no disabled bay.

4. Public Consultation

A site notice was posted on 30th December 2021. Consultation letters were sent to 142 neighbouring properties. A total of 7 objection have been received. Their contents can be summarised as follows:

- The proposal will result in loss of light/overshadowing and privacy to neighbouring occupiers.
- The proposed increase in height will be obtrusive/overbearing and harm the visual amenity of neighbouring occupiers.
- Concerns regarding increased parking congestion.
- Concerns regarding noise and disturbance during construction.
- The proposal will restrict development of neighbouring sites.
- The proposal will harm the amenities of the consented units at the lower levels of the host building.

- Concerns regarding accessibility for the proposed units.

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 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.

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 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.

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 existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether adequate living conditions would be provided for future occupiers;
- Whether harm would be caused to the surrounding highways network.

5.3 Assessment of proposals

Principle of development

The existing building contains an implemented residential use which was granted consent under Prior Notification application 19/0948/PNO. The proposal to provide an additional 7no residential units by way of an extension to the existing building is consistent with the existing land use and would contribute to housing supply in an accessible location within the North Finchley Town Centre. As such, there is no objection to the principle of development, subject to the considerations below.

Impact on the character of the area

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

The proposal would result in an increase in height of the existing building from a maximum of three storeys to a maximum of four storeys. It would still be noticeably lower than the ridge height of the neighbouring building at 303 Ballards Lane. Furthermore, the fourth storey is set back from the front elevation and from the side elevation adjacent to the two-storey building to the south-west at No. 287. As such, officers consider that the proposed additional height would sit comfortably within the streetscene on Ballards Lane and provide an appropriate transition between building heights.

The proposed extensions to the rear step down in height, particularly on the south-western side adjacent to No. 287. This responds to the lower scale of development on the corner with Hutton Grove. The proposed render finish is considered to be acceptable given the local context which includes predominantly rendered buildings on Hutton Grove. Further details are required by condition of the proposed privacy screens to ensure that these have an acceptable appearance.

Overall, it is considered that the proposed development would have an acceptable impact on the character of the area and the streetscene, in accordance with planning policy including Policy DM01.

Impact on the amenities of neighbouring occupiers

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

Policy DM01 in Council's Development Management Policies DPD stipulates that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

The neighbouring property to the north-east is at 303 Ballards Lane (Global House), a four-storey building comprising a mix of commercial and other non-residential uses. To the south-west is a two-storey building at 285-287 Ballard Lane. The site also shares its south-western boundary with No. 2 Hutton Grove. To the rear is a two-storey apartment block known as Arkley Mansions, 2a Hutton Grove.

The proposed fourth storey to the front of the host building is set away approx. 6.8 metres from the side boundary with No. 287 Ballards Lane and additionally steps down in height towards the rear. Given the separation between the proposed extension and the neighbouring property, it is not considered that there would be an unacceptable impact in terms of increased overbearing or an undue loss of outlook. Privacy screening would mitigate overlooking towards the neighbouring windows or amenity areas.

It is noted that the neighbouring property at 2a Hutton Grove benefits from angled windows on the rear elevation facing the host site and therefore there would be no direct overlooking impacts between the two properties. The south-west limb of the proposed extension does not protrude beyond the nearest flank wall of No. 2a Hutton Grove, mitigating the impact to the neighbour's amenity in terms of loss of light/outlook and overbearing. As such, officers are satisfied that there would be an acceptable impact to the neighbouring occupiers at No. 2a.

To the rear, the massing steps down to single-storey only at the rear site boundary. There are no habitable windows on the rear-elevation facing Arkley Mansions, 2 Hutton Grove and privacy screening is provided to prevent harmful overlooking of neighbouring amenity areas. This is considered to be acceptable.

The neighbouring property at 303 Ballards Lane (Global House) comprises various commercial and other non-residential uses. The proposal involves a two-storey extension with a depth of approx. 13.4 metres adjacent to the shared boundary. This element is set-off the rear elevation of the neighbouring building by approx. 2 metres by way of a void at second and third floor levels between the front and rear elements. A daylight and sunlight assessment has been provided in relation to No. 303. This demonstrates that impacts to neighbouring windows would be within BRE guidelines with the exception of one window at second-floor level, for which there is a moderate adverse impact under the vertical sky component assessment. All rooms assessed under the daylight distribution measure are within BRE guidelines. Given this relatively minor daylighting impacts are not considered to warrant a reason for refusal, given the non-residential use of the neighbouring property.

As such, it is not considered that the proposed development would result in unacceptable harm to the amenities of any neighbouring occupiers, in accordance with Policy DM01.

