

MEETING

CHIPPING BARNET AREA PLANNING COMMITTEE

DATE AND TIME

THURSDAY 9TH MARCH, 2017

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

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

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

Alison Cornelius
Tim Roberts

Laurie Williams
Reema Patel

Kathy Levine

Substitute Members

Andreas Ioannidis
David Longstaff
Brian Salinger

Philip Cohen
Caroline Stock

Paul Edwards
Pauline Coakley Webb

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

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

Andrew Charlwood – Head of Governance

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ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Minutes of last meeting	5 - 10
2.	Absence of Members (if any)	
3.	Declaration of Members' Disclosable Pecuniary interests and Non Pecuniary interests (if any)	
4.	Report of the Monitoring Officer (if any)	
5.	Addendum (if applicable)	
6.	Sir Thomas Lipton Memorial Hospital Osidge 151 Chase Side Southgate London N14 5HE (Brunswick Park Ward)	11 - 40
7.	Sir Thomas Lipton Memorial Hospital Osidge 151 Chase Side Southgate N14 5HE (Brunswick Park Ward)	41 - 52
8.	Unit 3 Pembroke Studios Pembroke Road London N10 2JE (Coppetts Ward)	53 - 62
9.	112C Park Road Barnet EN4 9QS (East Barnet)	63 - 76
10.	Any item(s) the Chairman decides are urgent	

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Decisions of the Chipping Barnet Area Planning Committee

9 February 2017

Members Present:-

AGENDA ITEM 1

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

Councillor Alison Cornelius
Councillor Tim Roberts

Councillor Laurie Williams
Councillor Kathy Levine

1. MINUTES OF LAST MEETING

RESOLVED that the minutes of the meeting held on 19 January 2017, be agreed as a correct record.

REVISED ORDER OF BUSINESS

The Chairman revised the running order, as reflected in these minutes.

2. ABSENCE OF MEMBERS (IF ANY)

Councillor Patel.

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

Councillor	Item	Nature of interest	Details
Alison Cornelius Wendy Prentice Stephen Sowerby Kathy Levine Laurie Williams Tim Roberts	Hayloft Cottage	Non-pecuniary	That they know Eileen Eskenzi, a speaker objecting to the planning application. Members will participate in the vote.
Alison Cornelius	49 Greenway	Non-pecuniary	That her Father used to live at 61 Greenway, which she may inherit.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

5. ADDENDUM (IF APPLICABLE)

Items contained within the addendum were considered under individual agenda items.

6. FAIRLAWN 11 CAPEL ROAD BARNET EN4 8JD (EAST BARNET)

The committee received the officer report and presentation which advised that a decision on this application was deferred at the last committee to enable distances between 11 Fairlawn and properties opposite to be measured.

Representations were heard from John Ireton and Janet Daley, and the applicant Mr Gabriele.

Following discussion, the Chairman invited Members to vote on the officer recommendation to approve the application.

The vote was unanimously against approval.

Members then moved to refuse the application, proposed by Councillor Williams and seconded by Councillor Roberts.

Reasons for refusal were as follows:-

1. The existing building, by reason of its siting in relation to the neighbouring properties would result in overlooking and a loss of privacy to the neighbouring properties at Nos. 1-7 Rosslyn Avenue, to the detriment of the amenities of the occupants. The proposal is contrary to Policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (October 2016).
2. The existing building, by reason of its siting forward of the building line at Rosslyn Avenue and on a prominent corner plot appears as an overbearing and visually obtrusive addition, to the detriment of the character and appearance of the street scene and wider locality. The proposal is contrary to Policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (October 2016).

Standard informatives to be added setting out the drawings forming the basis of the decision, and how the LPA has worked with the applicant.

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

The vote was unanimously in favour of refusal.

7. PHREDELLA HOUSE LODGE HYVER HILL LONDON NW7 4HU (UNDERHILL)

Officers presented the report and addendum to committee.

Verbal representations were received from Mrs Parry, who spoke on behalf of a group of neighbours objecting to the application. Andrew Scott, the applicant's agent, also spoke.

The Chairman invited the vote on the officer recommendation for approval.

RESOLVED that the application be approved as per the officer report, conditions and addendum.

The vote was unanimously in favour of approval.

8. 116 HOLDEN ROAD LONDON N12 7EA (TOTTERIDGE)

The Planning Officer presented the report and addendum.

The Chairman agreed to allow a letter of objection from Linette Goes to be read out on her behalf as she was not well enough to speak. Mark Maurizi, the applicant's agent, also spoke.

Following debate from Members, the Chairman called for the vote.

RESOLVED to approve permission as per the officer report and addendum.

The vote was unanimously in favour of approval.

9. HAYLOFT COTTAGE TOTTERIDGE GREEN LONDON N20 8PE (TOTTERIDGE)

Officers presented the report and addendum to committee who were updated on the additional conditions, planning history and consultation response.

Oral representations were received from Eileen Eskenzi and Adam Harris, and the agent for the applicant.

Following discussion the Chairman called for the vote to be taken.

Votes were as follows:

For (approval)	1
Against (approval)	4
Abstained	1

Councillor Alison Cornelius proposed a motion to refuse the application, seconded by Councillor Roberts.

Reason for refusal is:

1. The proposed development, by reason of its additional bulk, its unsympathetic roof line and rooflights, its increased height and its width would result in a cramped overdevelopment of the site which would fail to appear subservient to the adjoining locally listed property, Smithy House and would not preserve or enhance the character or appearance of this part of the Totteridge Conservation Area. The proposal would be contrary to Policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 and DM06 of the Development Management Policies DPD (adopted September 2012), the Totteridge Conservation Area Character Appraisal, and the Residential Design Guidance SPD (October 2016).

Standard informatives to be added setting out the drawings forming the basis of the decision, and how the LPA has worked with the applicant.

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

10. 54-66 SUTTON ROAD LONDON N10 1HG (COPPETTS)

Committee received the report, presentation and addendum.

Oral representations were received from Terry Kirby on behalf of himself and Richard Platt - neighbours to the application site. The applicant's agent, Nicholas Brill, also spoke.

The vote was taken was unanimously in favour of approval.

RESOLVED that the application be approved, as per the officer report and addendum.

11. 64 HASLEMERE AVENUE BARNET EN4 8EU (BRUNSWICK PARK)

The Planning Officer presented the report and addendum.

Representations were heard from Moira Maidment and Bertha Perello and the Applicant's agent Abi Purser also spoke.

Following discussion, the Chairman invited members to vote on the officer recommendation to approve the application.

RESOLVED to approve the application as per the officer report and addendum.

Votes were as follows:-

For (approval)	3
Against	3
Abstain	0

The Chairman used her casting vote in favour of approval. The vote was therefore carried for approval 4:3.

12. 49 GREENWAY LONDON N20 8ET (TOTTERIDGE)

The planning report and addendum was presented.

The Chairman invited discussion from members and called for the vote.

RESOLVED to approve the application as per the officer report and addendum.

Votes were as follows:-

For (approval)	4
Against	0
Abstain	2

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

None.

The meeting finished at 9.19 pm

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Location Sir Thomas Lipton Memorial Hospital Osidge 151 Chase Side Southgate
London N14 5HE

AGENDA ITEM 6

Reference: 16/7101/FUL

Received: 8th November 2016

Accepted: 16th November 2016

Ward: Brunswick Park

Expiry 15th February 2017

Applicant: Mr Andrew Gillick

Proposal: Demolition of 3 no. existing buildings and conversion of Osidge House to Class C3 residential use providing 16 no. self-contained flats. Erection of 3-storey apartment building to provide 8 no. self-contained flats. Erection of 3 no. 3-storey townhouses and 3 no. 2-storey mews houses. Provision of private and communal amenity space, refuse and cycle storage, off-street parking and associated hard and soft landscaping

Recommendation: Approve subject to s106

RECOMMENDATION I:

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;

3. Affordable Housing Review Mechanism

A contribution towards the cost of required changes to an existing traffic order or creation of a new order related to the development.

Monitoring of the Agreement £100.00

Contribution towards the Council's costs in monitoring the obligations of the agreement.

RECOMMENDATION II:

That upon completion of the agreement the Planning Performance and Business Development Manager approve the planning application under delegated powers subject to the following conditions:

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

001, 102 rev. B, 103 rev. B, 104 rev. B, 105 rev. B, 106 rev. B, 107 rev. A, 108, 109, 110 rev. A, 111 rev. A, 122, 123, 141, 142, 200, 201, 203, 204 rev. A, 500, 501, 600, 610 rev. B, 611 rev. A, 612 rev. A, 613 rev. A, 614, 615, 616, 617 and Door, Window and Fireplace Schedule 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 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 and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan.

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

c) The details to be provided shall include sample panels of all new facing brickwork showing the proposed brick types, colour, texture, face bond and pointing.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

5 Before the commencement of works, details of any proposed amendments to either or both accesses, or a statement to confirm that no such amendments are required, shall be submitted to and approved in writing by the Local Planning Authority.

Reason : To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety on the public highway and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

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

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

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

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

Reason: To enable archaeological investigation of the site in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD and Policy 7.8 of the London Plan 2015.

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

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

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

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

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 April 2013) and 7.21 of the London Plan 2015.

10 No development can proceed until an arboricultural method statement and tree protection plan has been submitted and approved. That will be strictly adhered to throughout all phases of development to ensure retained trees are not harmed. In accordance with recommendations within BS5837:2012 Trees in relation to design, demolition and construction.

Reason: To protect visual tree amenity in the local area in accordance with Policy DM01 of the Development Management DPD.

11 The development hereby approved shall not commence until a surface water drainage strategy for the site has been submitted to and approved in writing by the local planning authority. All planning applications relating to major development - developments of 10 dwellings or more; or equivalent non-residential or mixed development - must use Sustainable Drainage Systems (SUDS) for the management of surface water runoff, unless demonstrated to be inappropriate.

Reason: To ensure that the development manages surface water in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, and changes to SuDS planning policy in force as of 6 April 2015 (including the Written Ministerial Statement of 18 December 2014, Planning Practice Guidance and the Non-statutory Technical Standards for Sustainable Drainage Systems).

12 a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority. The report shall include an assessment of construction dust impacts. 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 3.2, 5.3 and 7.14 of the London Plan 2011.

13 a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the biomass or CHP Plant shall be submitted to and approved in writing by the Local Planning Authority, or a written statement provided that sets out what alternative boiler provision would be made. The emissions for boilers shall not exceed the standards listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document 2014.

a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for the biomass or CHP Plant shall be submitted to and approved in writing by the Local Planning Authority, or a written statement provided that sets out what alternative boiler provision would be made. The emissions for boilers shall not exceed the standards listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document 2014. The report 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. It 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. Details of the plant and evidence to demonstrate compliance with the GLA's emissions standards will be required.

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.

d) Any other boiler type(s) (other than biomass or CHP) shall have dry NO_x emissions not exceeding 40 mg/kWh (0%), with details be submitted to and approved in writing by the Local Planning Authority prior to their installaiotn.

Reason: To ensure that the amenities of neighbouring premises are protected from poor air quality arising from the development in accordance with the Sustainable Design and Construction SPD (adopted April 2013). To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality.

14 Part 1

Before development commences other than for investigative work:

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

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

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

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

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

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF

of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

15 a) No development other than demolition works shall take place until details of all extraction and ventilation equipment to be installed as part of the development, including a technical report have been submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed using anti-vibration mounts. 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 development shall be implemented in accordance with details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

16 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 2013) and 7.15 of the London Plan 2015.

17 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 2013) and Policy 7.15 of the London Plan 2015.

