

Meeting

Planning COMMITTEE A

Date and time

Wednesday 3RD MAY, 2023

At 7.00 PM

Venue

Committee ROOM 1, HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

To: Members of Planning COMMITTEE A (quorum 3)

Chair: Councillor Nagus Narenthira
Vice Chair: Councillor Tim Roberts

Richard Barnes
Lachhya Gurung

Danny Rich
Elliot Simberg

Substitute Members

Claire Farrier
Gill Sargeant

Shuey Gordon
Tony Vourou

Arjun Mitra
Lucy Wakeley

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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 Tristan.Garrick@Barnet.gov.uk

Assurance Group

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Order of Business

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4.	Report of the Monitoring Office (if any)	
5.	Addendum (if applicable)	
6.	20 Allington Road, London NW4 3DJ - 22/5164/FUL (West Hendon)	11 - 20
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Decisions of the Planning Committee A

4 April 2023

Members Present:-

AGENDA ITEM 1

Councillor Nagus Narenthira (Chair)

Councillor Tim Roberts (Vice-Chair)

Councillor Richard Barnes

Councillor Lachhya Gurung

Also in attendance

Councillor Claire Farrier

Apologies for Absence

Councillor Danny Rich

Councillor Elliot Simberg

1. MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the meeting held on 15 March 2023 be agreed as a correct record.

2. ABSENCE OF MEMBERS

Apologies were received from Councillor Elliot Simberg.

Apologies were received from Councillor Danny Rich Substituted for by Councillor Claire Farrier.

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)

Items contained within the addendum were dealt with under individual agenda items. The Committee noted the addendum to the Planning Agenda which was published and circulated prior to the meeting.

6. SITE KNOWN 12-18 HIGH ROAD, N2 9PJ, 22/3419/S73 (EAST FINCHLEY)

The Planning Officer presented the report.

Michael McGrath and John Jo Hammill addressed the Committee and spoke against the application.

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

Information received from Cllr Arjun Mittra was shared with Members in advance of the Committee.

Further to a discussion, the Chair moved to vote on the Officer's recommendation to approve the application.

The votes were recorded as follows:

For: (approval) 0

Against: (approval) 3

Abstained: 2

Councillor Narenthira moved a motion seconded by Councillor Farrier, to refuse the application for the following reason:

- The siting of Block B, by virtue of its scale, height, overall design - including the part angled, part obscured glazed windows at first floor level - and proximity to the boundary wall shared with existing properties at Nos 5-13 Ingram Road, results in an unacceptable loss of daylight/sunlight and increased overshadowing to the aforementioned properties and their respective rear gardens, and an undue loss of outlook, and overbearing impact, to the detriment of the residential amenities of neighbouring occupiers and contrary to Part 12 of the NPPF (2021), Policies D3 and D6 of the London Plan (2021), Policies CS5; DM01; and DM02 of the LB Barnet adopted Local Plan (2012), the Sustainable Design and Construction SPD (2016) and Residential Design Guidance SPD (2016).

The motion was carried. The Committee then voted to refuse the application which was recorded as follows:

For: (refusal) 3

Against: (refusal) 0

Abstained: 2

RESOLVED that the application be REFUSED 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 Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

7. 12 ASMUNS HILL LONDON NW11 6ET TPP/0429/22 (GARDEN SUBURB)

The Planning Officer presented the applications from 10 and 12 Asmunds Hill in relation to the same tree.

Deborah Calland addressed the Committee and spoke against the application on behalf of the Hamsstead Garden Suburb Residents' Association.

Simon Pryce, the arboriculturist representing the insurers for number 10 Asmunds Hill, addressed the Committee.

Further to a discussion, the Chair moved to vote on the Officer's recommendation to either refuse or approve the application.

The votes were recorded as follows:

For: (refusal) 2

Against: (refusal) 0

Abstained: 3

For: (approval) 3

Against: (approval) 0

Abstained: 2

RESOLVED that the application be APPROVED subject to conditions.

8. 12 ASMUNS HILL LONDON NW11 6ET TPP/0430/22 (GARDEN SUBURB)

As considered above.

RESOLVED that the application be APPROVED subject to conditions.

9. 34 WEST AVENUE LONDON NW4 2LJ - 22/0022/RCU (HENDON)

It was agreed that this item be deferred to the next Planning B Committee meeting on 18 April 2023.

10. REAR OF 1 WEYMOUTH AVENUE, LONDON, NW7 3JD- 20/3146/FUL (MILL HILL)

The Planning Officer presented the report.

Martin McDonnell addressed the Committee on behalf of Ian Marcusfield and spoke against the application.

Further to a discussion, the Chair moved to vote on the Officer's recommendation to approve the application.

The votes were recorded as follows:

For: (approval) 5

Against: (approval) 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 Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

11. THE LANTERNS; 23 - 25 MOSS HALL GROVE; LONDON; N12 8PG 22/4891/FUL (WEST FINCHLEY)

The Planning Officer presented the report.

Jake Farmer, the agent for the applicant, addressed the Committee.

Further to a discussion, the Chair moved to vote on the Officer's recommendation to approve the application.

The votes were recorded as follows:

For: (approval) 5

Against: (approval) 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 Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

12. 31 AND 33 EDGWAREBURY LANE, EDGWARE, HA8 8LJ, 21/4738/FUL (EDGWARE)

The Planning Officer presented the report.

Further to a discussion, the Chair moved to vote on the Officer's recommendation to approve the application.

The votes were recorded as follows:

For: (approval) 5

Against: (approval) 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 Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

13. 32 - 39 TEMPLE FORTUNE PARADE FINCHLEY ROAD LONDON NW11 0QS 23/0256/FUL (GOLDERS GREEN)

The Planning Officer presented the report.

Further to a discussion, the Chair moved to vote on the Officer's recommendation to approve the application.

The votes were recorded as follows:

For: (approval) 5

Against: (approval) 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 Chair (or in their absence the Vice-Chair) 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 9.10pm

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Location 20 Allington Road London NW4 3DJ

Reference: 22/5164/FUL

Received: 20th October 2022

Accepted: 26th October 2022

Ward: West Hendon

Expiry: 21st December 2022

AGENDA ITEM 6

Case Officer: Greta Norton

Applicant: Mr Franco Anacreonte

Proposal: First floor rear extension and alterations to roof involving insertion of 1no. rooflight to the front and rear roof slopes. Changes to fenestration including addition of 2no windows and removal of 1no window and 1no door from side elevations, removal of 1no window from front elevation and insertion of 1no ground floor window to the rear elevation. (Amended Plans and 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 Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

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

Site Location Plan EX01
Existing Elevations GA02 Rev A
Existing Floor Plans GA01 Rev A
Proposed Elevations GA05 Rev C
Proposed Plans GA04 Rev H
Proposed Site Plan EX02 Rev C

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 Before the building hereby permitted is first occupied the proposed first floor windows in the south elevation facing No 18 Allington Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

- 5 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevation of the extension hereby approved, facing No 18 Allington Road

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).

Informative(s):

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

OFFICER'S ASSESSMENT

1. Site Description

The application site is a detached property located at 20 Allington Road, NW4 3DE, within the West Hendon ward. The property is situated on a street characterised by large, detached properties. The property has off street parking to the forecourt of the site, and an adequately sized rear garden and currently benefits from an existing single storey rear extension.

The property is not within a conservation area and is not a listed building. The site is not located within a flood risk zone.

2. Site History

Reference: W05769D

Address: 20 Allington Road, London, NW4

Description: Single-storey and two-storey rear extension

Decision: Approved subject to conditions

Date: 20/09/1984

Reference: W05769C

Address: 20 Allington Road NW4

Description: Front entrance porch

Decision: Approved subject to conditions

Date: 27/03/1984

Reference: W05569B

Address: 20 Allington Road NW4

Description: Double Garage

Decision: Approved subject to conditions

Date: 13/08/1979

Reference: W05769A

Address: 20 Allington Road NW4

Description: Single storey rear extension

Decision: Approved subject to conditions

Date: 28/03/1979

3. Proposal

The application seeks permission for a first floor rear extension and alterations to roof (involving insertion of 1no. rooflight to the front and rear roof slopes), changes to fenestration (including addition of 2no windows and removal of 1no window and 1no door from side elevations, removal of 1no window from front elevation and insertion of 1no ground floor window to the rear elevation).

The first-floor rear extension as revised measures as 3.00 metres in depth along the southern boundary for a width of 4.45 metres and reduces down to a depth of 2.00 metres along the western boundary, for a width of 4.60 metres. The extension will have an eaves height of 5.65 metres, and a maximum height of 7.70 metres due to the pitched roofs.

2no rooflights will be added to the roof, one to the front and one to the back. This shall facilitate a loft conversion.

The plans and description have been amended during the lifetime of the application to remove the proposed conversion to 4no flats and stagger the depth of the first floor extension. The application now relates solely to a first-floor rear extension and insertion of rooflights.

4. Public Consultation

Consultation letters were sent to 52 neighbouring properties.

19 objections were received, principally due to the initially proposed conversion:

- Out of date and incorrect guidelines have been followed which has resulted in substandard living accommodation and proposal out of line with London plan 2021.
- Flat 3 (2 bed 3 p dwelling) has floor area of 51m². this is significantly below 61m² that is required.
- Prominent corner siting and excessive site coverage combined with other application would be obtrusive in street scene, resulting in cramped form of development.
- Detrimental to neighbouring visual amenity.
- Drawings have limited reference to refuse storage and no reference to cycling storage.
- Drawing denotes 4 cars parked on the drive, but the pillars present for the gate would limit the parking arrangement - nearly impossible for cars to be parked this way.
- No supporting info provided to evidence that the proposal meetings fire safety and ventilation requirements.
- Addition of another front door alters the front aesthetics of the property, creating visual obscurity that is out of character with surroundings.
- Provision for additional refuse bins required due to 4 flats.
- Development situated at corner of an extremely dangerous crossroad.
- Addition of flats and bungalow will add additional traffic to an area that is already heavily congested.
- Need family homes in area. Unhabitable for families.

A second round of consultation was carried out, due to amended plans and description. The plans have been amended to remove the provision of flats, and now involves just extensions to the rear and addition of new windows. The following objections were raised to the second round of consultation:

- The plans resemble an HMO.
- Multiple tenants in small flats is not the nature of the area.
- Concerns with parkig, increased rubbish and increased volume of traffic.
- changing the property to a 6 bedroom house would detrimentally alter the nature of the area from a quiet family neighbourhood.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

The Mayor's London Plan 2021

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

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

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

Barnet's Local Plan (2012)

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

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

The Council's approach to 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 (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, semidetached 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 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 (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

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

5.3 Assessment of proposals

Impact on the character and appearance of the property and general locality:

The proposed first floor rear element will be built above the existing single storey rear extension.

Paragraph 14.23 of the Council's Residential Design Guidance SPD states that two storey rear extensions which are closer than 2 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable, as they can be too bulky and dominant. Paragraph 14.24 similarly requires that two storey rear extensions need to ensure they do not lead to harm to the character or appearance of the property and area.

The proposed first floor rear element would measure a maximum depth of 3.00 metres beyond the original first floor rear wall, which is regarded as an acceptable, subordinate depth that would not appear as a dominating feature - consistent with the expectations of the SPD.

The first-floor element is over half the full width of the original dwelling; however, the staggered depth ensures an element of subordination is maintained and reflects the character of the host property.

Paragraph 14.16 of the council's Residential Design Guidance (2016) mandates that extensions of the type similar to the proposed be set down by 0.5 metres from the main ridge line as to aid subordination. The proposed first floor rear extension is to be set down from the main ridge line by 1.10 metres, therefore appearing as a subordinate feature to the main dwelling.

The addition of 1no front and 1no rear rooflight would not be detrimental to the character of the area as rooflights are a characteristic of properties along Allington Road. The proposed changes to fenestration are similarly commensurate with the existing dwelling.

Impact on the amenities of neighbouring occupiers:

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).

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.

The proposed first floor rear extension will not extend beyond the first-floor rear projection at no. 18, as the neighbouring property benefits from first floor extensions. Thus, the proposal is not considered to contribute to any undue loss of light, overshadowing or loss of privacy as a result of the extensions.