Whether the proposal provides a satisfactory living environment for future occupiers

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

Policy DM02 of the same document states that where appropriate, development will be expected to demonstrate compliance with the following national and London wide standards supported by the guidance set out in the council's suite of Supplementary Planning Documents. This includes minimum floorspace standards in accordance with outdoor amenity space requirements set out in Barnet's Sustainable Design and Construction SPD (2016).

The proposals would provide the following new residential units:

- Unit 1: 4-bedroom/8-person, 135.6 sqm;
- Unit 2: 3-bedroom/6-person, 110.3 sqm;
- Unit 3: 3-bedroom/6-person, 102.7 sqm;
- Unit 4: 3-bedroom/6-person, 108.7 sqm;
- Unit 5: 2-bedroom/4-person, 87.3 sqm;
- Unit 6: 2-bedroom/4-person, 80.8 sqm;
- Unit 7: 3-bedroom/6-person, 103.3 sqm.

The proposed units would meet minimum internal space standards and would be acceptable in this regard. The proposed units are all dual aspect and would benefit from good levels of light and outlook. The proposed bedrooms would meet minimum room sizes.

Table 2.3 of Barnet's Sustainable Design and Construction SPD (2016) sets out outdoor amenity space requirements.

Paragraph 2.3.1 of the document states: 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. Residential units with insufficient garden or amenity space are unlikely to provide good living conditions for future occupiers. For houses, amenity space should be provided in the form of individual rear gardens. For flats, options include provision communally around buildings or on roofs or as balconies. Whatever option is chosen it must be usable.

The proposals include private amenity areas comprising between 20 sqm and 98.5 sqm. The provision of outdoor amenity space for the proposed units is considered to be acceptable, particularly giving weight to the site's location within the North Finchley Town Centre.

Highways

The site lies within a PTAL 3 zone, which means that there is good public transport accessibility to and from the site. The off-street car parking demand for this proposal is expected to be between 7.5-11 spaces. The proposals do not provide any additional off-street car parking, although the existing parking layout to the front of the site would be reconfigured to provide 1 no disabled bay.

Given the good accessibility and location within a town centre, officers are satisfied that

the proposals would have an acceptable impact on surrounding highways subject to a legal agreement to restrict future occupiers from obtaining parking permits.

A total of 34 cycle parking spaces are proposed across the site, with 14no allocated to the proposed new units. This would be in accordance with London Plan standards. A condition is attached to ensure compliance with this.

Overall, the proposals are not considered to result in an unacceptable impact on the surrounding highways network, subject to the proposed conditions and legal agreement.

Refuse

The proposed refuse and recycling storage provision is considered to be acceptable, subject to the attached condition.

Accessibility and Sustainability

The application scheme is required to meet Building Regulation requirement M4(2), in accordance with the London Plan. A condition is attached to ensure compliance with this requirement.

In respect of carbon dioxide emission reduction, a condition is attached to ensure an appropriate level of reduction is achieved in accordance with the requirements of the London Plan.

The proposed development therefore would meet the necessary sustainability and efficiency requirements of the London Plan.

5.4 Response to Public Consultation

- The proposal will result in loss of light/overshadowing and privacy to neighbouring occupiers.

- The proposed increase in height will be obtrusive/overbearing and harm the visual amenity of neighbouring occupiers.

- Concerns regarding increased parking congestion.

The above issues are addressed in the main body of the report.

- Concerns regarding noise and disturbance during construction.

This is not considered to warrant a reason to refuse permission.

- The proposal will restrict development of neighbouring sites.

The proposed extensions would overlook the neighbouring car park, which is additionally overlooked by several other windows. This is not considered to warrant a reason to refuse permission.

- The proposal will harm the amenities of the consented units at the lower levels of the host building.

This is addressed in the main body of the report.

- Concerns regarding accessibility for the proposed units.

Approval would be subject to a condition requiring compliance with accessibility standards as per the requirements of the London Plan.

6. Equality and Diversity Issues

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

equality responsibilities.