18 Prior to the first occupation of Buildings 2, 3 and 4 they shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 20% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

19 a) No development other than demolition works shall take place until details of the appearance, materials and opening mechanism for electronically controlled access gates and appearance and materials for boundary treatment have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

20 a) No construction works on buildings 3 and 4 and the approved carports shall take place until details of the proposed green roofs for Buildings 3 and 4 and the approved carports have been submitted to and approved in writing by the Local Planning Authority.

b) The green roofs shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

c) No area shown on the approved plans as green roofs for Buildings 3 and 4 shall be used as balconies or roof terraces.

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

21 a) No external lighting shall be installed and used until details of the appearance and luminance of the proposed lighting has been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

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

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

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

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

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

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

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

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

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

Reasons: In the interests of good air quality with regard to London Plan policies 5.3 and 7.14

26 The building shall not be occupied until parking spaces have been laid out within the site in accordance with the approved plans (drawing no. proposed site layout 002) and shall not be used for any other purpose other than the parking of vehicles in connection with the approved development.

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

27 The disabled parking space shall be provided and clearly marked with a British Standard disabled symbol where appropriate and permanently retained for the use of disabled persons and their vehicles and for no other purpose.

Reason: To ensure and promote easier access for disabled persons to the approved building 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.

28 Before the development hereby permitted is occupied 20% active and 20% passive parking spaces shall be installed with electric vehicle charging points. Such spaces shall be permanently retained and maintained thereafter.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan.

30 Before the development hereby permitted is occupied, the cycle store and spaces shall be provided in accordance with London Plan cycle parking standards and the details on the approved drawings, and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason : To ensure and promote easier access for disabled persons to the approved building 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 which in turn refers to London Plan Parking Standards.

31 The level of noise emitted from plant and machinery used in the construction shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2016.

Informative(s):

1

2 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

3 Any details submitted in respect of the Demolition Construction and Traffic Management Plan (DCMP) above shall control the hours, routes taken by delivery and construction vehicles, delivery arrangements, means of access and security procedures for construction traffic to and from the site and for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a

community liaison contact and precautions to minimise damage to trees on or adjacent to the site.

The DCMP will take into account locations of any schools in the proximity of the proposed development that may be affected by the proposed development and the applicant shall ensure that construction related traffic and or deliveries shall be avoided during the school drop off and pickup times. The applicant may need to liaise with the affected school to ensure that measures are in place to ensure pedestrian safety.

- 4 Refuse collection points should be located within 10 metres of the Public Highway; otherwise, unobstructed and suitable access needs to be provided to the refuse vehicle on the day of the collection. The development access needs to be designed and constructed to allow refuse vehicles to access the site and turn within the within the development site. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.
- 5 The applicant is advised that in case if any modifications are proposed to the existing access off the public highway then it will be subject to a detailed investigation by the Crossover Team in Development and Regulatory Services. This may result in alterations to the existing on-street controlled parking bays. Any alterations to on-street parking bays will be subject to a statutory consultation period. The Council cannot prejudge the outcome of the consultation process. Any modification works including relocation of any existing street furniture would need to be done by the Highway Authority at the applicant's expense. You may obtain advice and an estimate for this and any associated work on public highway from the Crossover Team in Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 6 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
 - 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
 - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
 - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
 - 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
 - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
 - 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.
- 7 The applicant is advised 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 30dB(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.

- 8 The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet and further 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, (May 2015);
 - 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) London Local Air Quality Management Technical Guidance LLAQM.TG(16)
 - 6) Mayor of London's Supplementary Planning Guidance for Sustainable Design and Construction (2014) and
 - 7) Section 6.2 of the Technical Guidance Note D1 (Dispersion) 'Guidelines on Discharge Stack Heights for Polluting Emissions'.
- 9 The development should discharge surface water runoff as high up the discharge hierarchy as possible. Where it is not possible to achieve the first hierarchy, discharge through the ground, applicants must demonstrate in sequence why the subsequent discharge destination was selected. Proposals to dispose of surface water into a sewer, highway drain, surface water body or another drainage system must be accompanied by evidence of the system having spare capacity downstream and acceptance of the surface water by the appropriate authority(ies). The surface water drainage strategy shall use SuDS to manage peak surface water runoff rates in accordance with S2 and S3 of the Non-statutory Technical Standards for Sustainable Drainage Systems.
- 10 Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

Officer's Assessment

1. Site Description

The application site comprises the Grade II listed building known as 'Osidge' - the former Sir Thomas Lipton Memorial Hospital - and two other residential buildings, set within a woodland garden site that is approximately 2 ha in area. Most of the approximately 250 trees within the area are protected. The other residential buildings are known as The Bungalow and Shamrock House. The main access site is from Chase Side via wrought iron gates between brick pillars, and there is a secondary access from Oakdale. Apart from these road frontages, the site boundaries are formed by residential properties on Chase Side, to the north-east, Osidge Lane (north-west), and Manor Drive (south-west).

The original parts of 'Osidge' consist of the central three storey element of the house, and were constructed around 1800. To either side of this are two storey wings that date from Victorian times. The whole building is of historic interest, with the older elements being of greater significance

The property is also of interest as the former home of Sir Thomas Lipton, who bequeathed it for the purposes of establishing a nurses' hostel. The grounds while still spacious are understood to have been considerably larger originally, having been subdivided down to provide funding at various times for the hospital.

The Bungalow is on the site of former stables that are likely to have been built in association with the original dwelling. However it was converted into a small dwelling in the 1930s, and much of the internal work dates from this time. An older brick garden wall links The Bungalow with 'Osidge', and along with similar brick walls along the boundary adjacent to the site entrance, will be retained in any redevelopment.

Shamrock House was built as accommodation for nurses during the 1960s. It is a typical of any two-storey terraces of houses of the era, and is not considered to be of any historic interest.

There is also a fourth building on the site, albeit non-habitable. This is known as the Ice House, and is a utilitarian structure thought to be of twentieth century origin, which replaces an older structure in the same location.

2. Site History

Reference: N00637Z/07/TRE_B

Decision: Exempt

Decision Date: 19 April 2007

Description: 3 x Oak - Remove Deadwood Only. T29, T24 and T27 of Tree Preservation Order

Reference: N00637AB/08

Decision: Approved subject to conditions

Decision Date: 14 May 2008

Description: Rebuild steps leading to rear garden. Retention of alterations to door to flat at first floor rear. (LISTED BUILDING CONSENT)

Reference: B/01032/09

Decision: Approved subject to conditions

Decision Date: 11 June 2009

Description: Repairs to external cracks on side elevation.

Reference: 16/2650/ESR

Decision: Environmental Statement not Required

Decision Date: 7 June 2016

Description: Environmental Impact Assessment - Screening Opinion

Reference: 16/4514/FUL

Decision: Withdrawn

Decision Date: 15 November 2016

Description: Demolition of 3 no existing buildings and conversion of Osidge House to C3 class residential use providing 13 no. self-contained flats. Erection of 3 storey apartment building with basement level to provide 19 no self-contained flats and basement parking. Erection of 4 no. two storey Townhouses and 7 no. three storey townhouses. Provision of private and communal amenity space, refuse and cycle storage, off-street parking and associated hard and soft landscaping

Reference: 16/7102/LBC

Decision: Pending Consideration

Decision Date: No Decision Made.

Description: Demolition of 3 no. existing buildings and conversion of Osidge House to Class C3 residential use providing 16 no. self-contained flats. Erection of 3-storey apartment building to provide 8 no. self-contained flats. Erection of 3 no. 3-storey townhouses and 3 no. 2-storey mews houses. Provision of private and communal amenity space, refuse and cycle storage, off-street parking and associated hard and soft landscaping.

3. Proposal

There are four key elements in this application, as follows:

Building 1:

This is the conversion of the listed "Osidge "to provide 16 flats (11 no. one-bedroom and 5 no. two-bedroom).

The full schedule of accommodation is as follows:

Basement / "lower ground" level: 3 no. 1-bedroom and 2 no. 2-bedroom (including one flat that is essentially a duplex in that it has a ground floor living room in addition to the main accommodation which is at basement level).

Ground floor: 2 no. 1-bedroom and 2 no. 2-bedroom (plus the living room for the duplex apartment referred to above).

First floor: 4 no. 1-bedroom and 1 no. 2-bedroom.

Second floor: 1 no. 1-bedroom and 1 no. 2-bedroom.

Building 2:

Demolition of The Bungalow and its replacement with a terrace of 3 no. two-bedroom, two-story houses - referred to in this report as Building 2. Its design is intended to allude to 'Osidge' (Building 1), with brick walls and slate roof to match the exterior materials in the listed building. Each house would have car parking at the front and a small garden at the rear.

Building 3:

Demolition of Shamrock House and its replacement with Building 3. This would comprise three duplex apartments to either side of a small common core serving two second floor apartments. The duplex apartments at ground and first floor levels would consist of 3 no. 2-bedroom and 3 no. 3-bedroom and the second floor flats would both have two bedrooms. The duplex apartments would each have its own small garden with first floor balconies overlooking them, with the two second floor apartments would be within a mansard roof that is accessed from the common core. The mansard would be set back from the northern building line, which approximately coincides with the existing front building line at Shamrock House, resulting in an area of flat roof which would be finished as a green roof and would not be used as a balcony or terrace, so that overlooking of properties to the north would be avoided. However they would have access to the equivalent area of flat roof over the duplex apartments on the south side of the building, providing outdoor balcony space on this side of this pair of apartments. Unifying materials to match those at Osidge are proposed, including yellow stock brick, gauged arches, slate roof and sliding sash windows.

Building 4:

This would be an additional terrace three no. 4-bedroom three-storey houses, including second floor accommodation within a set-back mansard roof to be located towards the western side of the property and to the south of the existing Shamrock House and the proposed Building 4. This is designed on a general form with the same stepped back mansard roof as described above for Building 3; there would also be no access to the flat roof from first floor level in order to prevent overlooking of adjacent residential properties.

Car parking and a communal refuse and recycling would be provided for Buildings 3 and 4 towards the northern boundary of the site, adjacent to Building 3, with car parking to be in provided as covered car ports.

4. Public Consultation

Consultation letters were sent to 284 neighbouring properties.

52 representations have been received, including 50 objections, a petition with 36 residents' signatures, and two letters of support.

The objections and petition raise the following issues:

Character of area

Any further increase over the current height of The Bungalow in this part of the site will result in a loss of the accepted character of Oakdale.

Loss of the existing buildings.

Impacts on views of the Sir Lipton grounds.

Block 3 is out of character with the adjacent buildings and traditional landscape of the neighbourhood.

Ideally, no new building should be erected on this historic site. However if this is not possible, Blocks 3 and 4 buildings, access roads and parking bays should be further back from the site's western boundary.

The architectural style still clashes with nearby buildings surrounding the development site.
Amenity impacts on neighbours

Overbearing development.

Blocks 3 and 4 while improved on the previous proposal will still result in a loss of privacy to the immediately adjacent residents.

Blocks 3 and 4 are too close to the Osidge Lane garden boundary. Overlooking gardens of properties at Osidge Lane will infringe the privacy of neighbours.

The assertion that there will be no impact on the amenity of the neighbouring buildings insofar as views, sun and day-lighting are concerned has not been tested.

Block 4 siting is inconsiderate to neighbouring residents and should be redesigned and located at an angle that does not face neighbours properties

Increase in noise and traffic, including refuse lorry noise in the early hours of the morning.

Parking adjacent to the boundary would also impact on the privacy to the immediately adjacent residents.

The representation of the proposed scheme is graphically ambiguous and misleading. The three-storey proposal for Block 3 will still remain taller than many of the existing houses and taller than what currently exists.