With regard to the northern boundary of the site, the site is situated on a corner plot, with a road directly to the north of the property and the closest house to the northern boundary is roughly 13 metres away. Therefore, the proposed extensions will not unreasonably impact this property (no.22).

The proposed 2no rooflights will not lead to a loss of privacy due to their small nature in size and locality in the roof. A condition relating to the proposed new windows in the south side elevation will be added.

In summary, the proposals put forward under this application are deemed to have an acceptable impact on the amenities of the neighbouring occupiers as well as having an acceptable impact on the character and appearance of the property as well as the wider locality of the surrounding area.

6. Response to Consultation

Since most comments relate to the provision of flats, which is now not proposed as amended, the comments are not relevant to the current scheme.

The comments received from the second round of consultation raise concern that the property is to be converted to an HMO. However, this is not the case, as the proposal solely relates to extensions and addition/removal of windows. If the applicant was to seek HMO conversion, they would have to put forward a separate planning application for the council to consider.

7. 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.

8. Conclusion

Having taken all material considerations into account, 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 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 **22 Rankin Close London NW9 6SR**

Reference: **22/2905/HSE**

Received: 31st May 2022

Accepted: 1st June 2022

Ward: Colindale South

Expiry: 27th July 2022

AGENDA ITEM 7

Case Officer: **Emily Palmer**

Applicant: Mr Tamer Colakoglu

Proposal: Two storey side extension

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 Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

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

Site Location Plan

2205 B 1

200401 S1

200401 S2

200401 S3

220202 P1

220202 P2

220202 P3

Arboricultural Survey to BS5837:2012 dated 10 January 2023

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

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

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

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

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

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

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

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

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 G5 and G7 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 G7 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 Tree and shrub species selected for landscaping/replacement planting shall provide long term resilience to pest, diseases and climate change. A 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.

To ensure the replacement trees meet bio-security standards they should be purchased from a DEFRA accredited supplier that can be found here: <https://planthealthy.org.uk/certification>

OFFICER'S ASSESSMENT

1. Site Description

The application site is located at 22 Rankin Close consisting of a two-storey terraced dwellinghouse with front and rear amenity space. The area surrounding proposed site is mainly residential consisting of similar two-storey semi-detached dwellinghouses with front and rear amenity spaces. The site is located within the Colindale South ward.

The site is not within a conservation area (designated as Article 2(3) land in The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended) and is not within an area covered by an Article 4 direction. Furthermore, there are no conditions attached to the site which remove permitted development rights.

2. Site History

Reference: 17/1714/FUL

Address: 22 Rankin Close, London, NW9 6SR

Decision: Refused

Decision Date: 16 May 2017

Description: Erection of a two storey dwelling. Associated parking, refuse and recycling, cycle store

Reason for refusal:

The proposed two storey dwelling, by reason of its design and siting would be out of keeping with the established character of Rankin Close and the existing terraced nature of development within the cul-de-sac. This would have an adverse effect on the character and appearance of the streetscene and wider locality, contrary to the London Plan (2016) Policy 3.5, the Barnet Local Plan (Adopted 2012) Core Strategy Policy CS5 and Development Management Policies DM01, the Council's Residential Design Guidance (Adopted October 2016).

Reference: 17/4034/FUL

Address: 22 Rankin Close, London, NW9 6SR

Decision: Approved at Committee

Decision Date: 28 September 2017

Description: Erection of a two storey end of terrace dwelling. Associated parking, refuse and recycling, cycle store

Reference: 18/2050/HSE

Address: 22 Rankin Close, London, NW9 6SR

Decision: Approved subject to conditions

Decision Date: 29 May 2018

Description: Installation of scooter store. Installation of access ramps and associated handrails to main house

3. Proposal

Two storey side extension.

The proposed ground floor side extension will measure a width of 3.5 metres and a depth of 7.8m. It has a maximum height of 2.5 metres. The side extension would be set back from the front building line by 0.8 metres.

At first floor level, the proposed side extension is 2.4 metres in width, and would measure a depth of 7 metres. The eaves height measures 4.8 metres and the proposed maximum height is 7 metres. It will be set back from the front elevation by 0.8 metres and will be set down from the main roof ridge by 0.50 metres.

4. Consultation

Public Consultation

Consultation letters were sent to 28 neighbouring properties. 5 letters of objection have been received and can be summarised below:

- Overdevelopment.
- Detrimental to the visual amenity of the property.
- The proposal would lead to pressure on car parking, and will increase traffic and noise.
- Fears the extension is rented out.
- The proposed extension is more than half the width.
- Outlook.
- Reduced open character in locality.

Internal Consultation

Related policies:

- o BS 5837:2012, Trees in relation to design, demolition and construction - Recommendations
- o Town and Country Planning Act 1990 - Sections 197 and 198
- o Barnet's Local Plan (Core Strategy) - CS5 and CS7
- o Barnet's Local Plan (Development Management Policies) - Policy DM01: Protecting Barnet's character and amenity
- o Barnet's Local Plan (Development Management Policies) - Policy DM16: Biodiversity
- o The London Plan (2021) - Policy G7: Trees and woodlands

Designations

Tree Preservation Orders: None

Conservation Area: No

Description of proposal

Two storey side extension.

Observations

The proposal will necessitate excavations and construction in the general vicinity of 3no trees:

- o T1 western red cedar
- o T2 silver birch
- o 1no ash (abutting the northern site boundary, situated within the grounds of Colindale park)

T3 ash is owned and managed by LBB:

- o The proposal will increase the footprint of the dwelling by 900mm westward towards this tree
- o This constitutes a negligible reduction in the existing clearance between the dwelling and this tree, therefore post-development pressure is not anticipated.

No pruning or removals have been cited within the submitted arb survey (dated 10.01.2023):

- o The proposed site plans appear to indicate that T1 and T2 may be removed
- o Clarification is required and replacement planting is recommended in the event of removal, pursuant to Local Policy DM01.

RECOMMENDATIONS

No objection, subject to satisfactory supporting evidence.

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

The Mayor's London Plan 2021

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the

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

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

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

Barnet's Local Plan (2012)

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

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

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity.

Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy, and outlook for adjoining occupiers.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Barnet's Local Plan (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, semidetached 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 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 (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

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

5.3 Assessment of proposals

Design and Visual Amenity

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01 which states that all proposals should preserve and enhance the local character of the area, as well as policies CS05 (both of the Barnet Local Plans) and D3 (of the London Plan).

Paragraph 14.13 of the Council's Residential Design Guidance SPD advocates that extensions should fit into the street, being consistent with the architectural character, neighbouring properties, and any special nature of the area.

/ulTwo storey side extension

Paragraph 14.14 of the RDG mandates that side extensions to existing buildings can be unacceptably prominent features in the street scene, and where gaps between houses are a common feature of a street, then proposals which close such gaps or create a terracing effect by bringing buildings too close together are likely to be rejected.

The ground floor side extension would measure 3.5 metres in width, plus an additional width of 1 metre for the glass box window. The original width of the property measures 4.8 metres and therefore it is not strictly policy compliant. However, the extension is set back 0.9m from the front of the building and the box window is set back some 4 metres. Also, the application site is an end of terrace property with a uniquely configured garden. Site photos and aerial photography show the garden is wider than the neighbouring properties - tapering to the rear - and is also at the end of a cul-de-sac. As a result of the breadth of the plot at the front and the location of the property, an extension with this width would not be unduly detrimental to the open character of the street scene.

The first-floor side extension element would be half the width of the original property and would therefore comply to paragraph 14.15 of the Residential Design Guidance.

To aid subordination, the Residential Design Guidance mandates that pitched roofs, following the same pitch as the existing roof, and a set down of at least 0.5 metres from the ridge of the main roof are favoured as a way of creating subordination of side extensions, and to maintain congruent development. The proposed roof would be set down from the main roof by 0.50 metres and be commensurate in pitch.

The Residential Design Guidance SPD ideally seeks a set-back from the front building line of 1 metre for side extensions. The forward most section of the building is only single storey, so the recess would be 0.9m from the main front elevation. Although this is marginally below the standard, the difference is negligible and consideration should be given to the property being an end of terrace dwelling.

Paragraph 14.17 of the RDG advises that there should normally be a minimum gap of 2 metres between the flank walls of properties at first floor level (i.e a minimum gap of 1 metre between the boundary and the extension at first floor level for most two-storey extensions). As this is an end-terraced property adjacent to Colindale Park, there are no properties built on the other side of the neighbouring boundary.

Impact on the amenities of neighbouring occupiers:

It is important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan policy D6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

21 Rankin Close:

There would be no undue amenity impact as a result of this extension. The ground floor element of the side extension would be only 0.9m beyond the rear elevation and the first floor would not project to the rear. The proposal also maintains a considerably separation from the common boundary with No 21 and therefore there no issues relating to loss of privacy, outlook, light or increased sense of enclosure are anticipated.

Highways

The proposal would result in an additional bedroom, but no additional households or change of use. As such, the anticipated parking demand - with regard to Policies T6.1 and DM17 - would remain unchanged.

5.4 Response to Public Consultation

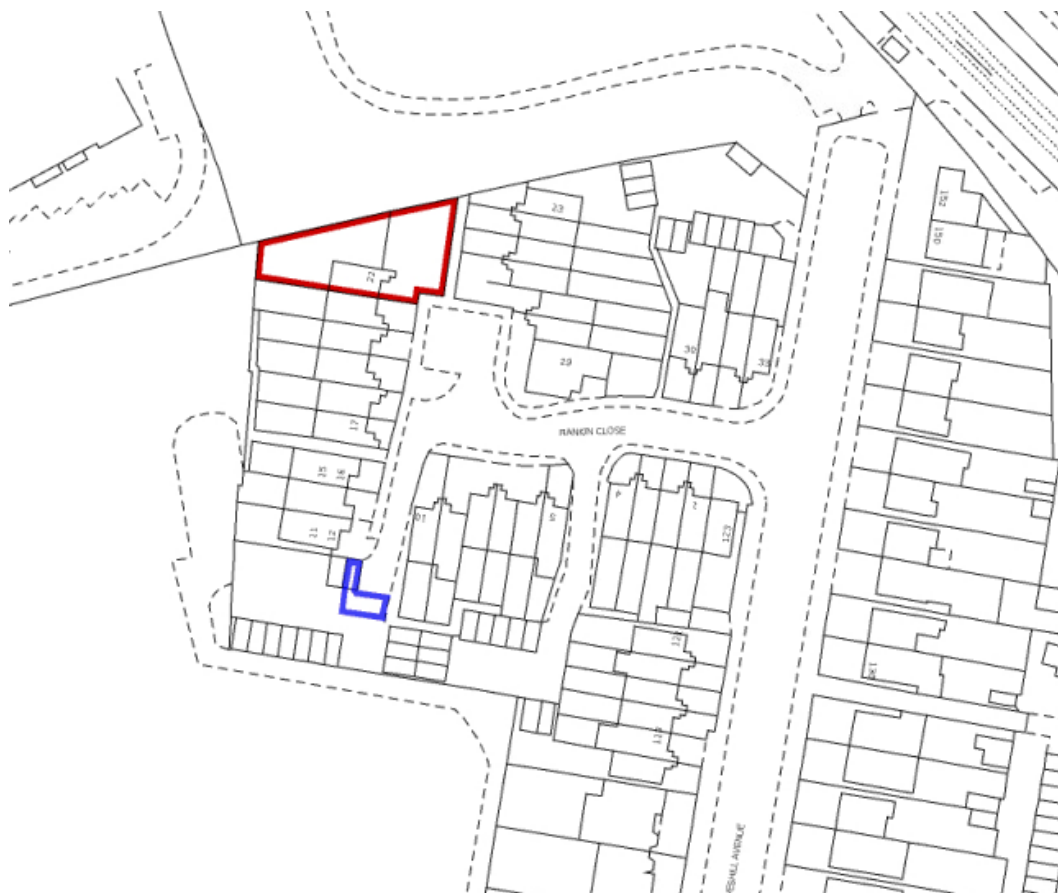
The objections have been mainly addressed in the main body of the report. There is no proposal to rent the extension out either as a self contained dwelling or as part of a House in Multiple Occupation. Nevertheless, both of those changes in use would require express planning consent - and as such, the LPA retains governance. In the event that an unauthorised change of use were to occur, it would be liable for enforcement action.