7. Conclusion

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



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Location 847 High Road London N12 8PT

Reference: 21/6176/S73

Received: 24th November 2021

Accepted: 24th November 2021

Ward: Woodhouse

Expiry 19th January 2022

AGENDA ITEM 12

Case Officer: Sinead Normoyle

Applicant: Merkur Slots UK Ltd

Proposal: Variation of condition 3 (Opening hours) of planning permission 20/2503/FUL, dated 22/07/2020 for `Change of use from Sui Generis (Betting Shop) to Sui Generis (Adult Gaming Centre).` Variation to include changing the wording of the condition to "hours of operation shall be restricted to 08:00 until 02:00 hrs Monday to Sunday and Public holidays only"

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:

Noise report - prepared by Archo Consulting dated 19/11/2021

Full observation report prepared by Leveche

Independent observation and crime data analysis report prepared by Leveche

Cover letter

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 Until the 30/04/2023 the use shall not be open to members of the public between 02.00am and 8.00am on any day.
After that date the use shall not be open to members of the public between midnight and 8am on any day .

Reason: To protect the amenities of the area and neighbouring residential occupiers from undue noise and disturbance in accordance with policies DM01 and DM04 of the Development Management Policies DPD 2012.

- 3 The amendment to condition 2 of planning permission 20/2503/FUL shall be for a limited period only, expiring on 30/04/2022.

Reason: To protect the amenities of the area and neighbouring residential occupiers from undue noise and disturbance in accordance with policies DM01 and DM04 of the Development Management Policies DPD 2012.

- 4 Prior to the commencement of the extended opening hours, a Management Plan shall be submitted to and approved by the Local Planning Authority which sets out the measures to be taken to ensure there is no congregation of patrons outside the shop during the period of the extended hours.

Reason: To protect the amenities of the area and neighbouring residential occupiers from undue noise and disturbance in accordance with policies DM01 and DM04 of the Development Management Policies DPD 2012.

Informative(s):

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

negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

OFFICER'S ASSESSMENT

1. Site Description

The application site comprises the ground floor commercial unit of a 3-storey terraced property located on the western side of High Road in North Finchley Town Centre.

The site forms part of a larger retail parade, to the south of the site is an access leading to a solicitors (A2) and immediately to the north is a dry cleaners (A1). A Sainsbury's food store (A1) is located to the east on the opposite side of High Road. Residential dwellings fronting Woodside Road are located to the west. The site is located within North Finchley Town Centre's Secondary Retail Frontage.

The property is not listed nor is it located within a conservation area.

2. Site History

Reference: 20/2503/FUL

Address: 847 High Road, London, N12 8PT

Decision: Approved subject to conditions

Decision Date: 22 July 2020

Description: Change of use from Sui Generis (Betting Shop) to Sui Generis (Adult Gaming Centre)

Reference: 20/3600/CON

Address: 847 High Road, London, N12 8PT

Decision: Approved

Decision Date: 17 August 2020

Description: Submission of details of condition 5 (Sound insulation report) pursuant to planning permission 20/2503/FUL dated 22/07/2020

Reference: 20/3627/CON

Address: 847 High Road, London, N12 8PT

Decision: Approved

Decision Date: 15 September 2020

Description: Submission of details of condition 4 (Refuse/recycling) pursuant to planning permission 20/2503/FUL dated 22/07/2020

Reference: F/00948/13

Address: 847 High Road, London, N12 8PT

Decision: Approved subject to conditions

Decision Date: 19 April 2013

Description: Installation of new shop front. Installation of 2no. satellite dishes to side elevation.

Reference: F/00945/13

Address: 847 High Road, London, N12 8PT

Decision: Approved subject to conditions

Decision Date: 17 April 2013

Description: Installation of 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign.

3. Proposal

Variation of condition 3 (Opening hours) of planning permission 20/2503/FUL, dated 22/07/2020 for `Change of use from Sui Generis (Betting Shop) to Sui Generis (Adult Gaming Centre).` Variation to include changing the wording of the condition to "hours of operation shall be restricted to 08:00 until 02:00 hrs Monday to Sunday and Public holidays only".

4. Public Consultation

140 consultation letters were sent to neighbouring properties.

- 24 responses have been received, comprising 24 letters of objection

The objection received can be summarised as follows:

- The Lodge Lane N12 Residents Association object - the original constraints on hours were imposed for good reason, assuming a 'normal' night-time economy.
- External noise/ nuisance.
- Too many gambling and betting shops on a small stretch of suburban high road.
- Studying late night noise at a time where there are Covid restrictions does not give a true picture of what noise disturbance will be like when things return to normal.
- Disagree that adult gaming is for shift workers to relax.
- Concerns regarding nuisance.
- It will have an adverse effect on those suffering with addiction to gambling and is likely to affect the overall safety of the area.
- When this property was a Betting Shop open until late at night the access pathway under the archway from the High Road and also our private pathway to the office door, was subject to human fouling and urination. This brought rats into the close vicinity of our offices.
- Increased hours will encourage anti-social behaviour.
- This type of gaming shop will not enhance the local area nor will it benefit the local residents, or local economy.
- Safety

Comment on behalf of the Finchley Society.