The proposal will result in disturbance of residential amenities, including enjoyment of rear gardens.

Construction impacts.

Light pollution.

Noise, debris and disruption during construction will impose on the quiet living area of the neighbourhood.

Height of the proposed building will block natural light into neighbouring properties at Chase Side.

Traffic and car parking

The adjacent roads are heavily parked on by many non-residents who take the train, causing problems for residents on these roads.

Insufficient parking for residents and visitors.

Concerns that the site will become a short cut through for traffic from Chase Side to Oakdale or vice versa.

Drainage and surface water flood risk

A single infiltration basin for on-site drainage would have an adverse effect on properties on Manor Drive and result in a high risk that flood soaking may cause subsidence in these properties.

Security and boundary treatment

The proposal compromises the security of neighbours.

Boundary treatment around the site has not been stated in the planning application. Fences of the neighbouring properties at the boundary should be improved as part of the proposed development.

Currently there is no fencing on the site's own western boundary as the current fences are those of the individual houses along Osidge Lane. The erection of its own fencing may help to improve the security for the residents of the area.

An electronic gated entrance / exit may also help to improve security to the whole area.

Impacts on wildlife

Wildlife such as bats, owls, squirrels, magpies, woodpeckers and wood pigeons are amongst the many animals that occupy the natural habitat that would be wiped off totally if development is allowed.

Other issues:

The development will cause a devaluation of the land in this area given its current low-rise and low-density residential area.

Archaeology at the site will be disturbed.

Concern that allowing the proposal to proceed at the current low plot density sets a bad precedent for this neighbourhood.

The increase in the number of dwellings as part of the proposal will vastly increase the residential density

The change of use of the existing building from a care provision to a profitable residential scheme conflicts the fundamental intent and philanthropic roots of the Thomas Lipton Care home, given the shortage and urgent need of care homes in the UK.

Good landscape of new growth of appropriate size trees, shrubs and evergreen plants / hedges will also help to provide some screening against the new intrusive development.

Block 4 is unnecessary and has just been added to the site in order to maximise development opportunities and should be omitted.

The letters of support made the following comments:

This appears to be a reasonable development, broadly in sympathy with its surroundings and a substantial improvement on the previous proposal. It is a pity that Blocks 3 and 4 are so close to the boundary with the Osidge Lane gardens, but understand the need to avoid disturbance to existing trees.

These issues are considered in sections 5.3 of this 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 National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital for the next 20 to 25 years. It forms part of the development plan for Greater London and is recognised in the NPPF as such.

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, CS3, CS4, CS5, CS9, CS13, CS14, CS15.

- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM07, DM08, DM10, DM16, DM17.

The Council's approach to development as set out in Policy DM01 is to minimise impacts 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. Policy DM06 seeks to protect all heritage assets in line with their significance. Development proposals involving listed buildings must preserve or enhance the historic and architectural interest of the building(s).

Supplementary Planning Documents

Mayor of London's Housing SPG

- This sets out a range of Standards for residential development in London.

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to assist in the design of new residential development. 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.
- In respect of amenity, new residential buildings 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.

Affordable Housing SPD (adopted 2009)

- Sets out the requirements for affordable housing and how this is intended to be delivered in Barnet.

Other relevant planning documents

London Borough of Barnet Characterisation Study (2011)

- This provides a valuable analysis of urban and suburban typologies with detailed descriptions of the main residential types within the Borough.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the proposed dwelling density and change from existing use represents an acceptable use of the land.

- harm would be caused to the character and appearance of the listed building and its surroundings, and whether the additional buildings proposed would provide an appropriate setting for the listed building.
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether harm would be caused to protected trees at the site.
- Whether the living conditions of future occupiers would be acceptable.
- Whether the proposal is acceptable in terms of impacts on the highway network and sustainable transport.
- Whether the proposals would have an acceptable impacts in terms of sustainability and environmental issues.
- The provision of affordable housing
- The provision of local infrastructure.

5.3 Assessment of proposals

Density

The site (2 hectares) is located in an suburban area and is located in an area of PTAL rating 2 and 3. The London Plan advises that development should be at 35-95 units/hectare. With 30 units proposed, density would be only 15 units per hectare. However, the site has very significant constraints on the provision of a higher density residential development, in that the main building is listed and any development within the curtilage needs to provide an appropriate setting for this heritage asset. In addition, there are many protected trees within the site. For these reasons, the advice on target densities contained with the London Plan is not considered to be appropriate at this site. However, 30 units in total at a density of 15 units / hectare would be acceptable within this heritage setting.

It should be noted that the listed building is not considered to be suitable for the provision of sheltered accommodation to current standards, and an alternative residential use is considered to be an appropriate re-use of the site.

Character and appearance of the site, including the listed building and its setting

As described above, the key existing building at the site is the Grade 2 listed building, 'Osidge', as described above. The proposal would ensure the retention of this building and the preservation of its key features. External interventions would be minimal and in keeping with the historic interest, character and appearance of the building. Both the external and interior alterations proposed are considered in the accompanying listed building application, ref. 16/7102/LBC.

Building 2 would be a two-storied terrace in Georgian style. With a separation from 'Osidge' of just 17m it would form part of this listed building's immediate setting, making matters of scale and design of particular importance. It would be subservient in scale and its design is sympathetic to the listed building, and there are therefore no objections to this part of the proposal in terms of its design. The key historic feature to be incorporated into the immediate surroundings of Building 1 is an old garden wall that partially links the building with 'Osidge'. This extends across the rear of the site of one of the three houses within Building 1. This historic wall will be retained in its entirety apart from two openings at one end which would allow views from the house across the site.

With regard to the proposed height for Building 2, while this would be sited in proximity to the listed building the scale of development on Oakdale is largely suburban, and this is identified as such in the Council's London Borough of Barnet Characterisation Study

document. The building height is not atypical of those at Oakdale. In regard to its setting in the curtilage of the listed building, the Council's Conservation officer has not objected to this element of the proposals or to the scale and design of the other new buildings proposed.

The existing Shamrock House dates from the 1960s, and is not considered to be of any design merit or significant historic significance. It is 50m distant from 'Osidge' and well screened from it by protected trees which would be retained as part of the proposals. As with The Bungalow, there is no objection to the demolition of Shamrock House. The replacement in this part of the site, Building 3, would be approximately 2.5m narrower than Shamrock House, with its front elevation would be located in a similar position to that of the existing building. It would however be considerably deeper, and being three-stories in height would be relatively bulky as compared to Shamrock House. The mansard roof would be approximately 2m higher than the existing building, while the height of the front parapet wall would also be approximately 2m higher than the existing eaves line. However, the set-back of the mansard roof from the front (northern) building line would be sufficient to ensure that the impression of bulk as viewed from the north (properties in Chase Side) would not be significantly greater than currently exists in this part of the site. In views from the west (properties in Osidge Lane) the additional bulk would be more apparent. However, with the mansard roof also set in from this side of the building, and an overall high quality design for this building, it is considered that this part of the development would not result in any detrimental impacts on the quality of the area. The design is also considered to be complimentary to the listed building. Overall, there is no objection to this building on grounds of design and character.

Building 4 would be in a similar classical style to that of Building 3, although smaller overall. The aspect of this building would result in the rear of the townhouses facing the rear of properties at Osidge Lane. This proposal would result in a new building in an area which is currently undeveloped. However, its setting would be amongst the established tree cover at the property, and as with the other new buildings its siting has taken into account the need to preserve and retain this setting. As such, the impacts on the character of the site while visual are considered acceptable in the context of its suburban setting, and no objection is therefore raised in terms of the impacts on the character of the area.

As already noted in this report, other structures forming part of the proposals are car ports adjacent to the northern boundary of the site opposite Building 3, and refuse, recycling and bicycle stores. All of these would be low structures, timber built and in the case of the car ports, would be finished with green roofs. This will make the structures unobtrusive as viewed from the north (properties at Chase Side). Refuse and recycling and bicycle stores are located in unobtrusive locations and are similarly considered to be acceptable.

The overall impacts of the proposal are considered to be sympathetic in design terms to the site and its surroundings, and will provide an appropriate setting for development within the curtilage of the listed building at the site.

A landscape strategy has also been submitted. A condition is recommended to ensure that new planting include an appropriate mix of semi-mature new trees along with shrubs, hedges and other planting to assist in providing an appropriate setting for the development.

A number of issues raised during the course of assessing the application have been addressed in amended drawings. These include mainly internal changes to the listed 'Osidge' and mainly external changes for Buildings 3 and 4. The changes have included modifying and reducing the eastern end of Building 3 to ensure that adjacent listed trees would not be compromised, reducing the extent of a second floor level terrace on the same building to avoid overlooking from the terrace towards 7 Osidge Lane and adjacent properties, and moving Building 4 further from the adjoining residential boundary at 17 Osidge Lane by approximately 1 metre and reducing its depth by a corresponding amount. The amended plans have not compromised any objector or interested party and in some cases represent improvements for the neighbouring residents.

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

There would be no overlooking or other potential impacts on the living conditions of neighbouring residents from Buildings 1 ('Osidge') or 2, and any potential impacts would result almost entirely from the either or both of the new Buildings 3 and 4. These potential impacts are examined here:

The front of the proposed Building 3 would be in the same location as the front wall of the existing Shamrock House, giving a separation of 15m from the common boundaries with 169 - 175 Chase Side (odd number range). Distances between rear facing first floor windows at the same properties would be 40m. Second floor windows would be set in approximately 4m further, giving separation distances from the boundaries and rear-facing windows at Chase Side of 19m and 44m respectively.

The closest part of Building 3's flank wall, the south-eastern corner, would be set 5m from the boundary with the closest property at Osidge Lane, number 7, while the distance to rear facing first and second floor windows at that and neighbouring properties would be 30m. The potential impacts from overlooking of the second floor balcony towards this and adjacent properties has been mitigated by pulling back the balcony from the line of the flank wall by approximately 3.5m, eliminating most overlooking of the closest garden.

Building 4 would face 13, 15 and 17 Osidge Lane. The building is slightly off-set from the boundaries, so that the south-western corner of the building would be the closest and the north-western corner set further away. Minimum separation from the closest boundary, which would be to 17 Osidge Lane, would be 10.5m from the south-western corner of the building. This is the minimum depth for gardens as set out in the Council's Residential Design Guidance SPD; as the distances increase over the width of the building and second floor dormer windows would be set a further 3m in from the boundaries to give separations of at least 14m from the boundary. Distances between rear facing first windows at the same properties would be a minimum of 33m, and 36m from second floor windows. There would also be Juliette balconies at first floor level. Given the separation between the adjacent properties, and notwithstanding objections on this point, it is not considered that any significant impacts on privacy would result. In addition, boundary planting would increase the sense of enclosure for both the proposed properties and those existing at Osidge Lane.

Properties on Chase Side would be sheltered by the car ports from any perceived impacts from traffic that could result from parking and additional vehicle movements adjacent to the shared boundaries with these properties.

Overall the size of the proposed buildings 3 and 4 would result in largely visual impacts when viewed from the rear of adjacent properties at Chase Side and Osidge Lane. This

will result in changes for residents, the siting of the new buildings is heavily constrained by their relationships with the listed building and protected trees. However given the distances maintained for the neighbouring properties it is considered that the proposal would provide an acceptable relationship with these properties. The impacts are considered to be acceptable within this suburban environment, and no objections are raised on these points.