6. Equality and Diversity Issues

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

7. Conclusion

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



Location **54A Bulwer Road Barnet EN5 5EY**

Reference: **22/3355/RCU**

Received: 28th June 2022

Accepted: 8th July 2022

Ward: Barnet Vale

Expiry: 2nd September 2022

AGENDA ITEM 8

Case Officer: **Zakera Matin**

Applicant: Mr Amir Farigi

Proposal: Separation of part of the ground floor from the existing residential unit and change of use from storage to cafe; Removal of canopy from the rear yard.

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 Chair (or in their absence the Vice-Chair) 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:

2000 (Site Location Plan)

2001 (dated 05/2022)

2002 Rev C (dated 02/2023)

2003 Rev A (dated 10/2022)

2004 (dated 05/2022)

2005 B (dated 10/2022)

2006 Rev A (dated 02/2023)

E-mail from agent dated 08/09/2022 and 14/09/2022

Valuation Report

Parking Survey (dated 01/12/2022)

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 use hereby permitted shall not be open to members of the public before 8am or after 5pm from Monday to Saturday and before 10am or after 4pm on Sundays.

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

- 4 a) Within three months of the date of this permission, details of mitigation measures to show how the development will be constructed/adapted so as to provide sufficient air borne and structure borne sound insulation against internally/externally generated noise and vibration has been submitted to and approved in writing by the Local Planning Authority.

This sound insulation shall ensure that the levels of noise generated from the cafe and any associated plant; as measured within habitable rooms of the adjoining residential dwelling shall be no higher than 35dB(A) from 7am to 11pm and 30dB(A) in bedrooms from 11pm to 7am.

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 mitigation measures as approved under this condition shall be implemented in their entirety and retained as such 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), the Sustainable Design and Construction SPD, and D14 of the London Plan (2021)

- 5 No means of outdoor amplification/speakers should be used on the site at any time.

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.

- 6 The rear canopy shall be removed within 3 months of the permission. The enclosed rear area shall not be used as outdoor seating area for the cafe at any time.

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.

- 7 a) Notwithstanding the approved plans, within three months of the date of this permission, details of the proposed 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 S17 of the London Plan 2021.

- 8 a) Notwithstanding the approved plans, within three months of the date of this permission, details of the proposed cycle parking spaces and cycle storage facilities 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 and Table 10.2 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.

- 9 Within one month of the date of this permission, the rear cafe/toilet window(s) in the elevation facing the rear residential amenity space shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

- 10 Within one month of the removal of the rear canopy, the amenity area shall be subdivided in accordance with approved plan 2002 Rev C (dated 02/2023) by means of a screen fence not less than 1.7m in height and not exceeding 1.8m in height and retained as such thereafter.

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

Informative(s):

- 1 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.

- 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.

We believe that your development is liable for CIL. The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

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.

OFFICER'S ASSESSMENT

1. Site Description

The site comprises a property located at the junction of Potters Road and Bulwer Road. The area around the junction of the road is characterised by a local parade of shops, restaurants, cafes etc. There are semi-detached residential properties located to the west of the site.

The site relates to the part of the ground floor. The neighbouring property at No.54 is a semi-detached dwelling sited to the west. Part of the ground floor and first floor of No.54a comprises a residential dwelling. The remaining part of the ground floor facing onto the junction was formerly used as storage.

2. Site History

Reference: 18/4424/FUL

Description: Conversion of existing shop into 1no self-contained flat. Alterations to front and side elevations including new windows and doors

Decision: Refused

Date: 27.09.2018

Reference: 21/1699/FUL

Description: Change of use from A1 & C3 to Class E(f) Creche, Day Nursery or Day Centre (Car Free Development).

Decision: Withdrawn

Date: 27.08.2021

3. Proposal

Separation of part of the ground floor from the existing residential unit and change of use of that part from storage use to cafe; Removal of existing canopy at rear yard.

4. Public Consultation

Consultation letters were sent to 92 neighbouring properties.

10 objections received as below:

- There is no need for another café in the area
- The proposed rear canopy could be used for shisha and probable amenity impact for neighbouring residential occupiers
- Impact on parking in this area
- Probable impact of refuse storage
- Probable impact on hours of opening during weekends
- Connection to drainage
- Previously, the property was a chemist, which was of no concern to the residents, though there was far less traffic than now. This surely could be used for something more in fitting with the surrounding residential houses.

5. Planning Considerations

5.1 Policy Context

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

The Mayor's London Plan 2021

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous Plan. The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan. The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM04, DM12, DM17.

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

Barnet's Draft Local Plan 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 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of the change of use
- 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.
- Highways considerations

5.3 Assessment of proposals

Principle of the change of use

It has been proposed to separate part of the ground floor from the existing residential unit and change the use from storage use to cafe.

It is noted that the part of the ground floor was used as a chemist shop (and associated storage) and upstairs was an integral residential dwelling. However, with regard to Google Street View, it is evident that the chemist ceased operation some years ago. The premises had been used for storage in the interim period and this has become the established lawful use.

Past applications were made to convert the part of the ground shop/store into residential use which was refused. The planning history of the site confirms that this part of the ground floor was in A1 use. The submitted valuation report also refers to the part of ground floor as retail unit.

It is noted that the previous use as a chemist was in Class A1, which now falls under Class Class E (Commercial, Business and Service) by virtue of the 2020 Amendment Order. The proposed café also falls under use Class E. Therefore, the proposed change would no longer have required planning permission, were it not for the intervening use. The purpose of the new Class E was to enable flexibility between uses in order to encourage the ongoing vitality and viability of commercial centres - within the context of which, a cafe use would not be incongruous.

It is noted that in the past the store was apparently integrated with the residential accommodation upstairs. The applicant proposes to separate part of the ground floor from the existing residential unit. The existing door connecting the shop/store with the residential unit would be blocked. However, both the dwelling and the commercial premises would remain viable (as evidenced by their occupation) and as such, there is no objection in that regard.

It is noted that the site is located at the junction of roads which feature local shops, cafes, restaurants etc. In this context the proposed use would not be out of character and would contribute in the vibrancy of the local parade.

There are residential dwellings on the west of the site, however, these are away from the junction of the roads and this site faces the junction and other retail and E use class and would be a suitable use for a location such this.

With regard to Policy DM12, the proposal would not result in the loss of an A1/retail use

In respect of new uses, Policy DM12 states that: "A proposal that either creates an over concentration of Class A2, A3, A4 and A5 uses or has a significant adverse effect on the amenity of existing residents will be refused".

Notwithstanding the changes to the Use Classes Order, around two-thirds of the premises would remain in (former) Class A1 use and only 4no within the (former) classes A2-A5. As such, it is not considered that an over-concentration would exist as a result and the LPA does not exist to prevent competition.

Amenity matters are discussed in more detail below however, subject to appropriate conditions, it is not considered to result in any undue impact on neighbouring residents.

Therefore, the change of use is considered acceptable in principle.

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

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

As mentioned earlier, the site is located at junction of roads which feature local shops, cafes, restaurants etc. There are residential dwellings on the west of the site, however, these are away from the junction and this site faces the junction and other retail and Class E uses and would be a suitable use for a location such this. In this context the proposed use would not be out of character.

No fundamental change is proposed in the external elevation (though it has been considerably cleaned up from its former iteration) and the proposed café would maintain an active frontage. The signage is not part of this application, and the applicant is advised to apply for it separately.

The proposal has been amended to incorporate removing the (unauthorised) outdoor seating area and canopy (situated to the side of the premises abutting Potters Road). The amended proposal is therefore considered not to have any detrimental impact on the street scene.

Overall, the proposal is not considered to have any detrimental impact on the character of the area and street scene.

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

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.

It further mentions that, "Schemes which significantly harm the amenity of neighbouring occupiers will be refused planning permission. Protecting amenity helps to protect the wellbeing of the boroughs residents."

The applicant proposes that the café would serve sandwiches, coffee and teas. The café counter worktop is used for preparing drinks, and for making sandwiches and no kitchen is required. Most users would be local residents and will walk to the shop to grab a coffee.

The outdoor seating area and canopy would be removed and the outdoor space would not be used as a shisha bar as some of the objectors mentioned. A condition is attached prohibiting any use of outdoor area at rear for outdoor seating area and any use of amplification/speakers to protect the amenity of neighbouring occupiers.

The Environmental Health officer has no objection subject to attached conditions on noise mitigation for residential occupiers at no.54A. Conditions would be attached regarding opening hours to preserve the amenity of the neighbouring occupiers.

The café would not have any undue detrimental impact on the residential amenity of No. 54 as any impact would be buffered by the existing residential dwelling at 54a.

The rear facing toilet window of the cafe would be obscured glazed and not considered to have any overlooking impact for the rear garden of residential property at no.54 a. A condition is attached for the rear facing toilet window to be obscured glazed.

Subject to attached conditions, it is not considered that the proposed change of use would have any harmful impact on neighbouring residential amenity.

Highways considerations

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

The Highway officers were consulted on the proposal. No parking is proposed as part of the application as the considerable majority of users are likely to be pedestrian.

Highway officers informed that, observation shows that the surrounding roads experience parking pressures which are likely to be exacerbated by the anticipated parking displacement from the proposed development. The applicant was therefore required to carry out a car parking survey subject to the Lambeth Methodology standard practice on the surrounding roads to show there is enough capacity to accommodate the additional on-street parking demand arising from the proposed development.

The applicant subsequently provided parking survey, which has been considered acceptable by the Highway Authority.

5.4 Response to Public Consultation

Addressed in the report.

Connection to drainage/sewage is not a material planning consideration.

6. Equality and Diversity Issues

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

7. Conclusion

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



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Location **43 Fursby Avenue London N3 1PJ**

Reference: **23/0451/RCU**

Received: 2nd February 2023

Accepted: 3rd February 2023

Ward: West Finchley

Expiry: 31st March 2023

AGENDA ITEM 9

Case Officer: **Robert Sweeney**

Applicant: Minako Nonaka

Proposal: Front hardstanding and vehicular access to provide off-street parking
(Part Retrospective Application)

OFFICER'S RECOMMENDATION

Approve subject to conditions

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

Driveway improvements 1348-PL-01 rev e
Existing plans and elevations (prior to alterations) 1348-EX-02
Location plan 1348-EX-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 materials to be used in the surface of the hardstanding and boundary wall shall match those specified in 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), Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012) and Policies RD1 and S1 of the West Finchley Neighbourhood Plan (2021).

- 4 The hardsurfacing hereby approved shall be porous or permeable and in conjunction with the proposed drainage channel shall incorporate measures relating to the attenuation and drainage of surface water within the curtilage of the application site and shall be permanently maintained as such

Reason: To safeguard character and appearance and reduce surface water flow to minimise risks from flooding in accordance with Policies D3, SI12 and SI13 of the London Plan (2021), Policies DM01 and DM04 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012) and Policies S1 and LE1 of the West Finchley Neighbourhood Plan (2021)

- 5 No works on public highway including creation or modification of a vehicular access as a result of the proposed development shall be carried out until detailed design drawings have been submitted and approved by the Highway Authority and works shall only be carried out in accordance with the approved plans. The applicant will be expected to make an application to the Domestic Crossovers Team, for the creation of new accesses and reinstatement of the existing accesses and consequential damage to public highway as a result of the proposed development.

Reason: To ensure that the works on public highway are carried out to the satisfaction of the highway authority in the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

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 that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.

OFFICER'S ASSESSMENT

1. Site Description

The application site is a semi-detached property situated at 43 Fursby Avenue, London, N3 1PJ

The property is not listed and is not situated within a Conservation Area however, it does fall within the area of the adopted West Finchley Neighbourhood Plan. The property does benefit from Permitted Development rights with regard to the formation of hardstandings.