- Slots gained permission for this operation only last year with a clear condition that it should close at midnight. They should accept this condition and operate in accordance with it.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 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, 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 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 (DPD). Both DPDs were adopted on 11 September 2012.

- Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.
- Relevant Development Management DPD (2012): Policies DM01, DM02, DM04, DM11, DM17

Supplementary Planning Documents

- Sustainable Design and Construction SPD

5.2 Main issues for consideration

The main issues for consideration in this case are:

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

5.3 Assessment of proposals

No alterations or buildings works are proposed under the subject application. As such, the character and appearance of the area will not be impacted by the subject application.

The site currently operates between the hours of 8:00am until 12:00am Monday to Sunday and Public Holidays.

This application seeks to extend the opening hours from 8am until 02:00am Monday to Sunday and Public holidays only.

Metropolitan Police Design Out Crime Officer (DOCO) has no objection to increase in hours.

A detailed Noise Impact Assessment has been submitted with the application. This states the following:

"- An assessment of the internal noise levels at the application site (so rather than relying on internal noise levels from other sites, the actual noise levels within the AGC at 847 High Road have been assessed), confirming that the sound insulation measures have been fully implemented, the internal noise levels are low and there is no noise break out from the unit.

- An assessment of the external background noise levels outside 847 High Road up until 2am which shows exceptionally high background noise levels during this time period.

- An assessment of customer behaviour/ comings and goings at both 847 High Road and 3 operational 24-hour Merkur Slots sites during the early hours, which confirm customers are quiet and arrive and visit on their own/ in couples rather than large groups, and do not behave in an antisocial way.

All these additional assessments and empirical data together with the fact that there have been no noise complaints, demonstrates that the extension of the closing time for an additional 2 hours from midnight to 2am, is entirely acceptable in noise terms..."

Officers accept that on this basis the extended opening to 2am would be less likely to result in a harmful impact on the amenities of the residential units above or adjacent residents in terms of noise and disturbance.

However, there is no guarantee that visits to the premises would not increase, particularly as customers may have been restricted thus far by the pandemic. Appeals against the refusal of 2 similar proposals for Merkur Slots in Golders Green and Finchley Central were allowed last year, following refusal by the LPA. Inspectors restricted opening hours to midnight. In the Finchley Central case the Inspector stated: "Noise and activity does not have to be at a high volume to be disturbing. The arrival and departure of patrons at the premises would have the potential to be almost constant and at all times of the day and night. Whilst numbers might not be anticipated as high during the night and in the early morning, this cannot be guaranteed.....Moreover, there is a possibility of the use of

outside spaces for those wishing to smoke. This could lead to external congregation."

Environmental Health officers have been consulted on the subject application and advise; no complaints have been received regarding noise (internally) transferred to the flats above since the approval of application 20/2503/FUL. Furthermore, there are no complaints regarding patrons leaving the 'Adult Gaming Centre'.

Environmental health officers do still have concerns with the proposed increase in hours and the potential to cause nuisance/receive complaints particularly from those entering/leaving and congregating outside. Environmental health has requested management proposals to address possible congregation eg smoking, and proposed a temporary 1-year permission for extended hours until 2am. After the year officers can then assess if there was any nuisance caused as a result of the extended hours of operation.

Taking all of the above into account, it is considered reasonable to grant a temporary permission for extended opening hours to allow an assessment of any adverse impact on residential amenity.

Accordingly, the proposed development, on balance is considered acceptable in compliance with Policy DM01 and DM04 of the Development Management Policies DPD and policy CS5 of the Barnet Core Strategy.

5.4 Response to Public Consultation

With regard to the impact of the extended opening hours on the amenity of neighbouring residents, it is considered that there are residential properties in close proximity to the application site, and concerns have been raised from residents in respect of noise.

However, in this instance it has been assessed by the noise report submitted that the proposed extension to opening hours would not have an adverse impact on the amenity of neighbours to an extent that would warrant the refusal of the application on these grounds. However, to safeguard the amenity of neighbouring residents, a temporary 1-year permission has been agreed with the applicant.

Other matters raised are not relevant to consideration of the merits of this application.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposal would have an acceptable impact on the character and appearance of the application site, the surrounding area and the locality. A temporary permission is considered appropriate to monitor any adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval on a temporary basis.