One objection states that the representation of the proposed scheme is graphically ambiguous and misleading, with the three-storey proposal for Block 3 taller than many of the existing houses and taller than what currently exists. The height of the existing building has now been provided on the elevation drawings of Block 3, to allow a proper comparison. While the building would be both higher and deeper than the existing Shamrock House, the set-back of the roof from the front and side elevations would considerably diminish the impression of bulk.

External lighting can also be controlled by a condition requiring details of lighting design and luminescence to be submitted and approved before construction commences.

A lighting study has been submitted which relates mainly to lighting levels within the development. This also considers impacts on properties to the north at Chase Side and to the west on Osidge Lane, and concludes that there would be no impact on light to these properties.

A number of neighbours have commented that the proposal would compromise the security of neighbouring properties. Details of boundary treatment and electronic gate access details would be required by a condition if permission is granted.

Overall the impacts of the proposal on neighbouring properties would be largely visual, resulting from the replacement of Shamrock House with a larger Building 3 siting and from the siting of the new properties at Building 4 on what is currently garden land. While this will result in changes for residents, the impacts are considered to be acceptable within this suburban environment, and no objections are raised on these points.

Whether harm would be caused to protected trees at the site.

A number of issues with impacts on protected trees in the application as originally submitted have been overcome in the proposals as amended, and the submitted Landscaping Strategy will provide for additional planting that is complementary to the site's historic interest. The proposal will result in the loss of only one significant tree at the site. The Council's Tree Officer has not objected to the amended proposals being considered, but has requested a number of conditions in any planning permission that is granted.

Whether the living conditions of future occupiers would be acceptable.

Floor areas for all units would exceed London Plan and SPD minimum space standards in terms of the provision of internal space and exterior amenity space. The new build units and houses have either a private garden or balcony, and all units would have access to the communal amenity space at the development. However, the quality of space provision within the basement / "lower ground" units proposed within the listed building is variable due to their differing outlooks and access to natural light levels. The rear facing flats within the older part of the building at this level would have good outlook over the expansive rear

lawn at the property, as the result of the lowering of a rear wall across the rear of the building. This results in excellent views for these units that would be framed by two very large Lebanese cedars which are one of the site's notable features. However, flats on the north side of the ground floor have some exterior windows serving habitable room windows only to small lightwells. Some of these rooms on this side fail to meet the minimum target light levels as recommended by the Building Research Establishment's *Site layout planning for daylight and sunlight: a guide to good practice*, although for each flat a room that does not reach the BRE standard there is at least one habitable room that does. During the course of formulating the proposals for this building, beginning from the withdrawn application in 2016, alternative layouts including incorporating the basement level rooms into duplex units to include ground floor rooms was investigated. While this has been proposed for one flat in this application, in other cases it was considered that the interventions and loss of original building fabric in the listed building would have outweighed the gains in living conditions which would have resulted. The generous levels of communal outdoor amenity space available to future residents also helps to balance the overall levels of amenities for these otherwise less than ideal flats. For these reasons, the provision of some flats with otherwise less than ideal internal spaces is considered in this case to be an acceptable compromise that will allow the whole building to be provided as residential accommodation that will assist in securing the building's long term viability and preservation.

Standard 11 in the Mayor's Housing SPG requires that 90 per cent of new build housing should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings' with the remaining 10 per cent meeting Building Regulation requirement M4(3) 'wheelchair user dwellings'. For the listed building component of this application, paragraph 2.3.10 of the Housing SPG is applicable; this acknowledges that "...in certain specific cases, the provision of a lift where necessary to achieve this aim, may cause practical difficulties, make developments unviable and/or have significant implications for the affordability of service charges for intended residents". It is considered that these criteria apply for the listed building, but for the new build houses and flats it is considered that this Standard should be met.

Standard 13 requires that any access core serving 4 or more dwellings should provide an access control system with entry phones in all dwellings linked to a main front door with electronic lock release. This should be provided separately for Buildings 1 and 3 within the development for by way of a suitably worded condition.

Whether the proposal is acceptable in terms of impacts on the highway network and sustainable transport.

The Highways Officer has raised no objections on highways or parking issues, commenting that the 35 spaces proposed at the site are sufficient and in accordance with the standards in the Development Management Policies DPD, Policy DM17. A number of conditions have been requested including the further details of any changes to the accesses the provision of disabled spaces, electric car charging points and cycle storage, and for car parking spaces to be laid out prior to occupation.

Whether the proposals would have an acceptable impacts in terms of sustainability and environmental issues.

A Sustainability Statement has been submitted as part of the application, which sets out general measures that would provide a greater level of environmental performance than required under current building regulations. In the event that permission is granted,

condition 6 as set out in the recommendation would require further details of these measures to be provided, and would then secure the approved provisions.

The Council as Lead Local Flood authority have commented on site drainage and surface water flood risk. Further information would be required before development can be commenced, and the ability of the soils at the site to provide for satisfactory on-site drainage for the new buildings would have to be properly demonstrated.

Impacts on wildlife

An ecological survey was submitted with the application, which sets out a number of recommendations including provision of a further bat survey, which was also carried out and submitted. Other recommendations are made in regard to construction management, lighting and the creation of new habitat. A condition requiring an ecology strategy to be submitted and approved would provide this. While a number of objections raise issues about impacts on wildlife, it is considered that this would ensure that the development is carried out in a way that would ensure that no significant adverse impacts on wildlife would result.

The provision of affordable housing

London Plan Policy 3.12 requires the maximum reasonable amount of affordable housing to be sought when negotiating on individual private residential and mixed use schemes. It suggests that negotiations on sites should take account of their individual circumstances including development viability. This approach is reflected in Policy CS4 of the Core Strategy and policy DM10 of the Development Management Policies DPD. The Policy sets a target of 40% affordable housing on sites of 10 units of more or covering 0.4 hectares or more.

The application includes a detailed viability assessment which makes a case that the development would not be viable with the provision of affordable housing, either on site or by way of a financial contribution towards affordable housing at another site. The applicant's viability assessment has been independently reviewed on behalf of the Council by BNP Paribas, and the result of this review is that the scheme has been found not able to yield the usual minimum target profit level required to obtain developer finance. The BNP Paribas review recommends that a clause should be included in a section 106 agreement, to ensure that if profitability of the scheme is sufficiently improved on the level projected in the viability assessment that an appropriate contribution towards off-site housing is secured.

The provision of local infrastructure

The proposal is liable to both the London Borough of Barnet and the Mayoral Community Infrastructure Levies (CIL), based on the area of the new buildings. The proposals are expected to provide a LB Barnet CIL contribution of £126495.00 and Mayor's CIL of contribution £32795.00.

Other issues:

Any archaeology on the site would be secured by a condition recommending an archaeological evaluation to be carried out before the commencement of development at the relevant part of the site.

5.4 Responses to Consultation

Most of the issues referred to in neighbour letters are addressed in the discussion above in section 5.3.

Objectors also state that the development will cause a devaluation of the land in this area given its current low-rise and low-density residential area. Impacts on property values are not a material consideration in the assessment of planning proposals.

Consultation response has been received from Historic England, London Borough of Enfield, Highways, Environmental Health, the Tree Officer, and the Lead Local Flood Authority. Historic England and London Borough of Enfield were consulted, and both have written to say that they have no consultation comments to make on this application.

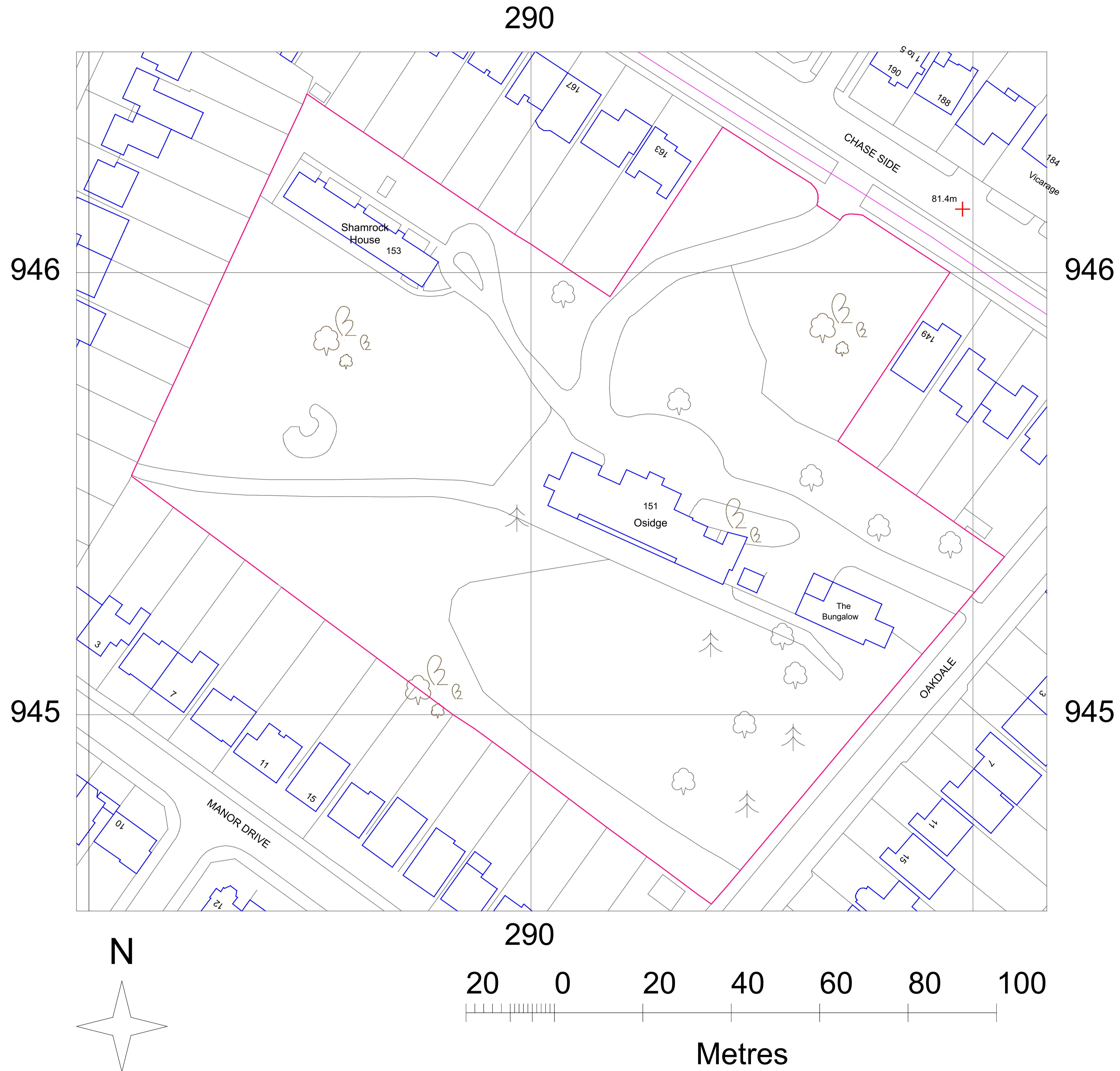
Noise, debris and disruption during construction including dust can be controlled by conditions requested by Highways and Environmental Protection Officers and these are recommended in this report. They include requirements for details of a construction management plan and dust controls to be submitted and approved by the Council prior to the commencement of works at the site. The issues discussed in responses from the other consultees are also considered within the discussion above in 5.3 of this report.