2. Site History

Reference: 22/4657/191

Address: 43 Fursby Avenue, London, N3 1PJ

Decision: Unlawful

Decision Date: 6 February 2023

Description: Front hardstanding and vehicular access to provide off-street parking

3. Proposal

This application seeks permission for the following works: "New front hardstanding and vehicular access to provide off-street parking".

Alterations within the curtilage have already been carried out. This application seeks to reduce the area of the new front hardstanding area to measure a width of 2.4 and a depth of 6.2m - and proposes alterations to the existing crossover.

4. Public Consultation

6no consultation letters were sent to neighbouring properties.

5no objections have been received:

- The loss of the front garden negatively impacted the character of the surrounding urban area.

- The increase in the hard surfacing will further decrease the ability of the area to manage water runoff.
- The proposal does not meet the requirements of good design that are set out in both the West Finchley Neighbourhood Plan and the Residential Design Guidance SPD.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The revised National Planning Policy Framework (NPPF) was published on 20th July 2021. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2021

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

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

Barnet's Local Plan (2012)

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

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

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

minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Barnet's Local Plan (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.

West Finchley Neighbourhood Plan (2021)

The West Finchley Neighbourhood Plan has been created to ensure residents of West Finchley can positively influence the future of the neighbourhood over the next 15 years. It is a statutory planning policy document, against which applications for planning permission within its boundaries must be considered. In order to pass examination, the West Finchley Neighbourhood Plan must be in 'general conformity' with the strategic policies of the adopted Development Plan Documents produced by the GLA and LB Barnet.

The Overall Vision provides a simple mission statement for the Neighbourhood Plan, supporting positive developments that will improve the Neighbourhood Plan Area through to 2035. To deliver the Overall Vision, a number of Key Themes are identified, which form the themes of the Neighbourhood Plan. The themes are: Residential Development, Amenities, Streetscape, Local Environment, Transport.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

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

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

Sustainable Design and Construction SPD (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

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

5.3 Assessment

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

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan Policies such as DM01, CS05 (both of the Barnet Local Plan), Policy D3 (of the London Plan) and Policies RD1 and S1 of the West Finchley Neighbourhood Plan (2021).

Regarding the character and appearance of the existing building, the street scene and the wider locality it is considered that there are comparable to a number of front hardstanding in the immediate vicinity of the area, including Nos 41, 32, 30, 37 and 35, and thus the proposed hardstanding and vehicular access are considered to be consistent with the character of the local area.

Over the life span of this application, several amendments were sought to restore the boundary wall and reduce the area of hard standing to be replaced with soft landscaping. Therefore the proposal would comply with the expectations of the Residential Design Guidance SPD (2016) and Policy S1 of the West Finchley Neighbourhood Plan (2021) and would be a proportionate addition to the dwellinghouse. It would have an acceptable impact on the character and appearance of the streetscene, site property, and general locality.

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

It is important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy D3 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.

It is considered that the proposed development would not have any impact in terms of loss of daylight/sunlight, privacy or outlook due to its nature and siting. There would be no appreciable impact caused to either neighbour as a result of the development and therefore the proposal is considered acceptable on amenity grounds.

Flood Risk

The proposal involves the restoration of soft landscaping to around two thirds of the frontage, together with a dwarf retaining wall. Where the new hardstanding will remain, surface water run off will be directed into a drainage channel within the curtilage. A condition will be applied with regard to the permeability of the hard surfacing and the attenuation and discharge of surface water. This has also had the benefit of improving the design and bringing it in line with the Council standards for a front driveway.

The proposal would therefore be consistent with the expectations of Policies SI12 and SI13 of the London Plan (2021), Policy DM04 of the Local Plan (2012) and Policy LE1 of the West Finchley Neighbourhood Plan (2021)

5.4 Response to Public Consultation

Addressed in the body of the report.

6. Equality and Diversity Issues

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

7. Conclusion

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



Location Apex Court Selvage Lane London NW7 3JU

Reference: 22/4227/FUL

Received: 17th August 2022

Accepted: 18th August 2022

Ward: Mill Hill

Expiry: 13th October 2022

AGENDA ITEM 10

Case Officer: Mansoor Cohen

Applicant: Mr Keith Thompson

Proposal:

Roof extension involving side and rear dormers and rooflights to front, side and rear elevations to form 2no. self-contained flats. Associated refuse/recycling and cycle storage. Addition of 2no. off-street parking spaces

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 Chair (or in their absence the Vice-Chair) 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:

-AC-100, AC-101-A, AC-102-A, AC-103-A, AC-104-A,, AC-105-A, AC-106-A ,AC-107-A, AC-108-A, AC-109-A, AC-110-A, AC-111-A, AC-112-A, AC-113-A, AC-114-A, AC-115-A, AC-116-A, AC-117-A, AC-118-A, AC-119-A, AC-120-A, AC-122-A, AC-123-A, AC-124-A, AC-125-A, AC-126-A, AC-127-A

-Planning Statement

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

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

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

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

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

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

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

- 5 a) Before development commences, an air quality assessment report written in accordance with the relevant current guidance shall be submitted to and approved by the Local Planning Authority. The report shall include an assessment of the air quality impacts of the demolition, construction and operational phases of the development.

The assessment shall have regard to the most recent air quality predictions and monitoring results from the Authority's Review and Assessment process, the London Air Quality Network and London Atmospheric Emissions Inventory. 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) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

c) 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 Policies GG3 and SI1 of the London Plan 2021.

6 a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development and measures to be implemented to address its findings 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 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.

7 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 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.

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.

8 a) Notwithstanding the approved plans, before the development hereby permitted is first occupied details of cycle parking including the type of stands, location of cycle parking and type of store proposed to incorporate a minimum of 2 cycle spaces shall be submitted to and approved in writing by the Local 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 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, Policy DM17 of Development Management Policies (Adopted) September 2012 and Policy T5 of the London Plan.

9 a) Notwithstanding the approved plans, 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.

10 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement in carbon dioxide emissions of a minimum of 10% 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.

- 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

- 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) with the exception of the provision of a lift. 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.

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

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 14 Prior to occupation of the development, 2no. parking spaces and the access to the parking area from public highway as shown on drawing no. AC-125-A shall be provided and retained in accordance with the submitted planning application. Thereafter, the parking spaces shall be used only as agreed and not 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.

- 15 The level of noise emitted from any plant installed 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 D14 of the London Plan 2021.

- 16 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/>

Reason: In the interest of good air quality in accordance with Policy DM04 of the Barnet Local Plan Development Management Policies (2012) and Policy SI1 of the London Plan 2021.

- 17 The air cleaning ventilation plant and filters shall be inspected regularly in accordance with manufacturer's recommendations and kept in full working order for the entirety of the development. The program of inspection shall be submitted and approved by the LPA prior to occupation of the units.

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

- 18 Prior to the first occupation of the hereby approved units all windows shall be tested to demonstrate compliance with the mitigation requirements as detailed within the conditioned acoustic report. The results of those tests shall be submitted and approved by the LPA prior to the first occupation of the units.

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 October 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. 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.

We believe that your development is liable for CIL. The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

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.

- 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 The Air Quality reports required under the Environment Act 1995 have highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an air quality report; the report should have regard to the air quality predictions and monitoring results from the most recent Review and Assessment report available from the LPA web site and Air Quality England. The report should be written in accordance with the following guidance : 1)

Environmental Protection UK and IAQM Guidance: Land-Use Planning and Development Control: Planning for Air Quality, Jan 2017); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(16); 4) London Councils Air Quality and Planning Guidance (2007); 5) Mayor of London's Supplementary Planning Guidance for Sustainable Design and Construction (2014); 6) Section 6.2 of the Technical Guidance Note D1 (Dispersion) 'Guidelines on Discharge Stack Heights for Polluting Emissions' 7) The control of dust and emissions from construction and demolition, Best Practice Guidance London Councils, 2006; 8) The Control of Dust and Emissions during construction and demolition supplementary planning guidance July 2014; 9) Air Quality Neutral Planning Support Update April 2014 and 10) Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 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.

- 5 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 application site relates to a three storey building comprising commercial units at ground floor and six residential flats at the upper floors, known as Apex Parade and Apex Court respectively. The parade is designated as a local shopping frontage. The site is bound by a three storey 'self storage' building to the north west, the M1 motorway to the south and Selvage Lane to the east close on the approach to Apex Corner roundabout in Mill Hill.

The area is characterised by a mixture of uses with commercial uses within the nearby neighbourhood centre at Apex Corner, and residential properties further afield. The buildings within the vicinity are predominantly three stories in scale.

The site is not in within a Conservation Area, nor a listed or locally listed building. The site lies within Flood Zone 1 (low probability of flooding).

2. Site History

N/A

3. Proposal

The application seeks planning consent for 'Roof extension involving side and rear dormers and rooflights to front, side and rear elevations to form 2no. self-contained flats. Associated refuse/recycling and cycle storage. Addition of 2no. off-street parking spaces'.

The roof extension involves 3no rear dormer windows and 1no side dormer window to the northern roofslope and the formation of a pitched roof with crown top. 6no. rooflights would feature to the front roofslope, 4no. rooflights to the crown top and 2no. rooflights to the rear outrigger.

The proposal would provide 2no. 1 bedroom self contained flats.

A provision of 2no parking spaces would be sited along the access way to the southern boundary of the site.

4. Public Consultation

Consultation letters were sent to 42 neighbouring properties and a site notice erected on 25.08.2023. 6no objections have been received as part of this application. The objections are summarised as follows:

- Concerns of structural damage and integrity as a result of the proposed extensions
- Concerns of large amounts of air pollution evidenced by health issues from existing residents
- Noise and pollution concerns exacerbated by proposed construction activities
- Fire safety concerns including impeding emergency vehicle services
- Rights of easement disputes
- Loss of loft space storage
- Out of character with existing architecture of surrounding 1930s buildings.
- Area already overcrowded

5. Planning Considerations

5.1 Policy Context

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

The revised National Planning Policy Framework (NPPF) was published on 20th July 2021. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2021

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

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

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

Barnet's Local Plan (2012)

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

September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS14.
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM17.

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

- Residential Design Guidance SPD (October 2016)
- Sustainable Design and Construction SPD (October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development;
- Whether harm would be caused to the character and appearance of the application site, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether adequate amenity would be provided for future occupiers;
- Impact on highways.

5.3 Assessment of proposals

Principle of development

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

The existing mixed use building consists of commercial floorspace at ground floor level and residential units on the upper floors. The proposal seeks to provide an additional two self contained flats via a roof extension. As such, the principle of flats at this location is established and therefore the proposal is acceptable in principle subject to the considerations set out below.

Character and Appearance

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

b. Development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The proposal incorporates the formation of a crown flat roof top to the existing pitched roof. It is considered that this element would modestly alter the appearance of the building and would be visually read with the neighbouring self storage building which features an extensive crown top roof. As such, this aspect is deemed to have an acceptable impact on the character and appearance of the subject building.

Residential Design Guidance (2016) states: Dormer roof extensions should normally be subordinate features on the roof and should not occupy more than half the width or half the depth of the roof slope. The proposal incorporates 3no. rear dormer windows and 1no. side dormer window. The rear dormer windows whilst cumulatively would occupy more than half the width of the roof slope, they would be modest in height and depth and visually contained within the roof slope. As such, the dormers would feature as subordinate additions to the building. In respect of the side dormer window, this would be modest in size and scale featuring as a subservient addition to the building.

Rooflights to the front roof slope and crown roof top would not project more than 0.15m from the relating roof slope and it is noted that some neighbouring properties also feature rooflights. As such, these additions would have an acceptable impact on the character and appearance of the building and locality.

In conclusion, it is considered that the additions are relatively modest in size and scale and would have an acceptable impact on the character and appearance of the host building, neighbouring buildings and locality.

Neighbouring Amenity

Policy DM01 of the Development Management Policies 2012 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

The host building is isolated from any neighbouring occupiers, with the nearest neighbouring building being to the adjacent side of Selvage Lane. In respect of the existing occupiers within the subject building, given the proposed enlargements are at roof level, it is not considered that this would demonstrably harm the amenities these occupiers.