Indicates site in application
847 HIGH ROAD,
NORTH FINCHLEY,
LONDON, N12 8PT

Location Plan 1:1250

Location **Brondesbury Cricket Tennis And Squash Club 5A Harman Drive
London NW2 2EB**

Reference: **21/0701/FUL** Received: 9th February 2021
Accepted: 9th February 2021

Ward: Childs Hill Expiry 6th April 2021

Case Officer: **Alissa Fawcett**

Applicant: Mr Edward Ben-Nathan

Proposal: The installation of low level LED floodlighting to court Nr's 1 - 3 and increase in height of chainlink fencing. (AMENDED DESCRIPTION).

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:

- 2020 048 OD 010 - Location Plan
- 2020 048 OD 011- Block Plan
- 2020 048 OD 012 - Existing Layout
- 2020 048 OD 013 - Proposed Layout
- 2020 048 OD 014- Existing Elevations
- 2020 048 OD 015 A - Proposed Elevations (amended)
- 2020 048 OD 016- Existing 3D View 1
- 2020 048 OD 017- Existing 3D View 2
- 2020 048 OD 018 - Proposed 3D View 1
- 2020 048 OD 019 - Proposed 3D View 2
- Design and Access Statement

Planning Statement
Lighting Management Plan
Lighting Design P.A.01 -

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

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

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

- 3 The floodlighting of courts numbered 1 to 3 on the approved plan shall only be operated during the hours of 9am to 9.30pm Monday to Friday and 9am to 8.30pm on Saturdays and Sundays and these hours shall be controlled by a time switch.

Reason:

To ensure that flood lighting does not unduly prejudice the enjoyment by neighbouring occupiers of their properties.

- 4 The lighting scheme in the drawings hereby approved shall be carried out in accordance with the approved Brondesbury Sports Club Floodlight Three Tennis Court Nrs 1-3 Lighting Design PA 01 Lighting Assessment (12.11.2020) and maintained as such.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

- 5 Before the floodlights are brought into use, the Lighting Management Plan hereby approved shall be implemented in full and adhered to at all times thereafter.

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

- 6 All new external lighting must be installed in accordance with Bat Conservation Trust:- Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series. Confirmation that the lighting complies with the guidance shall be submitted prior to first use.

Reason: To ensure compliance with laws and regulations all external lighting associated with the scheme must be in accordance Bat Conservation Trust Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment, pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM016. Policies CS5 and CS7 of the Local

Informative(s):

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

OFFICER'S ASSESSMENT

1. Site Description

The application site is located south of properties on Harman Drive within the Childs Hill Ward. It can be accessed via a private access road located on the bend on Harman Drive. The Cricket and Tennis Club site is large and is surrounded by residential properties and mature tree lines. There is an established tree line between the application site and the properties located immediately adjacent to the application site.

Tennis Courts 1 - 3 are bounded by a 3.6m high chain link fence on the North elevation and 2.75m high fencing on the West, East and South elevations, with wind break mesh. They are also separated from the rear gardens of properties 1 - 5 Harman Drive by vegetation and existing domestic fencing.

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

2. Site History

Reference: C04254G
Decision Refused

Decision Date: 6th October 1993

Description: Installation of 15x6 metre high floodlighting columns to the four newest all weather tennis courts

Appeal: Dismissed

Appeal Decision date: August 1994

The Inspector ruled that the floodlighting and level of lighting proposed would result in light spillage. Concerns were also raised regarding additional noise and disturbance.

Reference: C04254H/01

Decision: Approved

Decision Date: 3 July 2002

Description: Floodlighting to two tennis courts (rear of 42-50 Farm Avenue)

Reference: F/03540/08

Address: Brondesbury Cricket Tennis And Squash Club, 5A Harman Drive, London, NW2 2EB

Decision: Refused

Decision Date: 3 December 2008

Description: Variation of condition 2 (Hours of use of Flood lighting) of planning permission C04254H/01 dated 03.07.02 to allow use of floodlights to courts Nos 5 + 6 between 09.00-21.30 hours all year around.

The application was refused for the following reason;

1. The proposed hours of use for the floodlighting would, by reason of the extended time period and resulting light spill and light intrusion into the neighbouring properties, be detrimental to the residential amenities of the occupiers of the neighbouring properties, contrary to policies GBEnv1, GBEnv2, D2, Env6, L19 and L20 of the Adopted Unitary Development Plan (2006).

The decision was subsequently appealed to the Planning Inspectorate and allowed on 3rd August 2009 with the Inspector stating that there was no evidence that light spillage would be harmful to neighbouring properties.

Reference: F/03641/09

Address: Brondesbury Cricket Tennis And Squash Club, 5A Harman Drive, London, NW2 2EB

Decision: Approved subject to conditions

Decision Date: 20 November 2009

Description: Erection of new single storey building to replace existing tennis shelter.