6. Equality and Diversity Issues

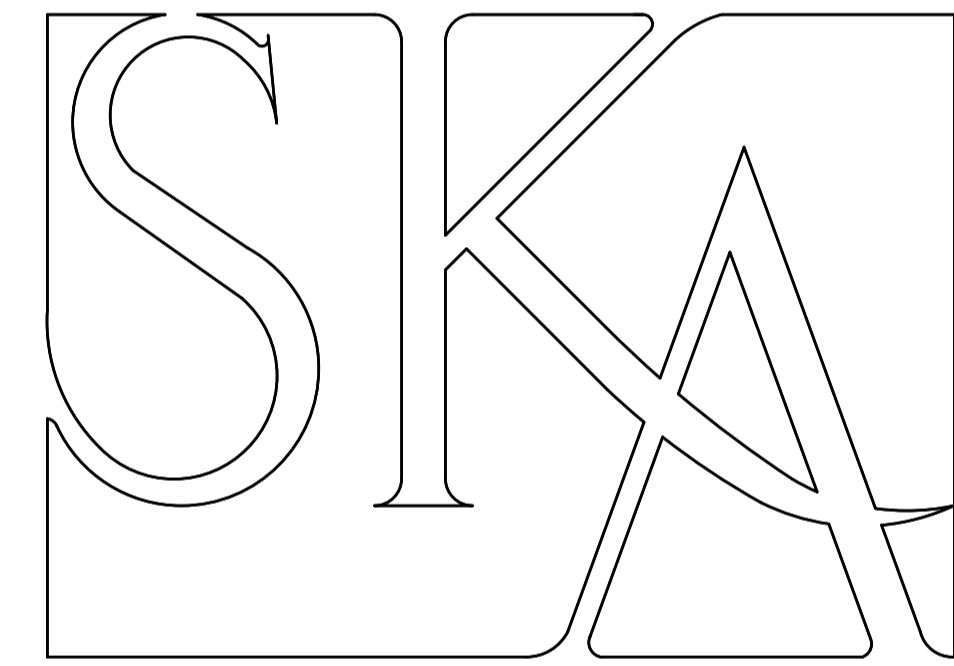
The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

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 Grade II listed building and its surroundings. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers that cannot be overcome by conditions. This application is therefore recommended for approval, subject to conditions and the completion of a section 106 planning obligation.



LOCATION PLAN



SHAUN KNIGHT ARCHITECTURE

40 FALCON ROAD, HAMPTON TW12 2RA
07824 815 258M
0208 979 4949T
E:skarchitecture@hotmail.co.uk
W:shaunknightarchitecture.com

PROJECT:
SIR THOMAS LIPTON MEMORIAL CARE HOME
TITLE :
SITE LOCATION PLAN

Date: SEPTEMBER 2016
Scale: 1:500 at A1 Drawn: SDK

DRAWING NUMBER: 001

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Location Sir Thomas Lipton Memorial Hospital Osidge 151 Chase Side Southgate
N14 5HE

Reference: 16/7102/LBC Received: 8th November 2016
Accepted: 16th November 2016

Ward: Brunswick Park Expiry 11th January 2017

Applicant: Mr Andrew Gillick

AGENDA ITEM 7

Proposal: Demolition of 3 no. existing buildings and conversion of Osidge House to Class C3 residential use providing 16 no. self-contained flats. Erection of 3-storey apartment building to provide 8 no. self-contained flats. Erection of 3 no. 3-storey townhouses and 3 no. 2-storey mews houses. Provision of private and communal amenity space, refuse and cycle storage, off-street parking and associated hard and soft landscaping.

Recommendation: Approve subject to conditions

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

001, 102 rev. B, 103 rev. B, 104 rev. B, 105 rev. B, 106 rev. B, 107 rev. A, 108, 109, 110 rev. A, 111 rev. A, 122, 123, 141, 142, 200, 201, 203, 204 rev. A, 500, 501, 600, 610 rev. B, 611 rev. A, 612 rev. A, 613 rev. A, 614, 615, 616, 617 and Door, Window and Fireplace Schedule 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 work must be begun not later than three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 3 a) No development including any demolition works shall take place until details of the materials to be used for all internal and external works, including detailed drawings of windows and doors at 1:10 scale, and details of hard surfaced areas adjacent to the building have been submitted to and approved in writing by the Local Planning Authority.
b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: In order to safeguard the special architectural or historic interest of the Listed Building in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012) and CS NPPF of the Local Plan Core Strategy (adopted September 2012).

- 4 Prior to the commencement of the development, a Method Statement shall be submitted to and approved by the Local Planning Authority to demonstrate how the retained elements of interest (as identified in the gazetteer and shown on the approved plans) are to be protected against accidental damage during the building work and no such elements may be disturbed or removed temporarily or permanently except as indicated on the approved drawings or with the prior approval of the LPA. (Such elements include timber panelling, plasterwork, fireplaces and staircases, decorative ceilings and cornices, cupboards, architraves, skirtings, dado's , picture rails, doors, decorative tiling to first floor bathroom, flagstone floors).

Reason: In order to safeguard the special architectural or historic interest of the Listed Building in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012) and CS NPPF of the Local Plan Core Strategy (adopted September 2012).

- 5 Sample panels of all new facing brickwork showing the proposed brick types, colour, texture, face bond and pointing shall be provided on site and the specification approved in writing by the local planning authority prior to the commencement of works on the site. The relevant parts of the work shall be carried out in accordance with such approved sample panels. The approved sample panels shall be retained on site until the work is completed and has been approved.

Reason: In order to safeguard the special architectural or historic interest of the Listed Building in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012) and CS NPPF of the Local Plan Core Strategy (adopted September 2012).

- 6 Details of the following proposed features should be provided prior to the relevant works commencing:
Windows, rooflights, doors (internal and external), staircases, timber panelling, interior lighting, flooring, rainwater goods, ventilation and extract/intake terminals, signage and lighting.

Reason: In order to safeguard the special architectural or historic interest of the Listed Building in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012) and CS NPPF of the Local Plan Core Strategy (adopted September 2012).

- 7
 - a) All new joinery shall match the existing joinery work adjacent in respect of materials, dimensions and profiles, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.
 - b) Details of the methods of providing sound insulation and fire protection between adjoining residential units, involving floors and doorways.

c) No new plumbing, pipes, soilstacks, flues, vents or ductwork shall be fixed on the external faces of the building unless shown on the drawings hereby approved.

d) No new grilles, security alarms, lighting, cameras or other appurtenances shall be fixed on the external faces of the building unless shown on the drawings hereby approved

Reason: In order to safeguard the special architectural or historic interest of the Listed Building in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012) and CS NPPF of the Local Plan Core Strategy (adopted September 2012).

- 8 No demolition for the structure on the site of the ice house shall proceed until a scheme identifying any historic material and its preservation has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to safeguard the special architectural or historic interest of this part of the site, in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012) and CS NPPF of the Local Plan Core Strategy (adopted September 2012).

- 9 All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

Reason: In order to safeguard the special architectural or historic interest of the Listed Building in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012) and CS NPPF of the Local Plan Core Strategy (adopted September 2012).

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

Officer's Assessment

1. Site Description

This application relates to the Grade II listed building 'Osidge' - the former Sir Thomas Lipton Memorial Hospital - and impacts of redevelopment within its curtilage, which is the subject of the accompanying full planning application ref. 16/7102/LBC. This report largely repeats relevant parts of the report for that application.

The listed building is set, along with two non-listed residential buildings, within a woodland garden site that is approximately 2 ha in area. Most of the approximately 250 trees within the site are protected. The other residential buildings are known as The Bungalow and Shamrock House. The main access site is from Chase Side via wrought iron gates between brick pillars, and there is a secondary access from Oakdale. Apart from these road frontages, the site boundaries are formed by residential properties on Chase Side, to the north-east, Osidge Lane (north-west), and Manor Drive (south-west).

The original parts of 'Osidge' consist of the central three storey element of the house, and were constructed around 1800. To either side of this are two storey wings that date from Victorian times. The whole building is of historic interest, with the older elements being of greater significance

The property is of historic interest as the former home of Sir Thomas Lipton, who bequeathed it for the purposes of establishing a nurses' hostel. The grounds while still spacious are understood to have been considerably larger originally, having been subdivided down to provide funding at various times for the hospital.

The Bungalow is on the site of former stables that are likely to have been built in association with the original dwelling, and was converted into a small dwelling in the 1930s. Much of the internal work dates from this time. An older brick garden wall links The Bungalow with 'Osidge', and along with similar brick walls along the boundary adjacent to the site entrance, will be retained in any redevelopment for their historic interest.

Shamrock House was built as accommodation for nurses during the 1960s. It is a typical of any two-storey terraces of houses of the era, and is not considered to be of any historic interest.

There is also a fourth building on the site, albeit non-habitable. This is known as the Ice House, and is a utilitarian structure thought to be of twentieth century origin, which replaces an older structure in the same location.

2. Site History

Reference: N00637Z/07/TRE_B

Decision: Exempt

Decision Date: 19 April 2007

Description: 3 x Oak - Remove Deadwood Only. T29, T24 and T27 of Tree Preservation Order

Reference: N00637AB/08

Decision: Approved subject to conditions
Decision Date: 14 May 2008
Description: Rebuild steps leading to rear garden. Retention of alterations to door to flat at first floor rear. (LISTED BUILDING CONSENT)

Reference: B/01032/09
Decision: Approved subject to conditions
Decision Date: 11 June 2009
Description: Repairs to external cracks on side elevation.

Reference: 16/2650/ESR
Decision: Environmental Statement not Required
Decision Date: 7 June 2016
Description: Environmental Impact Assessment - Screening Opinion

Reference: 16/4514/FUL
Decision: Withdrawn
Decision Date: 15 November 2016
Description: Demolition of 3 no existing buildings and conversion of Osidge House to C3 class residential use providing 13 no. self-contained flats. Erection of 3 storey apartment building with basement level to provide 19 no self-contained flats and basement parking. Erection of 4 no. two storey Townhouses and 7 no. three storey townhouses. Provision of private and communal amenity space, refuse and cycle storage, off-street parking and associated hard and soft landscaping

Reference: 16/7101/FUL
Decision: Pending Consideration
Decision Date: No Decision Made.
Description: Demolition of 3 no. existing buildings and conversion of Osidge House to Class C3 residential use providing 16 no. self-contained flats. Erection of 3-storey apartment building to provide 8 no. self-contained flats. Erection of 3 no. 3-storey townhouses and 3 no. 2-storey mews houses. Provision of private and communal amenity space, refuse and cycle storage, off-street parking and associated hard and soft landscaping.

3. Proposal

The application seeks permission to remodel the listed building to provide 16 flats (11 no. one-bedroom and 5 no. two-bedroom), to demolish The Bungalow and Shamrock House and replace them with residential buildings which are referred to in this report as Building 2 and Building 3, and to build an additional terrace of three houses (Building 4 in this report) to be located towards the western side of the property and to the south of the existing Shamrock House and the proposed Building 4.

Also within the curtilage of the listed building, Building 2 would replace The Bungalow, Building 3 would replace Shamrock House, and Building 4 will be a new building towards the western part of the site, to the south of Building 3. Car parking and a communal refuse

and recycling would be provided for Buildings 3 and 4 towards the northern boundary of the site, with car parking in covered car ports. Other carparking to serve Buildings 1 and 2, would be located to the north and west of these buildings and between them.

A number of issues raised during the course of assessing the application have been addressed in amended drawings. These include mainly internal changes to the listed "Osidge" and mainly external changes for Buildings 3 and 4.

The accommodation proposed within 'Osidge' (Building 1) is as follows:

Basement / "lower ground" level: 3 no. 1-bedroom and 2 no. 2-bedroom (including one flat that is essentially a duplex in that it has a ground floor living room in addition to the main accommodation which is at basement level).

Ground floor: 2 no. 1-bedroom and 2 no. 2-bedroom (plus the living room for the duplex apartment referred to above).