In respect of increased noise and disturbance as a result of the proposed additional 2 x 1 bedroom units, given the urban context of the site, busy thoroughfare and size of the proposed units, it is not deemed to result in any perceptible harm to existing occupiers.

Neighbouring comments have been received in terms of suitability of the site for further housing due to high air pollution levels and noise from the surrounding roads in particular the M1 motorway, this will be addressed in the subsequent section.

Living standards for future occupiers

Floor Area:

The London Plan (2021) and Section 2.1 of the Sustainable Design SPD (Oct 2016) set out the minimum gross internal area (GIA) space requirements for residential units.

The proposal would provide the following units:

Flat 7 (Loft level) - 1b2p GIA 63sqm (required 50sqm)

Flat 8 (Loft level) - 1b2p GIA 65sqm (required 50sqm)

As set out above both units would exceed the minimum space standards.

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

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

Both of the proposed double bedrooms would meet the above noted standard.

Floor to ceiling height:

Policy D6 of the London Plan 2021 requires a minimum ceiling height of 2.5 metres for at least 75% of the gross internal area of each unit.

The submitted floor plan demonstrates that both units would meet this requirement.

Room stacking:

To ensure noise transfer between the existing and proposed units is adequately mitigated, a condition for pre-completion sound insulation certificates will be imposed.

Light/outlook:

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

It is considered that the proposed dwellings would benefit from dual aspect outlook and an acceptable level of daylight / sunlight provision to all habitable rooms.

Amenity Space:

Table 2.3 of the Sustainable Design and Construction SPD states that 5sqm of outdoor private amenity per habitable room should be provided for flats, whereby rooms in excess of 20sqm are counted as two. Accordingly each flat would require a provision of 15sqm of outdoor amenity space.

Due to the constraints of the site, no outdoor amenity space is proposed. Furthermore, having regard to noise and pollution levels in the area, it is not considered in this instance appropriate to provide such. Notwithstanding, the site lies within a local shopping frontage

- in which a variety of shops and services are readily available for future occupiers. In addition, Mill Hill Park is within 15 minute walking distance of the site. Lastly, it is highlighted that both units exceed the minimum space standards by approximately the amount of outdoor amenity space required. Whilst the latter point cannot be deemed wholly compensatory, the combination of the above factors in this instance suitably addresses the shortfall.

Air pollution:

Environmental Health (EH) have been consulted in respect of this application. The following comments were provided:

'The location of this proposed two flat extension is in the middle of probably one of the worst sites for air pollution in the borough. Modelled air pollution levels from the respected Global Health website (London pollution sources map - Global Clean Air) show that the levels of air pollution are predicted to certainly exceed the annual average objectives for Nitrogen dioxide and be close to the hourly level for Nitrogen dioxide.

As a minimum they would require mechanical ventilation with filters for NOx and a maintenance program for the filters. The air intake should be as high as possible on the building away from traffic flow. The flats would require cooling for the summer months. I would not recommend that the windows are openable for the location. Effectively the building should be an airtight closed block. In the future when the air quality has improved significantly, may be five-ten years away, then the windows may be opened, but the inside of the flats would be noisy, and the air significantly polluted until then. As such, a condition for a full air quality report which is only rarely for small developments but in this case the exceptionally poor air quality necessitates the condition.'

Officers acknowledge that due to the surrounding site context which includes the A41 and M1 motorway, air pollution in this location is at its highest, however there are examples across the borough with similar site constraints in which the LPA has consented new residential development subject to a suite of conditions to mitigate the impact.

As such, to fully assess and mitigate the impact of air pollution on future occupiers, EH have advised a condition for a full air quality report as well as a compliance condition for maintenance of the mechanical ventilation system must be applied. The recommended conditions will be imposed as pre-commencement conditions.

Furthermore, EH have advised that windows should not be openable and mechanical ventilation will be required to serve the new flats. This approach is consistent with that applied to other sites with high pollution levels. As such, a condition will be applied to ensure windows remain permanently shut.

Noise:

The adjacency to busy thoroughfares results in high ambient noise levels. EH have advised that the units would need very high specification sound proofing insulation on the window glazing. The levels on the Extrium noise map suggest a range of LAeqs from 60dBA to 75dBA minimum. These would require reducing to 30dBA in bedrooms so a 45dBA level of glazing would be required. EH have further advised that the windows would likely need to be fixed closed for as long as the poor air quality and high noise levels were evident. The glazing would probably need to be checked afterwards to ensure that it had been fitted sufficiently well so as not to reduce the insulation.

EH therefore recommend a noise report and post glazing installation check.

The recommended conditions will be applied.

In summary, whilst it is acknowledged that air pollution and noise levels act as a barrier to further residential development in this location, it is considered that subject to the aforementioned pre-commencement conditions adequate mitigation measures can be deployed to ensure the quality of accommodation proposed is suitable and of a sufficient standard for future occupiers.

Highways

The existing site benefits from two separate crossovers providing an in/out access around the subject building. The proposal incorporates the provision of two parking spaces to be sited on the existing hardstanding to the southwest boundary of the site.

The Councils Highway team have assessed the proposal and consider the provision of 2 spaces (1 per dwelling) to be acceptable and in accordance with Policy DM17.

Cycle Parking:

The proposed development will need to provide 2no. long-stay cycle parking spaces in accordance with the London Plan Cycle Parking Standards. The cycle parking spaces will need to be secured within a covered and lockable storage facility. The submitted plans show cycle storage would be located to the rear of the building which is acceptable and further details of the store can be secured through a condition.

Refuse/Recycling:

Waste collection arrangements would remain as existing - in which refuse vehicles enter to the rear of site, collect waste and exit through the other side. The councils refuse teams consider this to be acceptable.

In respect of storage facilities, a new store to the rear of the site would be provided to accommodate bins for both existing and future occupiers which improves on the existing layout where bins are contained within the rear access stairwell which impedes pedestrian access. Further details of the store will be secured through a condition.

5.4 Response to Public Consultation

Mainly addressed in the report.

-Concerns of structural damage and integrity as a result of the proposed extensions;
Rights of easement disputes.

These are not material planning considerations.

-Noise and pollution concerns exacerbated by proposed construction activities.

Addressed in the report. Construction activities are relatively domestic in nature and for a limited period of time. A Construction Management Plan condition will be imposed to mitigate some of the impact.

-Loss of loft space storage.

This is primarily a civil matter for residents to dispute with the applicant.

-Fire safety concerns including impeding emergency vehicle services.

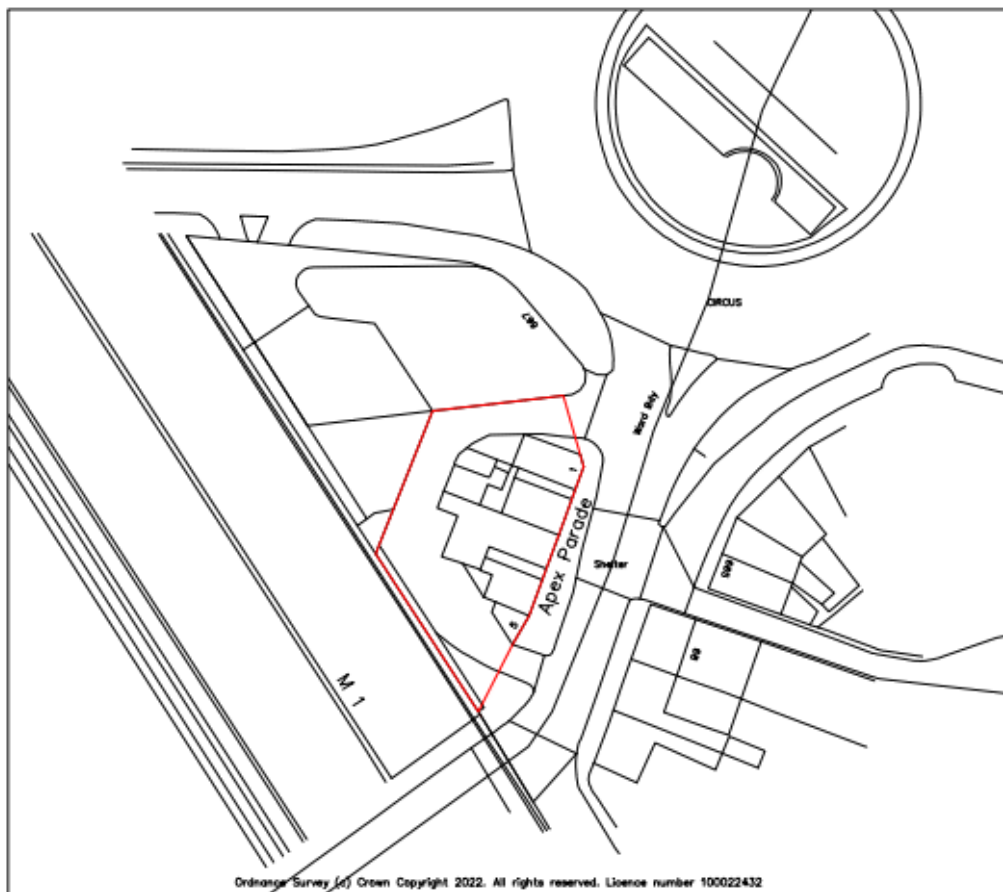
As per the submitted tracking plan (dwg. No. AC-127-A), the proposed parking spaces would not impede access to emergency vehicles. A fire statement has been provided which confirms the development will be fully building regulations compliant.

6. Equality and Diversity Issues

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

7. Conclusion

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



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Location	Tashbar Primary School Mowbray Road Edgware HA8 8JL	
Reference:	22/6025/FUL	Received: 19th December 2022
		Accepted: 20th December 2022
Ward:	Edgwarebury	Expiry 14th February 2023

AGENDA ITEM 11

Case Officer: **Refael Saffer**

Applicant: C/O UPP

Proposal: Erection of a partial second floor extension to the new three storey annex which will link to a second floor rear extension. Alterations to the front entrance to the annexe. Provision of a covered playground at ground floor level and a roof top playground over the new annexe

OFFICER’S RECOMMENDATION

Refuse

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

- 1 The proposed development by reason of its size, siting, bulk, design, height, massing and increased projection towards no. 47 Mowbray Road, would result in an inappropriate development of the site. The proposal would be unduly obtrusive, out of scale, overly dominant and appear as a prominent and intrusive feature within the street scene, with its prominence exacerbated by its excessive height and introduction of foreign design element within Mowbray Road, being detrimental to the character and appearance of the site, the immediate locality and the street scene and would not relate sympathetically to the adjacent properties contrary to the National Planning Policy Framework (2021), Policy CS5 of Barnet’s Local Plan Core Strategy (2012), Policy DM01 of Barnet’s Development Management Policies DPD (2012) and the guidance set out in Barnet’s Residential Design Guidance SPD (2016).

- 2 The proposed development by virtue of its size, scale and siting would adversely affect the outlook from no. 47 Mowbray Road as well as no.s 112, 114 and 116 Edgwarebury Lane, and lead to an unacceptable sense of enclosure, overshadowing and loss of light, detrimental to the residential amenities of the neighbouring occupiers, contrary to policy CS5 of the Local Plan Core Strategy (Adopted September 2012), Policy DM01 and DM02 of the Local Plan Development Management Policies DPD (2012) and the Residential Design Guide SPD (Adopted 2016).

Informative(s):

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

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

- 2 The plans accompanying this application are:

E21-014/GAE201,
E21-014/GAP211,
E21-014/GAP210,
E21-014/GAP212,
E21-014/GAS201,
E21-014/GAS202,
E21-014/GAP214,
E21-014/GAP213,
E21-014/GAE202,
E21-014/GAE211,
E21-014/GAP221,
E21-014/GAP220,
E21-014/GAS211,
E21-014/GAS212,
E21-014/GAP224,
E21-014/GAP225,
E21-014/GAP223,
E21-014/GAE212,
Site location plan,
Design and Access Statement,
Planning statement.

OFFICER'S ASSESSMENT

1. Site Description

The site is known as 'Tashbar Primary School' and is sited on the western side of Mowbray Road. It is located north of the A41 Edgware Way, with Edgwarebury Lane to the rear of the site.