Reference: F/04431/11

Address: Brondesbury Cricket Tennis And Squash Club, 5A Harman Drive, London, NW2 2EB

Decision: Approved subject to conditions

Decision Date: 5 March 2012

Description: Erection of 5No. x 6 metre floodlights and installation of additional luminaires onto existing poles to provide illumination to courts 4 and 7.

Reference: F/02788/14

Address: Brondesbury Cricket Tennis And Squash Club, 5A Harman Drive, London, NW2 2EB

Decision: Approved subject to conditions

Decision Date: 17 September 2014

Description: Retention of 8no. x 12 metre high steel masts for cricket/tennis protection netting/fencing.

Reference: 15/01262/FUL

Address: Brondesbury Cricket Tennis And Squash Club, 5A Harman Drive, London, NW2 2EB

Decision: Approved subject to conditions

Decision Date: 3 June 2015

Description: Replacement of the existing three lane outdoor cricket nets with a new four lane facility.

Reference: 16/2940/FUL

Address: Brondesbury Cricket Tennis And Squash Club, 5A Harman Drive, London, NW2 2EB

Decision: Approved subject to conditions

Decision Date: 27 June 2016

Description: Extension to existing tennis pavilion to provide a timber framed structure for use as a toilet facilities and an office

Reference: 17/0239/FUL

Address: Brondesbury Cricket Tennis And Squash Club, 5A Harman Drive, London, NW2 2EB

Decision: Refused

Decision Date: 19 September 2017

Description: Conversion of one natural turf bowls green to one all weather porous macadam tennis courts with the installation of low level LED floodlighting. Creation of 16.no new parking spaces and 18.no new cycle spaces.

The application was refused for the following reason;

"1. The proposed tennis court, by reason of its siting would by reason of its associated noise, disturbance and general activity, be harmful to the residential amenities of neighbouring occupiers. This would be contrary to policy DM01 of the Adopted Barnet Development Management Policies 2012."

The application was subsequently appealed to The Planning Inspectorate and allowed. The appeal inspector made the following comments;

" 4. The appeal site forms part of a large sports facility. From my site visit, it was apparent that the overall facility included a number of tennis courts, some of which appeared to have floodlights installed.

5. The proposal seeks to convert a grassed area, historically used as a bowling green, into a hard surfaced tennis court. At the time of my visit, the appeal site was being used as part of organised school holiday activities for children. In addition to the tennis court, a number of additional parking and cycle spaces are also proposed.

6. The boundary with the adjacent residential properties consists of an existing close boarded fence with high vegetation screening. Overall this forms a dense boundary treatment with those properties. This would be strengthened by the installation of a 2.75m high timber acoustic fence between the proposed tennis court and the boundary.

7. With regard to the issue of the effect on the adjacent residents, the facility is well established for sports use, and has existing tennis courts, some of which are floodlit, close to other residential boundaries. Use of the existing tennis courts already creates a degree of noise and disturbance, as does the use of the appeal site for out of school clubs and school holiday activities, as I witnessed on my site visit.

8. However, the sports club has been operational for a number of years, and is part of the established character of the area. The sounds arising from winter night time use of the court would not be significantly different to those of summertime play although illumination of the court would draw more attention to the playing.

9. The sounds associated with a tennis match would be unlikely to be intrusive in the early evenings in winter, when doors and windows are normally shut and other activities, such as watching TV, generate internal noise. The club has suggested as part of a noise management plan to restrict junior tennis and training programmes to conclude before 1930 on weekdays, and 1800 on weekends, which would alleviate the concerns with regard to late evening disturbance from children playing tennis.

10. During summer months, the overall site is undoubtedly well used for various sporting activities. The addition of one tennis court, with the mitigation measures proposed, would not lead to a significant increase in noise and disturbance experienced by adjacent residents. As such, I am satisfied that there would be no significant harm to the living conditions of the adjacent occupiers, who would continue to have a good standard of amenities commensurate with the location.

11. In summary, I find that the proposal is consistent with Policy DM01 of the Barnet Local Plan (Development Management Policies) Development Plan Document (2012) which amongst other matters states that proposals should allow for privacy and outlook for adjoining and potential occupiers and users.