First floor: 4 no. 1-bedroom and 1 no. 2-bedroom.

Second floor: 1 no. 1-bedroom and 1 no. 2-bedroom.

The full schedule of accommodation for Buildings 2, 3 and 4 is set out in the accompanying report for planning application reference 16/7101/FUL.

4. Public Consultation

Consultation letters were sent to 3 neighbouring properties.

site notice was posted on 24/11/2016

The application was also advertised in the Barnet Times published on 24/11/2016

No responses have been received.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework

Section 12 of the NPPF sets out detailed advice on conservation of the historic environment.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital for the next 20 to 25 years. It forms part of the development plan for Greater London and is recognised in the NPPF as such. Policies 7.8 and 7.9 provide for protection of heritage assets and their sensitive development.

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, DM06.

Policy DM06 seeks to protect all heritage assets in line with their significance. Development proposals involving listed buildings must preserve or enhance the historic and architectural interest of the building(s).

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 listed building and its surroundings, and
- whether the additional buildings proposed would provide an appropriate setting for the listed building.

5.3 Assessment of proposals

Character and appearance of the site, including the listed building and its setting

The key existing building at the site is the Grade 2 'Osidge', as described above. The proposal would ensure the retention of this building and the preservation of its key features. External interventions would be minimal and in keeping with the historic interest and character of the building.

Proposed internal alterations have been subject to detailed consideration by the Council's Principal Conservation Officer, who has requested a number of changes and clarifications through successive iterations of the scheme. Internal material to be removed would be largely limited to modern walls, doors, fittings and the like which are of no historic interest. Where more historic doors openings are not required in the amended internal layouts, these are in some cases retained *in situ* as non-opening features, and in some cases reused at appropriate locations within the building. All historic windows will be retained. In some cases, new windows will be inserted in rear elevations to new light wells at basement level; and an existing low external wall will be lowered along this elevation to provide improved light and views to two of the rear-facing basement apartments. The intended enlargement of two light-wells on the front elevation of the building, as originally proposed in the application, has been deleted from the proposal.

A historic wall that links 'Osidge' to the Bungalow will be retained, and part of this will form a rear garden wall at the rear of one of the new three terrace houses forming within the proposed Building 2. Two gates will be opened in this wall, which is subjected to further details to be discharged by a condition, is considered to be an acceptable intervention. Other boundary walls and gates will be retained.

Whether the additional buildings proposed would provide an appropriate setting for the listed building

The proposal would require the demolition of The Bungalow and Shamrock House and construction of three new buildings accommodating town houses. The twentieth century structure on the site of the former ice house is also intended for demolition.

The Bungalow is of minor interest in that it appears to incorporate some material from the original stables that formerly occupied this part of the site. However the existing building on the site dates largely from the 1930s, and there is no objection to its loss. The key historic feature of its immediate surroundings are an old garden wall that partially links the building with 'Osidge'. This extends across the rear of the site of one of the three houses within Building 2. The garden wall will be retained in its entirety apart from two openings at one end which would allow views from the house across the site.

Building 2 itself would be a two-storied terrace in Georgian style. With a separation from 'Osidge' of just 17m it would form part of this listed building's immediate setting, making matters of scale and design of particular importance. Building 1 would be subservient in scale and its design is sympathetic to the listed building, and there are therefore no objections to this part of the proposal in terms of its design.

The existing Shamrock House dates from the 1960s, and is not considered to have any design merit or significant historic significance. It is 50m distant from 'Osidge' and well screened from it by protected trees which would be retained as part of the proposals. As with The Bungalow, there is no objection to the demolition of Shamrock House.

The replacement Building 3 in this part of the site is of similar length to Shamrock House, and its front elevation would be located in a similar position to that of the existing building. It would however be considerably deeper, and being three-stories in height would be relatively bulky as compared to Shamrock House. However, the set-back of the mansard roof from the front (northern) building line would be sufficient to ensure that the impression of bulk as viewed from the north (properties in Chase Side) would not be significantly greater than currently exists in this part of the site. In views from the west (properties in Osidge Lane) the additional bulk would be more apparent. However, with the mansard roof also set in from this side of the building, and an overall high quality design for this building, it is considered that this part of the development would not result in any detrimental impacts on the quality of the area. The design is also considered to be complimentary to the listed building. Overall, there is no objection to this building on grounds of design and character.

Building 4 would be in a similar classical style to that of Building 3, although smaller overall. The aspect of this building would result in the rear of the townhouses facing properties at Osidge Lane. The proposal would result in a new building in an area which is currently undeveloped. However, its setting would be amongst the established tree cover at the property, and as with the other new buildings its siting has taken into account the need to preserve and retain this setting. As such, the impacts on the character of the site while visual are acceptable in the context of its suburban setting, and no objection is therefore raised in terms of the impacts on the character of the area.

As already noted in this report, additional structures which form part of the proposals are car ports adjacent to the northern boundary of the site and to Building 3, and refuse, recycling and bicycle stores. All of these would be low structures, timber built and in the case of the car ports, would be finished with green roofs. This will make the structures unobtrusive as viewed from the north (properties at Chase Side). Refuse and recycling and bicycle stores are located in unobtrusive locations and are similarly considered to be acceptable.

With regard to the proposed height for Building 2, while this is sited in proximity to the listed building the scale of development on Oakdale is largely suburban, and this is

identified as such in the Council's London Borough of Barnet Characterisation Study document. The building height is not atypical of those at Oakdale. In regard to its setting in the curtilage of the listed building, the Council's Conservation officer has not objected to this element of the proposals or to the scale and design of the other new buildings proposed.

As noted above, it is intended to demolish the twentieth century structure over the former ice house. As with the listed building itself, no demolition will be allowed on this part of the site until details of the treatment of this part of the site have been submitted to and agreed in writing by the Local Planning Authority, in order that any remaining historic structure that is found during the demolitions may be retained and if appropriate displayed in situ.

The overall impacts of the proposal are considered to be sympathetic in design terms to the site and its surroundings, and will provide an appropriate setting for and development within the curtilage of the listed building at the site.

5.4 Responses to Consultation

Historic England were consulted, and have written to say that they have no comments to make on this application.

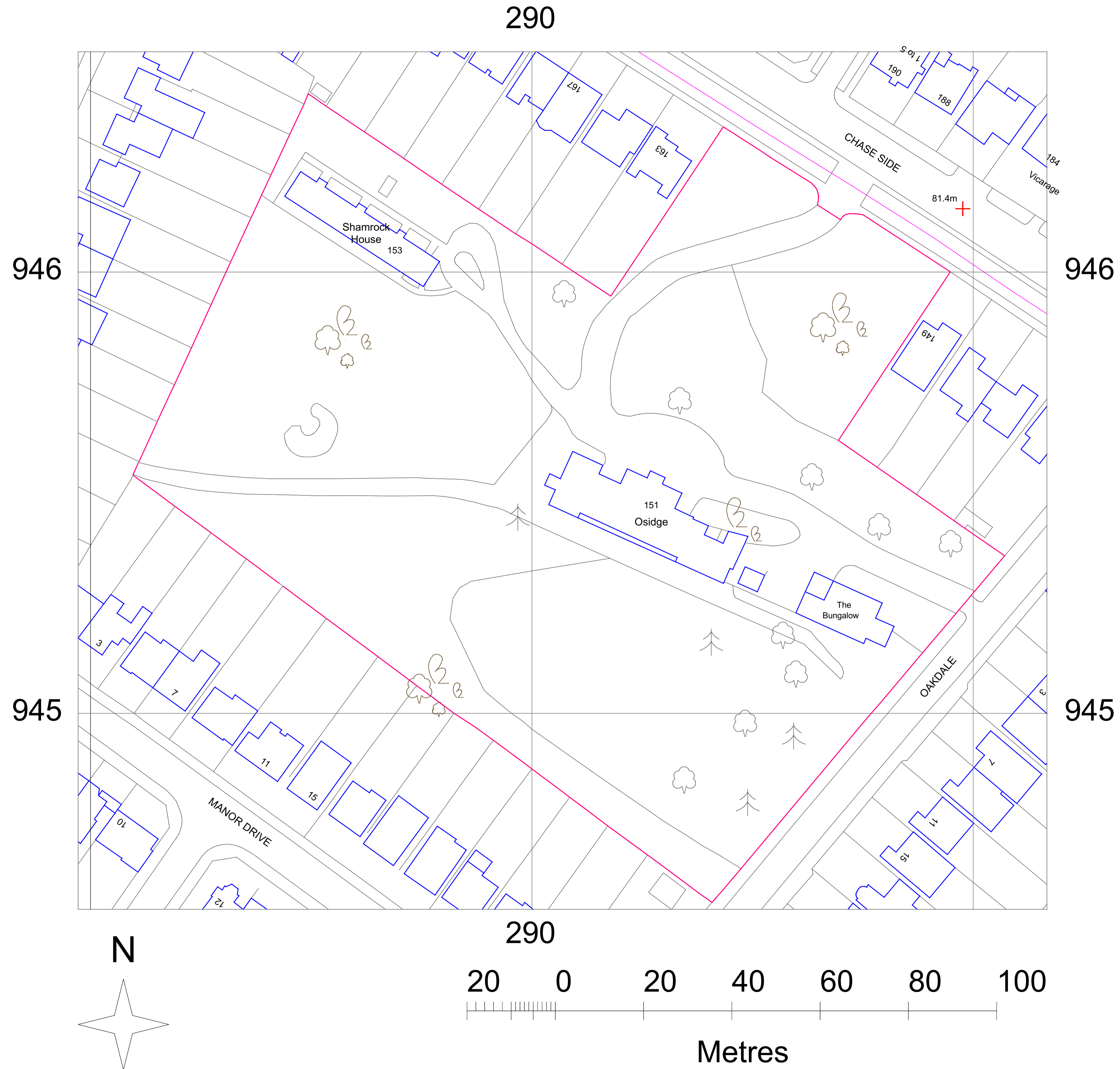
6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposals would have an acceptable impact on the historic character and interest of the Grade II listed building, and provide an appropriate setting for it. It is therefore recommended that listed building should be granted.

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LOCATION PLAN



SHAUN KNIGHT ARCHITECTURE

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07824 815 258M
0208 979 4949T
E:skarchitecture@hotmail.co.uk
W:shaunknightarchitecture.com

PROJECT:
SIR THOMAS LIPTON MEMORIAL CARE HOME
TITLE :
SITE LOCATION PLAN

Date: SEPTEMBER 2016
Scale: 1:500 at A1 Drawn: SDK

DRAWING NUMBER: 001

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Location	Unit 3 Pembroke Studios Pembroke Road London N10 2JE	
Reference:	16/3749/S73	Received: 7th June 2016
		Accepted: 7th June 2016
Ward:	Coppetts	Expiry 2nd August 2016
Applicant:	Kidz Kabin Nursery	
Proposal:	Variation of Condition 8 (number of children on premises) pursuant to planning permission B/02974/10 for " Change of use from Light Industrial (B1/B8) to Nursery School (D1)" dated 25/10/2010. Variation to rewording Condition 8 to " the number of children on the premises shall not exceed 90 at any one time unless previously approved in writing by the local planning authority"	

AGENDA ITEM 8

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: BTP-1501 RevA Beacon Transport Planning parking survey September 2016; Beacon Transport Planning - transport statement April 2016; Sharps Redmore acoustic consultants technical noted 20th April 2016; planning statement 7 June 2016.

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 a) Within 2 months of the date of this permission, details of the method to permanently fix shut the windows in the building shall be submitted for approval by the Local Planning Authority.
- b) The windows shall be fixed shut in accordance with such approval within 1 month of the approval of the details and maintained as such thereafter.