The surrounding area is predominately residential in character with various commercial

properties along Mowbray Parade. The adjacent building, namely the 'BT Exchange', lies to the southern side of the property, with the remaining adjacent property (no. 47 Mowbray Road) currently serving as a synagogue.

The application site does not lie within a conservation area or contain a locally or statutory listed building.

2. Site History

Reference: 17/0899/FUL

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Approved subject to conditions

Decision Date: 10 May 2017

Description: Single storey extension front and side extension on existing school with associated new external stairs, security railings and enclosure for bin storage

Reference: 18/1826/FUL

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Application Returned

Decision Date: No Decision Made.

Description: Two storey extension front and side extension on existing school hall with associated new external stairs, security railings and enclosure for bin storage

Reference: 18/3011/FUL

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Approved subject to conditions

Decision Date: 2 August 2018

Description: Part first floor, part two storey front and side extension on existing school hall with associated new external stairs, security railings and enclosure for bin storage

Reference: 20/0269/QCD

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Pre-application advice issued

Decision Date: 22 September 2020

Description: The proposed floor area is 1626 sq metres. Proposed 4 storey phased construction of Annexe to Tashbar Primary School, Edgware

Reference: 20/5101/FUL

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Approved subject to conditions

Decision Date: 2 February 2021

Description: Demolition of existing hall. Construction of three storey annexe to existing primary school

Reference: 21/5319/S73

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Approved subject to conditions

Decision Date: 6 January 2022

Description: Variation of Condition 1 (Approved Plans) of planning permission reference 20/5101/FUL dated 02/02/2021 for 'Demolition of existing hall.

Construction of three storey annexe to existing primary school.' Variation to include; Removal of external entrance steps fronting Mowbray Road, and provision of new

double height entrance lobby; Minor amendments to fenestration over the elevations to suit the revised internal arrangement

Reference: 22/1704/CON

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Approved

Decision Date: 10 May 2022

Description: Submission of details of Condition 4 (Demolition and Construction Management and Logistics Plan) pursuant to planning permission 21/5319/S73 dated 06/01/2022

Reference: 22/2512/CON

Address: Tashbar Of Edgware Primary School, Mowbray Road, Edgware, HA8 8JL

Decision: Approved

Decision Date: 6 July 2022

Description: Submission of Condition 3 (Materials) pursuant to planning permission 21/5319/S73 dated 06/01/2022

3. Proposal

Erection of a partial second floor extension to the new three storey annex which will link to a second floor rear extension. Alterations to the front entrance to the annexe. Provision of a covered playground at ground floor level and a roof top playground over the new annexe.

The enlarged second floor, together with the rear extension, would measure an overall depth of 40.9m and width of 28.9m. The annexe extension at second floor level would measure approximately 12.4m in height, with the extension at second floor level of the main building measuring an eaves height of 10.5m and maximum height of 12.1m. A caretaker flat would be incorporated, measuring 8.3m in width and 5.3m in depth, with a Gross Internal Area (GIA) of 44.3m².

The front entrance would measure 9.1m in width, 1.1m in depth and 6.6m in height, incorporating a flat roof canopy design with an overall depth of 2.6m and width of 11.2m.

The playground at ground floor level would have a staggered front elevation, measuring an overall width of 9.9m and depth of 22.9m.

The roof top playground would measure an overall width of 18.9m and depth of 21m, incorporating 4m high mesh fencing on the boundaries. The rear stairwell will have an increased height to provide access to the rooftop, measuring 16.5m in height, 5.4m in depth and 6.2m in width.

The overall height of the annexe, together with the mesh fencing, would measure 17.3m. The main building would measure a maximum height of 12.1m, incorporating a pitched roof design.

4. Public Consultation

It is noted that this application has been called in by Cllr Sarah Wardle, with the following reasons cited

"The proposed development will allow the school to further enhance educational offerings on the existing site in line with the principles outlined in Development Management Policy

DM13.

Furthermore, it is my view that this application also accords with policy CS10 in regards to supporting the school to provide enhanced educational offerings that provide services to the community in a single accessible location."

Consultation letters were sent to 128 neighbouring properties. 1 objection has been received, with comments summarised as follows -

- Noise as a result of loudspeaker usage
- Increase in rubbish
- Corrugated roof leading to drainage issues
- Fire hazards due to bonfires erected during festivals

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

The Mayor's London Plan 2021

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

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

Barnet's Local Plan (2012)

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

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

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

Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan 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:

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

5.3 Assessment of proposals

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

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01 which states that all proposals should preserve and enhance the local character of the area, as well as policies CS05 (both of the Barnet Local Plan), D1, D3 and D6 (of the London Plan).

It is noted that permission for the demolition of an existing hall, to be replaced by a three-storey annexe, has been granted by the LPA (ref. no. 20/5101/FUL). In that case, the similar location of the proposal to the existing hall was highlighted, with the scheme considered to respect the adjacent building (belonging to 'BT Exchange') fronting Mowbray Road. The overall height was assumed to provide 'a suitable transition between the BT Exchange and the properties to the north of the site', with the flat roof design 'appropriate for an educational building', whilst not 'harmfully at odds with the character of the area'

Likewise, approval was given for minor changes to the development involving the removal of external entrance steps fronting Mowbray Road, provision of a new double height entrance lobby and fenestration changes (ref. no. 21/5319/S73). These changes ultimately improved the overall design of the development, with the front entrance design bearing a strong resemblance to the current proposal.

In this regard, the proposed front extension would measure 9.1m in width, 1.1m in depth and 6.6m in height, incorporating a flat roof canopy design with an overall depth of 2.6m and width of 11.2m. Although it would be substantially increased in size to what has previously been proposed, its design would be typical of school building entrances, with its massing, although dominant, being an acceptable feature of the front elevation.

The enlarged second floor, together with the second-floor rear extension, would measure an overall depth of 40.9m and width of 28.9m. It would include a caretakers flat measuring 8.3m in width and 5.3m in depth, with a Gross Internal Area (GIA) of 44.3m². The rear extension would lead to an additional floor being developed over the main building, with the eaves height being increased by approximately 1.9m, and the maximum height by approximately 1.5m. This element would maintain the flat roof design, including an inner dual pitched roof, which currently forms the roofscape of the main building. Its height and general massing would still respect the natural transitions in height between the BT Exchange building and adjacent synagogue (no. 47 Mowbray Road), with its bulk largely obscured from view from the street owing to the front location of the annexe building.

Nevertheless, the rear extension, together with the second-floor enlargement of the annexe, roof top playground and increased height of the rear stairwell, would cumulatively add significant bulk to the proposal. Whilst the approved annexe proposed a symmetrical design, the current scheme unbalances this symmetry, with its volume excessively extending northwards. The proposed front windows would further accentuate the

asymmetry of this design. Its resulting closeness to the adjacent synagogue would look out of place, with this side of the street typified by wide separations between buildings.

In addition, the 4m high mesh fencing would introduce a foreign element to Mowbray Road which would look particularly prominent when viewed from the street, and would accentuate the excessive height difference between the proposal and adjacent synagogue.

The rear stairwell will have an increased height to provide access to the rooftop, measuring 16.5m in height, 5.4m in depth and 6.2m in width. Aside from its cumulative effect with other elements, this element would create an awkward bridge between the main building and annexe, with its prominent height between these two buildings particularly evident when viewed from the north elevation.

Overall, the proposal would significantly differ from previously approved schemes in both its design and general massing and would not be acceptable in terms of character.

In addition, incorrect existing drawings have been submitted, which show works under application 20/5101/FUL (Demolition of existing hall, construction of three storey annexe to existing primary school) as existing, with development still ongoing at the site.

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

It is important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan policy D6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

The proposal would be distanced by 2.7m from the shared boundary with no. 47 Mowbray Road. Due to the communal synagogue use of this property, overlooking would not be a concern from the windows of the caretaker flat towards this neighbour. Nevertheless, the second-floor extensions would project considerably towards this neighbour. Due to the overall bulk of the proposal, the 2.6m separation between the proposal and no. 47 would be insufficient, with the second-floor extensions, stair-core and mesh fencing cumulatively having an overbearing impact towards this neighbour, whilst also causing overshadowing, loss of light and outlook.

Although the mesh fence would add considerable height to the annexe, its lightweight frame and mesh materials alone would not be particularly overbearing on the BT Exchange building, with the remaining elements having no greater impact on this neighbour than the previous approved proposal (ref. no. 20/5101/FUL).

An additional 1.9m in eaves height would be added to the rear of the main building as a result of the second-floor rear extension, with this element separated by 1.2m from rear neighbours at its closest point. Due to its close proximity, as well as considerable increase in height, the proposal would have a significant impact on no.s 112, 114 and 116 Edgewarebury Lane; its overall volume would cause a substantial loss of light and outlook in their rear gardens, with its massing being an overbearing feature from the vantage point of these neighbours.

Overall, the proposal would not be considered acceptable on amenity grounds.

5.4 Response to Public Consultation

- Noise as a result of loudspeaker usage

This assessment deals with the character and amenity of the proposed works. Accordingly, increased noise as a result of loudspeaker usage is a civil matter between occupants which is not covered by this report.

- Increase in rubbish

The applicant has confirmed that the proposal would not lead to an increase in students, with no subsequent rubbish increase to result.

- Corrugated roof leading to drainage issues

Drainage issues fall outside the ambit of this application.

- Fire hazards due to bonfires erected during festivals

Fire hazards are a separate matter which is not assessed as part of this application.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities. It is acknowledge that this proposal is to improve the ducational facilities of a school but it is not considered that it outweighs the harm caused to the character of the area or the amenities of neighbouring properties.

7. Conclusion

Having taken all material considerations into account, it is considered that the proposed development would NOT have an acceptable impact on the character and appearance of the application site, the street scene and the locality, as well as on amenity of the neighbouring properties. This application is therefore recommended for REFUSAL.



Location **Land To The Rear Of 43 Park Road Barnet EN4 9QD**

Reference: **22/4744/FUL** Received: 23rd September 2022
Accepted: 23rd September 2022

Ward: East Barnet Expiry 18th November 2022

Case Officer: **Anestis Skoupras**

Applicant: Mr Eduart Maloku

Proposal: Erection of a new two-storey house with associated amenity space, refuse and cycle storage and off-street parking spaces

AGENDA ITEM 12

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 Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

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

Drawings:

2021-43PR-03.000 22 July 2022 Location Plan
2021-43PR-03.001A 18 October 2022 Block Plan
2021-43PR-03.200 22 September 2022 Existing Site Plan
2021-43PR-03.201 22 September 2022 Proposed Floor Plan
2021-43PR-03.202 22 September 2022 Proposed Elevations and section
2021-43PR-03.203 22 September 2022 Proposed Elevations and section
2021-43PR-03.204 22 September 2022 Service Layout
2021-43PR-03.205 22 September 2022 Existing Site Photo's
2021-43PR-03.206 22 September 2022 Security Lighting Layout
2021-43PR-03.207 22 September 2022 Site Levels

2021-43PR-03.208 22 September 2022 Proposed Landscape Design
2021-43PR-03.209 22 September 2022 Proposed Demolition and Construction Set Up
2021-43PR-03.210 9 November 2022 Waste Collection Methods
Planning, Design, Sustainability and Access Statement September 2022
Report on a ground investigation July 2022

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

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

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

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

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

4 a) Notwithstanding the details shown on the approved plans 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.

5 The materials to be used for the external surfaces of the building and the hardsurfaced areas shall match those as detailed on drawing nos: 021-43 PR-03.202, 021-43 PR-03.208. .

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).

6 Prior to occupation of the development the proposed parking spaces within the parking area as shown in drawings no.2021-43PR-03.210 submitted with the planning application and the access to the parking area from public highway shall be provided and the access to the parking spaces shall be maintained at all times. The parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced 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

7 Before the development hereby permitted is occupied the cycle parking spaces and cycle storage facilities shall be provided in accordance with the details shown on dwg.no: 2021-43 PR-03.208 and shall be permanently retained thereafter and shall not be used for any other purpose other than for the parking of cycles associated

with the development.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards, in the interests of promoting cycling as a mode of transport and to safeguard the visual amenities of the building and surrounding area, in accordance with Policy T5 and Table 10.2 of The London Plan (2021), Barnet's Local Plan Policies CS NPPF, CS1 and CS9 of Core Strategy (Adopted) September 2012, and Policies DM01 and DM17 of Development Management Policies (Adopted) September 2012.