12. I acknowledge the comments and concerns of local residents in relation to this proposal with regard to additional traffic movements and the on-going problems with parking for visitors to the club, the loss of trees, noise and disturbance and the potential for additional air and light pollution. The increase in parking spaces proposed would assist in addressing the concerns of residents regarding parking issues and it would not be expected that the additional court would attract a significant number of additional vehicles, as the club is already well used for all manner of events. A specialist report regarding the additional floodlighting has been submitted in support of the scheme, and the Council have raised no objections to that issue, nor the loss of the trees to facilitate the parking areas or additional noise that could be generated by the proposals. I am satisfied that, subject to the imposition of conditions, that the general amenity issues would be adequately addressed."

Reference: 18/4238/FUL

Address: Brondesbury Cricket Tennis And Squash Club, 5A Harman Drive, London, NW2 2EB

Decision: Approved subject to conditions

Decision Date: 5 September 2018

Description: Replacing of existing storage buildings

3. Proposal

The applicant seeks consent for the installation of low-level LED floodlighting to courts 1 - 3, provided through the introduction of 12 slender 6m high lighting columns with 14 LED shrouded "box" type fittings, painted dark green RAL 6005.

It is also proposed to replace the fencing surrounding courts 1-3;

North, East and West Elevation - New 3.60m High Chainlink Fence off 100 x 50mm RHS Posts RAL 6005

South Elevation - New 2.75m High Chainlink Fence off 100 x 50mm RHS Posts RAL 6005

Brondesbury is a Sports Club originally founded in 1887, its objective is noted as being; "The Club's Object is to promote and provide facilities for amateur eligible sports primarily but not exclusively including cricket, tennis and squash, in north-west London and to encourage community participation in the same."

The Club has a current membership of 521 members (an all time high) ranging from 3 to 81 years old. There are 9 adult teams and 7 junior teams requiring training time, alongside members who wish to play for pleasure.

4. Public Consultation

A site notice was erected on 16/02/2021.

Consultation letters were sent to 71 neighbouring occupiers.
9 objections have been received.

The views of objectors can be summarised as follows;

- Impact on character and appearance
- Light pollution
- Greater noise disturbance for neighbours
- Lack of information regarding apparatus and spillage
- Close proximity to residential neighbours
- The clubs activity has increased over time, from summer time to all year
- Increase in traffic
- Height of columns
- Level of courts 1-3 approx. 2m higher than houses in Harman Drive
- Insufficient vegetation screen
- Appeal Decision APP/N5090/A/09/2100937 re:30 June 2009 re F/03540/08 noted distance between properties and level change
- Lack of evidence regarding need
- Courts 4-7 not always in use, available for junior use and restricted to finish by 730pm
- Hours of use for courts 1-3 should be restricted to 730pm as experience most disturbance
- Proposed hours of use too long and should be reduced.

An additional 14 day consultation was carried out on the 13th December 2021 on the fencing details which showed the replacement of the existing fences, as shown on the originally submitted proposed layout plans.

No responses were received.

Internal / other consultations:

Street Lighting: No comments following additional information

Environmental Health: No objections, no complaints regarding the Club held.

Trees: No objection subject to suggested condition

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The 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 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, DM04, DM16.

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.

Supplementary Planning Documents

Sustainable Design and Construction SPD (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 highway
- Whether harm would be caused to local ecology

5.3 Assessment of proposals

This application seeks consent for the installation of floodlighting to tennis courts 1 to 3 at the Brondesbury Sports Club. There are 7 tennis courts at the club and courts 4 - 7 already have floodlighting. There has been no objections received by the Environmental Health department regarding the existing lighting from neighbours. The new lighting will have a cut off time of 9.30pm during the week and reduced to 8.30pm at weekends.

The courts will be individually switched, utilising shared fittings to save power and turned off when not in use. Courts 1 - 3 will only be used if the others are occupied and will not have priority over the existing 4 floodlit courts. The use of LED fittings allows of instant lighting which reduces impact on neighbouring residents.

Due to the growth in membership numbers, the additional lighting is sought to allow members to utilise all courts outside summers months and will be particularly useful for those only able to attend outside of normal working hours.

The design of the lighting is in accordance with the latest 2020 ILP guidance note for the reduction of obtrusive light on neighbouring house windows. This is specified in the compliance report that has been included in the application. In order to minimise potential light spillage the light fittings have been designed with external deflectors to reduce rear light spillage and source intensity (glare). Therefore, whilst the courts are properly illuminated, the light falling onto any nearby residents' property is kept to an absolute

minimum, further reduced by the existing vegetation.

It is also proposed to replace the existing fencing which surrounds courts 1-3. On the North Elevation the fencing will be replaced to the same height - 3.6m. The existing fencing to the West and East elevations is currently 2.75m high and is proposed to be replaced with new 3.6m high fencing and on the South elevation the existing fencing of 2.75m high will be replaced to the same height.