Reason: To safeguard the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

- 3 The use hereby permitted shall not be operational before 7.30am or after 6.30pm from Monday to Fridays . The use hereby permitted shall not be open at all on Saturdays, Sundays, Public or Bank Holidays.

Reason:

To safeguard the amenities of occupiers of adjoining residential properties.

- 4 The number of children on the premises shall not exceed 90 at any one time.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

- 5 The external areas shall not be used for any purpose other than means of escape and building maintenance as indicated on Plan 385-05A.

Reason:

To minimise noise and disturbance and safeguard residential amenity.

- 6 The premises shall be used for a nursery school and no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

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

- 7 The window(s) in the western elevation facing the rear of properties on Bedford Close shall be permanently retained with obscure glazing.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

- 8 Refuse and recycling provision and the collection point shall be retained as approved under application B/04118/11 dated 26.07.2012.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

- 9 The nursery shall operate in accordance with the Travel Plan as approved under application B/04118/11 dated 26.07.2012 and the updated transport statement.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with policies Core Strategy (adopted) 2012 CS9 and Development Management Policies (adopted) 2012 DM17.

- 10 The air conditioning units and mitigation measures as approved under application B/02584/14 dated 14.07.2014 shall be permanently maintained in accordance with the approved details.

Reason:

To ensure that the amenities of the neighbouring premises are protected from noise from the development.

Informative(s):

- 1 In accordance with paragraphs 186 and 187 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 information considered in this application does not relate to the provision of any outdoor play space and the provision of any outdoor play space would need to be considered through the submission of a planning application.

Officer's Assessment

1. Site Description

The application site relates to detached building known as Unit 3 which forms part of Pembroke Works which is a somewhat landlocked industrial estate located on the north western side of Pembroke Road. Pembroke Road is predominantly residential in character comprised of a variety of building types and sizes. Pembroke Works is accessed via an access road between No.139 and 141 Pembroke Road. The industrial estate is surrounded by properties on Pembroke Road and Bedford Close. Properties on Bedford Close are predominantly self-contained flats.

Levels do fall from the south east to the north-west which means that properties along this part of Pembroke Road sit at a slightly higher level than the unit.

The unit is currently used as a children's nursery for 90 children. The existing operation at Pembroke Studios is divided between an administrative building (Unit 1) and an education building (Unit 3). Kidz Kabin has operated from Unit 3 since 31 August 2011 and has been using Unit 1 as offices since 1 April 2014.

The latest ofsted report dated 24th January 2017 rated the nursery as 'good'.

2. Site History

Reference: 15/07000/S73

Address: Unit 3, Pembroke Studios, Pembroke Road, London, N10 2JE

Decision: Withdrawn

Decision Date: 21 January 2016

Description: Variation of condition 8 of planning permission B/02974/10 dated 25/10/10 for 'Change of use from Light Industrial (B1/B8) to Nursery School (D1)'. Variation to include the number of children on the premises shall not exceed 90 at any one time unless previously approved in writing by the Local Planning Authority

Reference: B/02584/14

Address: Unit 3, Pembroke Studios, Pembroke Road, London, N10 2JE

Decision: Approved

Decision Date: 14 July 2014

Description: Submission of details of condition 10 (Noise Report for site plant) pursuant to planning permission reference: B/02974/10 dated 25 October 2010.

Reference: B/00221/13

Address: Unit 3, Pembroke Studios, Pembroke Road, London, N10 2JE

Decision: Refused

Decision Date: 2 April 2013

Description: Submission of details for condition 10 (Noise Report) pursuant to planning permission B/02974/10 dated 25th October 2010

Reference: B/04118/11

Address: Unit 3, Pembroke Studios, Pembroke Road, London, N10 2JE

Decision: Approved

Decision Date: 26 July 2012

Description: Submission of details of conditions 4 (Refuse) and 12 (Travel Plan) pursuant to planning permission reference B/02974/10 dated 25/10/2010.

Reference: B/02974/10

Address: Unit 3, Pembroke Studios, Pembroke Road, London, N10 2JE

Decision: Approved subject to conditions

Decision Date: 25 October 2010

Description: Change of use from Light Industrial (B1/B8) to Nursery School (D1).

3. Proposal

The application relates to the variation of Condition 8 (number of children on premises) pursuant to planning permission B/02974/10 for " Change of use from Light Industrial (B1/B8) to Nursery School (D1)" dated 25/10/2010. The variation to condition 8 is to read as: " the number of children on the premises shall not exceed 90 at any one time."

The application seeks permission to allow for 90 children to be on site at any one time. It should be noted that the number of children registered and attending the nursery has already been increased and as such has been in breach of condition 8. The purpose of this application is to seek retrospective permission to vary the condition.

It should be noted that this application relates to the increase in the number of children at the premises. It does not seek permission for the use of any outdoor play space associated with the nursery to the front of the building. Any requirement for outdoor play space on site would be subject to a separate planning consent. An informative is attached to remind the applicant/agent of this.

The agent has provided a break down of the number of children at the nursery between given times for the current year. The sessions run as follows:

7.30am-8am

8am-1pm

8am-6pm

9am-2pm

3.30pm-6pm

6pm-6.30pm

The majority of children attend the nursery between 8am-6pm 5 days a week, although there is a significant reduction in the number of children attending 8am-6pm on Fridays.

No more than 5 children arrive at the nursery between 7.30am-8am. No more than 5 children are collected from the nursery between 6pm-6.30pm.

4. Public Consultation

Consultation letters were sent to 118 neighbouring properties.

A site notice was posted on 23/06/2016

Press notice was published on 16/06/2016.

7 responses have been received, comprising 7 letters of objection.

The objections received can be summarised as follows:

Impact on neighbouring amenity - noise levels are unacceptable and increase in the number of children will make it worse; the upper floor windows of neighbouring properties

are not protected by the acoustic fence. Quality of life since nursery opened has worsened; number of children attending is well over 90

Impact on local roads, parking, freeflow of traffic will be worsened, elderly or disabled residents can't get parking outside their property; increased risk of accidents; driveway is blocked by staff and parents;

Increased air pollution leading to heart and lung disease; deteriorating air quality in the area.

Owner of the nursery has been dishonest.

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 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2016

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

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

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, CS10.

- Relevant Development Management Policies: DM01, DM02, DM04, DM13, 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.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the surrounding area and the industrial estate of which it forms a part, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents including increased noise.
- Whether harm would be caused to freeflow of traffic and parking.

5.3 Assessment of proposals

Planning permission dated 25/10/2010 was granted under application Ref: B/02974/10 for the change of use of the premises from Light Industrial (B1/B8) to Nursery School (D1). This permission imposed a number of conditions on the application including condition 8 which limited the number of children on the premises to 40 at any one time. Since this permission was granted the intake of children has been increased to 90 children on the premises at any one time. Planning permission is now sought to vary the previous condition to allow for 90 children on the site at any one time seeing an increase of an additional 50 children attending the nursery.

The nursery is open weekdays from 7.30am-6.30pm 50 weeks of the year.

The agent has confirmed that the nursery has operated with a maximum number of children on the site at any one time since 2015.

Taking into account that the nursery use has already been established on site, the main considerations are therefore not whether the principle of the use is acceptable but whether the increase in the number of children results in any demonstrable harm.

Policy DM13 indicates that new community or educational uses should ensure that there is no significant impact on the free flow of traffic and road safety. New community or educational uses will be expected to protect the amenity of residential properties. Whilst the application does not seek a new educational use, traffic and noise implications are considered to be material matters in determining whether the increase in the number of children is acceptable or not.

Need for additional nursery spaces

There is currently a big push for childcare at Government level. Statistics show children from poorer families achieve less. The criteria for funded 2 year places has become less stringent and Central Government want 240,000 places from providers. Currently only 150,000 places are being taken up and there is a need for more providers to take part in this scheme.

The preamble to policy DM13 states Barnet's projected population for the next ten years will increase and change our existing communities, attracting a much younger and more diverse population. There will be a marked increase in the number of children aged

between 5-14 years old. It is therefore important that the Policy DM13: Community and education uses can respond flexibly to these changes.

Impact on the character of the area

The principle of the nursery use has already been established on site. The location of the site within a small 'backland' industrial estate is such that the nursery use was not considered to introduce a use that would conflict or alter the character of the area or the way it functions. Therefore, the increase in the number of children to 90 is not considered to materially change the character of the area which already operates with an existing nursery. Although the increase in children will see an intensification of the site this is not considered to change the character of the area.

Impact on the amenities of neighbours

The previous use as a warehouse building had unrestricted hours of commercial use and as such comings and goings and hours of operations were not controlled by way of planning conditions. The introduction of a nursery subject to conditions was considered to be less harmful than the existing unrestricted commercial use. The increase in the number of children is not considered to result in additional noise and disturbance when compared with the commercial use or the previously consented scheme with 40 children. It is not considered that the increased number of children would be harmful to such a degree that it would warrant a reason for refusal.

Noise and disturbance

Prior to the submission of the planning application separate pre-application advice was sought with the Council's scientific services team to assess any noise and disturbance generated. Two scientific service officer's attended the site to assess the existing levels of noise generated by the children within the building, an assessment was also made from the rear garden area of 125 Pembroke Road to determine levels of noise outbreak to this nearest noise sensitive property. The garden is directly below the dormer windows to the first floor of the nursery and represents the closest noise sensitive premises. It was concluded that with the windows shut there was no appreciable noise resulting from the increased intensification of the nursery and the use of the premises for up to 90 children.

It should be noted that there is an existing air conditioning system operating at the premises which is considered adequate to provide appropriate levels of ventilation throughout the building therefore, it is considered that a condition requiring windows are fixed shut at all times would not be unreasonable particularly during summer months.

The scientific services team have raised no objections to the additional number of children introduced on site subject to a condition requiring the windows to be fixed shut.

It should also be noted that a noise report was submitted as part of the discharge of conditions relating to the 2010 planning application. Condition application B/02584/14 approved the noise details of the plant for the air conditioning units. As such it is considered that noise emanating from the air conditioning units would not be harmful to the neighbouring residents.

Traffic and highways

The proposal has been assessed by the highways team who have raised no objections to the proposal on highways grounds.

During the life of the application a parking survey was undertaken by the applicants transport consultant. The survey was undertaken on Pembroke Road and adjoining roads

and was undertaken to assess parking impact and whether any mitigation was required. A parking survey was provided by the applicant's transport consultant which sets out details of surveys undertaken on Thursday 15th September plus an additional evening survey undertaken on Wednesday 14th September.

The survey was undertaken every 15 minutes between the hours of 7am-10am, at 12.45pm and again between 4pm-6.30pm (every 15 minutes). An additional survey was undertaken on 14th September at 10pm to record late evening parking conditions. The roads survey comprised of Pembroke Road (between Colney Hatch Lane and Hampden Road); Colney Hatch Lane (between George Crescent and Halliwick Road); Newton Avenue; Pembroke Mews; Alma Road; Crown Road; Roman Road and Stanley Road.

The parking survey alongside the Transport Statement indicates that there is adequate local provision and availability. The report identifies that any local parking stress during nursery drop-off and collection times remains at or below that recorded in the late evening. It is therefore, not considered that the use of the site for up to 90 children is harmful to parking availability in the surrounding area.

The traffic and development team have reviewed the information submitted and are satisfied that there is available parking to accommodate the number of cars arriving at the nursery. No objections have been raised by the highways officer in regards to the increased number of children and the associated comings and goings.

Planning officers have also attended the site during the morning drop-off and evening pick-up times to monitor any likely impact from the increased comings and going and considered that there was sufficient parking available in the surrounding roads with no undue impact on the highways and the free flow of traffic.