- 8 Prior to occupation of the development refuse and recycling storage and refuse collection must be provided in accordance with drawing number 2021-43PR-03.210 and retained as such thereafter.

Reason: In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 9 a) Notwithstanding the details shown on the approved plans 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), and the Sustainable Design and Construction SPD (adopted October 2016).

- 10 a) Notwithstanding the details shown on the approved plans 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 G7 of the London Plan 2021.

11 a) Notwithstanding the details shown on the approved plans 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), and Policy DM01 of the Development Management Policies DPD (adopted September 2012).

12 Prior to first occupation of the development hereby approved, the following ecological enhancement measures shall be installed:

- a) at least 1 Integrated Bat Box (or similar bat roost box) shall be installed within the proposed building construction a minimum of 3m above the ground,
- b) 1 x 1B Swift box (or Schwegler bird nest box) shall be installed onto the newly constructed building (as appropriate),
- c) 1 x Schwegler Clay and Reed Insect Nest to be installed within the proposed boundary treatment.

These features shall be installed in line with guidance with 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA) as appropriate. Details on the specifications, location, aspect, and position of these species' enhancement measures shall be submitted by the applicant for approval by the Local Planning Authority.

Reason: To enhance biodiversity pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan 2021.

- 13 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement in carbon dioxide emissions of a minimum of 10% 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.

- 14 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

- 15 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies D6 and D7 of the London Plan 2021.

- 16 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/>

Reason: In the interest of good air quality in accordance with Policy DM04 of the Barnet Local Plan Development Management Policies (2012) and Policy SI1 of the London Plan 2021.

- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, D, E, or F of Part 1 of Schedule 2 of that Order shall be carried out within the area of the development hereby approved.

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

- 18 Prior to occupancy at least 2 x hedgehog highways (13cm x 13cm gaps) at the base of the boundary fencing shall be provided (one on each side boundary in the rear garden) and shall be retained thereafter.

Reason: To enhance biodiversity pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan

- 19 Notwithstanding the details shown on the approved drawings, before the building hereby permitted is first occupied details of the external lighting shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the visual amenities of neighbouring occupiers and the locality in accordance with Policies DM01 and DM04 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted October 2016) and Sustainable Design and Construction SPD (adopted October 2016).

Informative(s):

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

We believe that your development is liable for CIL. The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

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.

- 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 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.

- 5 This Notice relates solely to a planning decision and does not purport to convey any approval or consent which may be required under the Building Regulations or any other statutory purpose.

For more information about making a Building Regulations application, please contact the Barnet Council Building Control team by email: building.control@barnet.gov.uk, telephone: 0208 359 4500, or see our website at www.barnet.gov.uk/building-control.

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

- 7 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 Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.
 - o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.

- 8 In the unlikely event of any protected species (e.g. hedgehogs, reptiles, amphibians) being found works must stop and the project ecologist consulted and the correct level of additional surveys and mitigation applied including any licences to be approved and issued by the Natural England (if required). Following the appropriate level of intervention the approved works may resume.

- 9 The soft landscaping of amenity gardens is advised to consist of species rich seed mix or turf. This mix should consist of a ratio of 70/30 native grass to flowering plants as such flowering plant species and grasses provide high value to pollinating insects including bees, butterflies. An example of a potential species rich meadow seeding mix includes Boston Seed Dual Purposed Wildflower Meadow Seed Mix

BSXM 70/30 and for the amenity lawn Emorsate Seed Strong Lawn Grass Mixture EG22. Any proposed tree and shrub planting should incorporate native species and consist of native berry producing shrub species such as hawthorn, blackthorn, spindle, field maple, hazel, and hornbeam. A best practice approach would be to apply a '10-20-30' formula to develop a diverse tree/hedge population - no more than 10% of any species, 20% of any genus or 30% of any family. These species will provide ideal foraging and sheltering habitats for a variety of species including nesting birds, invertebrates, and foraging mammals.

Night scented plants should also be included into a detailed planting schedule where feasible. An extensive list of suitable plant species can be found on the RHS advice page <https://www.rhs.org.uk/advice/pdfs/plants-for-bats.pdf>. The provision of bat friendly planting is in Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan. The LPA anticipates that provision both species rich planting to compensate the loss of individual trees and shrubs, and the inclusion of species enhancement measures will be sufficient to provide a net benefit to biodiversity.

OFFICER'S ASSESSMENT

1. Site Description

The application site comprises a plot of land situated on the northern side of the rear garden of No.43 Park Road, adjacent to no.7 Appletree Gardens which forms a cul-de sac.

No.7 Appletree Gardens is the end property in a terrace of three. Appletree Gardens is a development set to the rear of largely three storey flatted buildings which front Park Road. It has its own access from Park Road and comprises two storey pairs of semi-detached dwellings and rows of three terraced properties. The properties are all broadly similar in design, with ground floor bay windows and porch canopy roofs, dormer-type roofs above the first-floor windows, with gable ends, and a regular pattern of red-brick and yellow-brick groupings. The properties are arranged fronting a large area of hardstanding to provide parking. Appletree Gardens was constructed following the approval of planning permission in 1989 for a scheme including the flatted development fronting Park Road and the two storey dwellings in Appletree Gardens.

The area is characterised as residential. The site is not situated within a Conservation Area, nor does it fall within the curtilage of a listed building.

It is noted that the plot of land which the application relates to, has been physically separated from the original no.43 Park Road in 2013, with its own freehold title in 2022 (Title NGL757206). The right to access the application site has been granted by way of a legal easement with the freeholders of the adjacent site of Appletree Gardens (AGL77765).

2. Site History

Reference: 22/4300/FUL

Address: Land To The Rear Of 43 Park Road, Barnet EN4 9QD

Decision: Withdrawn
Decision Date: 16.09.2022
Description: Single storey rear extension

Reference: 22/3802/NMA
Address: 43B Park Road, Barnet EN4 9QD
Decision: Refused
Decision Date: 16.08.2022
Description: Non-material amendments to planning permission reference B/00953/14 dated 14/04/14 for 'Erection of a new two-storey house with associated car parking and amenity space.' Amendments include replacement of conservatory with brick extension.

Reference: 17/1408/CON
Address: Land To The Rear Of 43 Park Road, Barnet, Herts, EN4 9QD
Decision: Approve
Decision Date: 30.03.2017
Description Submission of detail of condition 4 (Materials) pursuant to planning permission B/00953/14 dated 09/04/14

Reference: 17/0371/CON
Address: Land To The Rear Of 43 Park Road, Barnet, Herts, EN4 9QD
Decision: Approved
Decision Date: 06/03/2017
Description Submission of details of condition 6 (Refuse) 7 (Landscaping) 12 (Demolition and Construction Method Statement) 13 (Levels) pursuant to planning permission B/00953/14 dated 09/04/14

Reference: B/00953/14
Address: Land To The Rear Of 43 Park Road, Barnet, Herts, EN4 9QD
Decision: Approve subject to conditions
Decision Date: 09/04/2014
Description Erection of a new two-storey house with associated car parking and amenity space.

Reference: B/04233/13
Address: R/O 43 Park Road, Barnet, Herts, EN4 9QD
Decision: Refuse
Decision Date: 07/11/2013
Description: Erection of 1no. two storey dwellinghouse including 2no. off-street parking and hard/soft landscaping.
The reasons for refusal included:
1) Detached and discordant feature in the street scene which would not preserve or enhance local character, respect the pattern of surrounding buildings or safeguard trees.
2) Substandard internal floor area and room sizes.
3) Unsatisfactory parking provision for future occupants.

Reference: N09102A
Address: r/o 43B Park Road, New Barnet
Decision: Refuse
Decision Date: 23/08/1999
Description: Erection of detached three-bedroom house with 2 parking spaces (outline).

The application was refused on the following grounds:

- 1) Proposal would result in loss of rear garden amenity space of 43b Park Road.
- 2) Result in backland development, creating a poor residential environment, detrimental to residential and visual amenities of occupiers of neighbouring properties

3. Proposal

Planning permission is sought for the proposed erection of a new two-storey house with associated amenity space, refuse and cycle storage and off-street parking.

The proposal involves the erection of a two-storey detached gable ended dwelling house which would measure 5.5m in width, with a maximum depth of 11m (including a ground floor rear extension measuring 3.5m deep), with a ridge height of 7.55m and eaves' height of 5m. A rear patio would extend 2.4 metres beyond the ground floor rear extension. It would be set approximately 1.1 metres off the common boundary with No. 7 Appletree Gardens and 0.87 metres from the boundary with No. 41 Park Road. The proposal would be of a similar design of the other dwelling houses in Appletree Gardens.

The proposal would result in the creation of a 2 bed single-family dwelling house with a Gross Internal Area of 86 sqm. It would provide a private front and rear garden. The rear garden (including the patio) would provide some 37sqm of private amenity space and the front garden some 50 sqm. 2nos off-street parking spaces would be provided with direct access from Appletree Gardens. Bin stores and cycle storage are also proposed to the front of the dwelling house.

4. Public Consultation

Consultation letters were sent to 84 neighbouring occupiers. 6 objections have been received, summarised below:

- Overcrowding and strain on utilities and local services
- Overlooking and privacy issues
- Building works already started on site and question why work has already commenced
- Noise and disturbance
- Impact of construction works causing damage
- Objection due to access coming from the car park
- Parking issues
- Disruption due to the new access creation
- Privacy issues
- The build will block the light in no 45 Park Road
- Risk of flooding due to clay soil's existence and cutting down trees.
- Request that very fast growing tall trees be reinstated to the fence where the car park area is located.
- Impact to the wildlife.

4.1 Internal Consultation

Comments from the Highways, Environmental Health, Trees and Landscaping and Ecology officers are included within the main body of the report.

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.

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

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital 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. Chapter 3 sets out a suite of policies relating to design and amenity with policies D3, D4 and D5 insisting on the delivery of high-quality inclusive design without compromising existing residential amenity.

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM16, DM17

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

adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Barnet's Local Plan (Reg 22) 2021

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

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

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design developments 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.

Part 2 of the SPD sets out the general guidelines for new residential development.

- All new proposed design should relate to its setting and local character and be of an appropriate density;
- All proposals for new development should complement or improve the character of the area through its appearance, architectural detailing, siting, use of materials, layout and integration with surrounding land, boundaries, building lines, setbacks, fronts and backs; and
- Be designed to ensure the provision of sufficient privacy, minimisation of overlooking between surrounding dwellings and orientation of buildings to maximise sunlight and daylight and do not reduce the amenity value of neighbouring occupiers.

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:

- i. The principle of the development in this location
- ii. Whether harm would be caused to the character and appearance of the area.
- iii. Whether the proposal provides satisfactory living accommodation for future occupiers.
- iv. The impact on the amenities of neighbouring occupiers.

- v. Impact on parking and highways.
- vi. Cycle Storage.
- vii. Refuse and recycling storage.
- viii. Accessibility and Sustainability.
- ix. Ecology and Sustainability

5.3 Assessment of proposals

i. Principle of the development in this location

The Borough has an attractive and high-quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

Previously applications for a new detached house have been submitted on the site. Two of these were refused. The second refusal related to application Ref No. B/04233/13, which was refused for three reasons:

1. That the proposed dwelling, by reason of its detached form, its siting and its lack of connectivity with the adjacent housing estate from which it would be accessed would appear as a detached and discordant feature which would not preserve or enhance local character, respect the pattern of surrounding buildings, and would not safeguard trees.
2. The proposed dwelling would not provide a satisfactory level of amenity for future occupants.
3. The proposed development would not provide for satisfactory off-street parking and access.