Impact of lighting:

Whilst it is recognised that the site topography results in the hooded top of the columns being visible from neighbouring gardens it is considered that due to the fencing and vegetation, as well as the angle of the lights will not result in any loss of amenity to neighbouring occupiers.

The council's street lighting officer has viewed the submitted documents and raises no objection to the detail, as such it is considered that the impact of the new lighting will be acceptable and not unduly detrimental to the amenity of neighbouring occupiers.

Impact of comings and goings, and noise and disturbance on neighbouring occupiers:

In terms of potential noise and disturbance resulting from the proposed development, the courts will be available until 9.30pm on weekdays and 8.30pm on weekends. An hours of use condition is applied to the permission. The courts are already able to be used into the evening in the summer months and the floodlighting would also allow their use during the winter months, when residents are less likely to be using their gardens. The Inspector's comments in relation to the planning appeal 17/0239/FUL set out above, are of relevance in this case in so far as they relate to the general activity associated with a large established sports facility.

Impact on highways:

The proposed new lighting is considered to be located a sufficient distance away from the Public Highway so as not impact upon it.

Impact on Ecology

Local wildlife records show that there are bats in the local area to the development. External lighting can significantly disrupt bat foraging behaviour which could be considered unlawful under the regulations, referred to as the Habitats Regulations. This makes it illegal to kill, injure, capture, or cause disturbance that affects populations of bats, obstruct access to bat roosts, or damage or destroy bat roosts. Individual bats are protected from 'intentional' or 'reckless' disturbance under the Wildlife and Countryside Act 1981 (as amended) the wildlife and countryside act 1980 as amended.

Therefore prior to commencement of works details relating to external lighting design shall be submitted and approved. To ensure compliance with laws and regulations all external lighting associated with the scheme must be in accordance Bat Conservation Trust Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment.

The above conditions would be required, pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM016. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy G6 of the

5.4 Response to Public Consultation

The views of objectors are noted. Concerns that the potential impact of the floodlighting will be detrimental on character and appearance of the area have been raised. However, it is considered that the view of the top of the columns, which are shown to be painted dark green are not considered to be significantly harmful to either the character and appearance or amenity of occupiers of residential properties on Harman Drive facing the Club.

It is recognised that the level of courts 1-3 approx. 2m higher than houses in Harman Drive and concerns are raised that the columns are too high, however, as noted above, the fact that columns are visible is not detrimental to amenity in itself; the columns are dark painted and are not considered to be an eye-sore to neighbouring occupiers.

The concerns that the proposed floodlighting will result in light pollution are noted, however, the details have been reviewed by the Council's Lighting department who raise no objection to their installation in terms of the impact on the amenity of neighbouring occupiers.

The introduction of floodlighting to tennis courts 1-3 may result in some additional noise disturbance for neighbours, however, it is considered that with the restricted hours of use condition, and bearing in mind the established nature of the sports club, this is not considered to be significantly harmful so as to justify refusing the application.

The comments made that there is a lack of information regarding apparatus and light spillage are noted, however, the details have been submitted.

It is recognised that the proposed floodlighting is within close proximity to residential neighbours, however, there exists floodlighting to the other tennis courts 4-7 and there have not been any recorded complaints by the Council's Environmental Health department.

There is no dispute that the Club's activity has increased over time, from summer time to all year, this is not necessarily an issue as long as the amenity of neighbouring occupiers is maintained.

It is not considered that the proposed development will result in an increase in traffic which would be detrimental to the amenity of neighbouring occupiers.

There are concerns raised that the existing vegetation screen is insufficient. In this case there would be limited scope for additional planting and existing vegetation does provide a degree of screening of the courts.

The comments regarding Appeal Decision APP/N5090/A/09/2100937 re:30 June 2009 re F/03540/08 noted distance between properties and level change have been recorded in the site history section of the report above.

The concern is raised that there is a lack of evidence regarding the need for additional floodlighting, however, the application documents set out the reasons why the Club have made the application. Applications must be considered on their merits.

There have been a number of comments regarding the proposed hours of use for courts 1-3 and that they should be reduced. As noted in the report above the hours are restricted to 9.30pm during the week and 8.30pm at weekends, the submitted information notes that these courts will be used only once courts 4-7 are full. On balance it is considered that the hours of use are appropriate as proposed.

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 the additional information and compliance with the attached conditions, the proposed development would have an acceptable impact on the visual amenity, and character and appearance of the application site and wider locality. Subject to conditions, the development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