5.4 Response to Public Consultation

The highways team have reviewed the application and the parking survey submitted and are satisfied that the increased intake is not harmful to parking availability within the vicinity or the freeflow of traffic and pedestrian safety.

The scientific services officer considers that subject to a condition to prevent the windows from being opened that there would be no undue noise and disturbance emanating from the nursery that would warrant refusal of the application.

6. Equality and Diversity Issues

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

7. Conclusion

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



Location 112C Park Road Barnet EN4 9QS

Reference: 16/4868/FUL

Received: 22nd July 2016

Accepted: 4th August 2016

Ward: East Barnet

Expiry 29th September 2016

Applicant: Mr G Mcleod

Proposal: Demolition of existing dwelling and erection of new two storey dwelling house with basement level, including provision of 2no car parking spaces and associated landscaping.

AGENDA ITEM 9

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; 4830_08; 4830_07; 4830_06; 4830_05; 4830_04; 4830_03; 4830_02; 4830_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 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

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

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

and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2015.

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

- 5 a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

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

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 of the London Plan (2015).

- 6 a) No development shall take place until a Basement Impact Assessment has been submitted to, and approved in writing by, the Local Planning Authority.

b) The development shall be constructed in accordance with the Basement Impact Assessment as approved under this condition. The basement construction shall be watertight in accordance with BS 8102, the pile wall shall be adequately propped and groundwater monitoring shall be completed as set out in the BIA.

c) Prior to first occupation of the development, a report by a UK Registered Ground Engineer shall be submitted to and approved by the Local Planning Authority that states that the development has been implemented in accordance with the approved Basement Impact Assessment.

Reason: To safeguard the risk of flooding to the site and neighbouring properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

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

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

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

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

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

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

- 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 of not less than 10 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

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

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

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

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

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

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

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

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 14 Prior to the occupation of the development, a Maintenance Agreement for the operation of the car lift [and shutters] must be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the Agreement thereafter.

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

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

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

- 16 Before the building hereby permitted is first occupied the proposed window(s) in the side elevation facing 112B Park Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

- 17 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 before the development hereby permitted is commenced.

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 April 2013) and 7.21 of the London Plan 2015.

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work

are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £1295 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £4995 payment under Barnet CIL.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

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

Officer's Assessment

1. Site Description

The application site relates to a residential bungalow, located on the corner at the junction with Park Road and Mount Road.

2. Site History

Reference: 15/00279/FUL

Address: 112C Park Road, Barnet, EN4 9QS

Decision: Refused

Decision Date: 19 March 2015

Description: Erection of new dwelling house with rooms in the roof space to the rear garden of 112C Park Road, including provision of 2no car parking spaces and associated landscaping

Reference: N14501/05

Address: 112C Park Road, Barnet, EN4 9QS

Decision: Approved subject to conditions

Decision Date: 3 March 2005

Description: New double garage in front of property.

Enforcement history

The adjacent site (112B) has been subject to an enforcement investigation in that, the site was being used as a car storage place on a commercial basis and the construction of a hardstanding to the front and the rear of the site with associated engineering works.

3. Proposal

The proposal involves the demolition of the existing single storey dwelling and erection of new two storey dwelling house with basement level, including provision of 2no car parking spaces and associated landscaping.

The dwelling will have a width of 13.8m, maximum depth of 13.9m at ground floor level and 10.8m at first floor level. The building will be two storey inclusive of accommodation in the roofspace to a ridge height of 6.84m, eaves height of 3.2m.

A distance of 0.5m is maintained between the building line and the common boundary with no.112B, a total distance of 0.95m is maintained between the two building lines.

The proposal provides two dormer windows to the front, with a window in the gable feature; three dormer windows to the rear and two dormer windows in the side elevation facing Mount Road and one dormer window facing no.112B Park Road.

The basement level will extend forward of the above ground building line, however, no lightwells are proposed. The basement will not be visible from the front of the site being situated fully underground. There will be an internal staircase to access the basement from the ground floor of the proposed dwelling. A new car lift is proposed to the rear of the site accessed via Mount Road to allow access to the basement parking level. Parking and storage is proposed in the basement level.

Two new parking spaces are proposed on the front forecourt accessed via the Park Road entrance. This is served by an existing crossover.

4. Public Consultation

Consultation letters were sent to 21 neighbouring properties.

7 responses have been received, comprising 5 letters of objection, 1 letters of support and 1 letters of comment.

The objections received can be summarised as follows:

Character and appearance - building is too big for the plot.

Parking and traffic - basement car park will not be large enough meaning American cars will be parked in surrounding road and cause obstructions. Too many cars associated with the site.

No car trading, repairs of a commercial nature should not be allowed. Works carried out on a hobby basis should have restricted hours.

Loss of trees and screening.

Needs sound insulation.

The trees located to the boundary at the rear of 112c and the boundary of 19 Mount Road to be removed in their entirety.

The site plan to be altered and amended to include the close proximity of 19 Mount Road's structure to the boundary.

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 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2016

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

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

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

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- 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 of the area

The principle of residential use on the site has already been established with the existence of an existing residential property with previous extensions to the side and rear and therefore the demolition and replacement of the dwelling is considered to be acceptable.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. However, whilst the NPPF advocates that planning should not attempt to impose architectural styles or particular tastes it is considered proper to seek to promote or reinforce local distinctiveness.

Consideration of design and layout must be informed by the wider context, having regard not just to the immediate neighbouring buildings but the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development, and in this case the proposed building is considered to reflect the character and proportions of the properties on this section of Park Road, in particular the new dwellings adjacent to the site which comprise of 2 bungalows. Planning permission was granted in 2009 under application B/02899/09 for the demolition of an existing dwelling and the erection of 2 x

chalet bungalows. The principle of the demolition of the dwelling and replacement with bungalows has been established as acceptable.

The scheme indicates that the eaves and ridge height of the building would match the ridge height of the neighbouring bungalow 112B Park Road. The proposal is considered to be in keeping with the style and character of the buildings in the vicinity. The proposed dwelling will replace an existing dwelling which has been substantially extended to the front with flat roofed single storey additions. The proposal will result in the removal of these elements and the set back of the front building line to align with the neighbouring building above ground. It should be noted that the basement level will extend forward of this building line, however, there is no visual manifestation of the basement to the front of the site and as such this element is not considered to be harmful to the street context.

The basement level is to be used for parking and storage of cars which will be accessed via a carlift from Mount Road. The basement can also be accessed internally via a staircase. The agent has confirmed that classic American cars will be stored/parked in the basement level, this is for the homeowners personal hobby and interest in classic American cars, in particular cadillacs. The agent has confirmed that whilst some works may be carried out to the cars, these works are not of a commercial/business nature but are rather for personal enjoyment. The levels of works being carried out would not be beyond that expected within a standard domestic garage. A condition for sound insulation to the basement level is suggested to mitigate any noise breakout as a result of any works being undertaken within the basement.

Overall, it is considered that the replacement building will be an improvement to the existing situation on site.

Two parking spaces are to be provided to the front of the site and will utilise the existing crossover, off street parking to the frontage is well established in the area. Being a corner property the site will benefit from soft landscaping to the side and front of the building to soften its visual appearance.

The application seeks to provide accommodation within the roofslope, there are other examples on the road of bungalows with accommodation in the roof space and as such this is considered to be acceptable. The proposal includes 3 dormers to the rear, 2 on the front elevation, 2 on the side elevation facing towards Mount Road and 1 facing 112B Park Road. The dormers are considered to be subordinate additions within the roofslope and would fit comfortably on the roofslope allowing clear roofslope above, below and allow for spacing around the dormers.

Overall, it is considered that the replacement building will be an improvement to the existing situation on site. The proposal is considered to respect the character and appearance of the area and as such it would be acceptable on character grounds.

Impact on the amenities of neighbours

One of the Councils key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbours amenity is unlikely to be supported. Good neighbourliness is a yardstick against which proposals can be measured.

It is noted that there are side windows in the existing property at no.112B which face towards the application site, these are on the ground floor only and from reviewing the

previously approved plans for this site appear to serve a kitchen and utility area. It is not considered that these windows in the existing property (112B) will be impacted by the proposed development as these are secondary windows, with a window serving this room also located within the front elevation. It should also be noted that there is an existing structure at the application site along the common boundary and as such it is not considered that the proposal will result in any loss of amenity that is not already experienced in the current situation. A condition is to be imposed to ensure that the side dormer window will be obscure glazed on the side which faces towards 112B Park Road.

The proposed building would not project further beyond the rear building line of 112B therefore it is not considered that the proposal will result in any loss of amenity to the neighbouring occupiers at no.112B.

The proposal by virtue of its siting, size and height is not considered to result in harm to the occupiers of 19 Mount Road. The proposed building will only marginally extend further rearwards than the existing building and will provide soft landscaping between the property at no.19 and the proposal. The proposal will also involve the removal of an existing outbuilding and as such the building form of the proposal will be set further from the neighbours at 19 Mount Road than the existing outbuilding. Given the sufficient distances maintained between the proposed building and no.19 it is not considered that the proposal would have any adverse impact on this property.

Impact on the amenities of future occupiers

All residential development is expected to comply with the minimum space standards as advocated within the Sustainable Design and Construction SPD and the London Plan 2016 (MALP). In addition, all residential units are expected to provide suitable outlook and light to all habitable rooms whilst not compromising the amenities of neighbouring occupiers.

The proposed dwelling would comply with the minimum space standards in this regard and the proposal would provide adequate accommodation for future occupiers.

Table 2.2 of the Sustainable Design and Construction SPD specifies that double bedrooms should provide a minimum floor area of 12sqm and single bedrooms a minimum floor area of 8sqm; all bedrooms comply with these standards. All rooms would benefit from suitable outlook.

Residential development is expected to provide direct access to outdoor amenity. The property would have a suitable size garden for future occupiers. Although outdoor amenity space to the side of a property is not usually considered to be usable space, given the size of this area and the privacy afforded by the existing 2m high boundary fence this will prevent any overlooking or loss of privacy from pedestrians to the future occupiers of the new unit.

Accessibility and Sustainability

The application scheme is required by Policies 3.5 and 3.8 of the London Plan (2016 Minor Alterations to the London Plan) to meet Building Regulation requirement M4(2). The applicant has confirmed that the proposed development would meet this requirement, and a condition is attached to ensure compliance with these Policies.

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 10% CO2 reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition is attached to ensure compliance with the Policy

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

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

Impact on the traffic and highways

The proposal provides 2 parking spaces to the front of the site, these will be accessed via the existing crossover. This is considered to be an appropriate situation and will provide adequate parking for the new residential unit.

The basement car park will allow for parking of vehicles accessed by carlift, there are no objections to the principle of the car lift. The car lift and site will be accessed via a new crossover. It is considered that the proposal will not significantly impact on existing street parking availability.

The size of the basement has been amended and reduced to provide a basement that would be incidental to the main dwelling. Conditions have been imposed to ensure the use of the basement does not become occupied as a separate business unit and is used for personal hobby purposes.

5.4 Response to Public Consultation

Concerns have been raised that the development will facilitate more cars and business dealings in relation to classic American vehicles. The proposal for a residential property and basement which will be conditioned is not considered to directly lead to increased car ownership. The basement level has been reduced in size since its initial submission to limit the basement to being incidental to the main dwellinghouse.

There is sufficient detail on the plans to make an assessment of the potential impact of the proposal on the neighbouring property at no.19 Mount Road. The site location plan shows the position of this property.

6. Equality and Diversity Issues

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

7. Conclusion

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