A revised application (B/00953/14) was subsequently submitted which Officers considered overcame the reasons for refusal 2 and 3. However, it was still considered that the proposal would adversely affect the character and appearance of the locality and would cause damage to the trees and the loss of trees would cause further detriment to the character and appearance of the area. Subsequently refusal of the application was recommended. This recommendation was overturned by the Committee and approval was subsequently granted for a detached two bedroom house on the site.

The current application is for a new dwelling of a similar scale and design to that approved. Since the Officer's original recommendation, the London Plan 2021 has been adopted. Within this Plan Policy GG2 seeks to ensure that development explores the potential to intensify the use of land to support additional homes.

A further policy, Policy H2 has been introduced which relates to the development of 'Small sites'. Paragraph 4.2.1 stipulates that increasing the rate of housing delivery from small sites is a strategic priority. The small sites minimum target, as shown in table 4.2 of the London Plan 2021, shows a number of 4.340 net housing completions on small sites (below 0.25 hectares in size) for the 10 year target period (2019/20-2028/29) for Barnet.

Part B of Policy H2 states that Borough's should:

"recognise in their development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites"

The application site would represent such a small site to which the policy applies, being up to 0.25 hectares, an infill garden development and located within 800m of a railway station. It is considered that some weight should be attached to policy H2 when determining the application. A further material consideration includes that (following a site visit and from viewing building control records) it would appear that works relating to the previous permission B/00953/14 for a new dwelling house have started on site, although they have currently ceased. The works have resulted in the site being cleared with many of the trees being removed from the site.

By virtue of the approved planning permission being implemented this has enabled the principle of the development to be established. This principle is further supported by the introduction of Policy H2 of the London Plan 2021.

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

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the site's context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), D1, D3 and D6 (of the London Plan).

Policy D6 of the London Plan states that Housing development should be of high-quality and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures.

The proposed building will be a two-storey two bed single family dwelling house. The current proposal differs from the previous consent ref B/00953/14 as following:

- The construction of a single storey rear extension would be 1 metre deeper and finished with brickwork and a gable end, as opposed to a conservatory style single storey rear projection. It would measure some 0.12m higher to the ridge.
- Improved technical design package to offer improved U-values and foundations.
- the inclusion of an electric charging point, storage for 4 bicycles, an Air Source Heat Pump and soakaway for rainwater retention and rainwater harvesting.

The building would therefore be of a similar size and design, albeit 1 metre deeper and slightly higher than the previous approval. Previously Officers raised concerns that the width of the dwelling did not reflect the proportions and appearance of the neighbouring properties, and additionally the detached nature and siting at the edge of the existing development would appear as an uncharacteristic addition to the main development. The parking layout and landscaped front garden was further considered to appear visually separate and discordant with the character and appearance of the street scene, thus the proposal was considered to adversely affect the character and appearance of the locality.

Furthermore, Officers raised concerns that the proposed house would be positioned within the root protection area of a number of trees located within the neighbouring gardens and trees would be removed to create the vehicle access. The damage to the trees and the loss of the trees were considered to cause further detriment to the character and appearance of the area.

The current proposal would be of a similar design and sited within the site at the same position with the car parking and landscaped front garden remaining the same. Therefore, the proportions of the building would still be larger than the neighbouring terraced

properties which provide the context of the site, and the parking would remain in the same position. In terms of design the proposal would however be of a similar design to the properties in Appletree Gardens with the front elevation of the proposed dwelling replicating the design of the bay window and entrance door location of the neighbouring properties. The house would be finished with brickwork and a pitched tiled roof to match the appearance of the adjoining houses.

In weighing up the merits of the proposal it is important to be mindful of changes in circumstances relating to the site including taking account of current planning policies and other material considerations. In this regard although the current scheme is similar in siting, design and size to the scheme Officer's previously recommended for refusal given the change in direction of policy through the "small sites" policy and significantly that the previously granted application has started to be implemented, including the site being cleared, the concerns previously raised by officers have been outweighed. As such the proposal on balance is not now considered to be detrimental to the character and appearance of the locality.

In relation to the loss of trees on the site a landscaping condition is proposed to ensure adequate replacement planting is provided.

iii. Whether the proposal provides satisfactory living conditions for future occupiers

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

Floorspace standards:

The London Plan sets a minimum Gross Internal Floor Area for units based on standards set for the number of bedrooms and persons-bedspaces. A 2 bed, 3 person unit over 2 storeys requires 70sqm.

Table 3.3: Internal layout and design requirements of Barnet's Sustainable Design SPD (Oct 2016) states that bedrooms should meet the following requirements.

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

The proposed dwelling house complies with the minimum standards for internal space.

Outlook, light and privacy:

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

The Sustainable Design and Construction SPD states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room. The upper bedrooms fall short of 20% requirement, however the fenestration has been designed to reflect the adjoining properties. Additionally given the house is dual-aspect, with the ground floor exceeding the 20% requirement, on balance it is considered that the property benefits from adequate levels of light and outlook.

Headroom/internal height:

The Sustainable Design and Construction SPD also states that a minimum ceiling height of 2.5 metres for at least 75% of the dwelling area is required. Although the first floor would

have a ceiling height of 2.4 metres it is considered as the height of the dwelling house would be similar to that of the adjoining properties (although it's ridge would read as being slightly lower than the adjoining neighbour due to it following the natural downward slope of the land)and the ground floor would meet the requirement, the slight non compliance in ceiling height would on balance be acceptable. it is considered that the application could not be refused on this alone.

Outdoor amenity space:

Barnet's Local Plan expects that sufficient and functional amenity space should be provided for all new houses and flats wherever possible.

Table 2.3 within the Sustainable Design and Construction SPD indicates that for houses which comprise 5 habitable rooms (it is noted that for the purposes of this application the living, kitchen and dining room, although designed as an open plan area, are considered to count for three different habitable rooms), outdoor amenity space should be at least 55 m².

The proposal will provide 37 sq metres of rear amenity space. A further 50 sq metres would be provided to the front. This would be enclosed and be adjacent to the rear garden of 43 Park Road and is therefore considered to be useable outdoor amenity space. The provision also replicates the previous scheme and as such it is considered sufficient amenity space would therefore be provided.

Overall, the proposal is considered to provide an adequate quality of accommodation for future occupiers, in accordance with Policies DM01, DM02 of the Local Plan 2012, and the Sustainable Design and Construction SPD.

iv. The impact on the amenities of neighbouring occupiers

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

The proposed dwelling has been sited such that it would not appear overbearing, given the distance from the boundaries. The single storey rear projection would project some 3m beyond No. 7 Appletree Garden's rear building line. This depth is considered not to be detrimental to No. 7's amenities given that generally an extension of 4 metres is acceptable when extending detached houses, as outlined in the Residential Guidelines SPD (2016).

No windows are proposed at first floor in the flank elevations and the position of windows within the dwelling would be commensurate with the relationship between neighbouring windows and to other properties. A significant distance of approximately 40 m between the rear building line of No.43 Park Road and the proposed building's front principal wall would remain and the distance of approximately 25m from the rear elevation of No.20 Fordham Road's rear elevation. As such the proposal would not cause harm to the amenities of the occupants of any neighbouring property.

v. Parking and highways

Highway officers have reviewed the proposal and raise no objection subject to conditions and informatives. It was noted however that Appletree Gardens is not part of the adopted highway, it is privately maintained and as such permission from the landowner to use Appletree Gardens as access to the site is required. This has been obtained. The Highway's Officer also commented that the proposed vehicular access to off-street car

parking bays should be maximum of 4.2m wide, which would be the case. The parking arrangement is the same as the previously approved application on the site. It would not result in the loss of parking to Appletree Gardens and would be independently accessible. As such parking provision is considered acceptable.

vi. Cycle Storage.

Cycle parking needs to be provided in accordance with the requirement of the London Plan cycle parking standards. For the proposed development, a minimum of 2x cycle parking spaces are required. The plans indicate that cycle storage would be provided in the front garden. Cycle parking should be provided in a secure, covered, lockable and enclosed compound. A timber covered cycle facility will be provide. A condition, has been attached to ensure it is provided and maintained.

vii. Refuse and recycling storage.

Refuse and recycling storage would be provided in the front garden. A condition has been attached to secure the location and the details of the storage to be provided to ensure compliance with relevant policies.

viii. Accessibility and Sustainability

The application scheme is required by Policies D6 of the London Plan 2021 to meet Building Regulation requirement M4(2). A condition has been attached to ensure compliance with these Policies in the event of an approval.

Further conditions are also recommended, subject to approval to ensure the integration of water saving and efficiency measures insofar as a maximum of 105 litres of water consumption per person per day to comply with Policy S1 5 of the London Plan (2021) and a reduction of CO2 emissions in accordance with the requirements of Policy SI 2 of the London Plan.

ix. Trees and biodiversity

The Trees and Landscaping Officer acknowledges that all the trees removed on site have been previously approved for removal under B/00953/14. As implementation of the previous permission has commenced, with the foundations now dug and concrete poured, the impact on the trees growing on the adjoining land is broadly acceptable.

The Trees and Landscaping Officer further comments that in accordance with local policy DM01 there should be a landscape plan that provides a high quality landscape around the development that seeks of offset the loss of trees for this development that builds on the landscape plan approved under the conditions application 17/0371/CON. As such a landscaping condition has been attached, subject to approval.

The Ecology Officer comments, because the 2014 approval is extant, the site was subject to lawful vegetation clearance, and as such the impact on ecology is considered acceptable. The differences in the scheme would have no material additional impact to ecology and protected species in and around the site to justify further survey or ecology effort to support this application. In light of the original application being effectively valid a retrospective Preliminary Ecological Appraisal (PEA) will not be required to support the current application under determination.

Had the original 2014 application lapsed then the application under consideration would have been subject to a request for a baseline ecological survey as effectively no lawful vegetation clearance would have been undertaken and thereby consideration would need to have been made regarding protected and notable species. Therefore, to ensure that the

development is in line with local planning policy DM16, Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan, and the principles outlined within the Environment Act 2021 (as amended) it is recommended that should the application under consideration be approved, conditions are imposed to ensure the current scheme provides improvements to the ecology and wildlife compared to the approved one.

5.4 Response to Public Consultation

o Overcrowding, noise and disturbance

Given the mixed character of the area including single family dwellings and flat developments, it is not considered that the addition of the proposed single family dwelling house would have an unacceptable impact on the amenity of neighbouring occupiers with regards to the noise and disturbance resulting from the proposed use.

o Parking issues, disruption due to new access creation.

Highways officers have reviewed the application and have raised no objection to the proposal on highways grounds.

o Impact of construction work causing damage, noise and dust

A pre-commencement condition will be attached to request the submission of a Construction and Management Plan. The condition must be discharged to ensure that the proposed development is implemented in accordance with measures detailed within the Construction Management Plan.

o Block light to no.45 Park Road, overlooking and privacy issues to the other neighbouring properties

This has been covered in the main body of the report. Furthermore, the previous application was found to have an acceptable impact on neighbour amenity, and this did not form a reason for refusal.

o Flood risk due to clay soil's existence and cutting down trees; Fast growing, tall trees should be reinstated to the fence where the car park area is located.

The application site is located within Flood Zone 1 and in an area with very low risk of surface water flooding. The tree officer has been consulted as part of the application. A set of conditions are proposed to ensure that the loss of trees is sufficiently mitigated through replanting.

o Light pollution

The proposed development is set sufficiently from neighbouring properties so as not to result in undue light pollution. A condition has been added regarding the submission of details of the proposed external lighting.

o Building works already started on site

The building works started on site relate to the previously approved scheme, approved by virtue of application ref. B/00953/14

o Strain on utilities and local services

The strain on service utilities, gas, electric, water and sewage fall outside of the scope of material planning considerations.

o Impact to the wildlife

The application ref. B/00953/14 has begun to be implemented and a scheme for

landscaping has been approved under application ref.17/0371/CON. The Council's Tree's Officer and Ecology and Sustainability Officers do not object to the current proposal subject to the imposition of conditions to ensure that the current scheme provides improvements to the ecology and wildlife compared to the approved one.

6. Equality and Diversity Issues

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

7. Conclusion

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

