

MEETING

CHIPPING BARNET AREA PLANNING COMMITTEE

DATE AND TIME

WEDNESDAY 20TH JUNE, 2018

AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BG

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

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

Alison Cornelius
Tim Roberts

Roberto Weeden-Sanz
Laurie Williams

Reema Patel

Substitute Members

Caroline Stock
Pauline Coakley Webb
Lisa Rutter

David Longstaff
Thomas Smith

Paul Edwards
Jo Cooper

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 - 14
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.	New Southgate Cemetery and Crematorium, Brunswick Park Road, London N11 1JJ (Brunswick Park)	15 - 26
7.	1 - 6 Monkswell Court Colney Hatch Lane London N10 2JH (Coppetts)	27 - 36
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10.	44 Brookhill Road Barnet EN4 8SL (East Barnet)	57 - 70
11.	11 Dury Road Barnet EN5 5PU (High Barnet)	71 - 78
12.	1 Sunset View Barnet EN5 4LB (High Barnet)	79 - 90
13.	91 And 91A Longmore Avenue Barnet EN5 1JZ (Oakleigh)	91 - 100
14.	Springdene Nursing Home 55 Oakleigh Park North London N20 9NH (Oakleigh)	101 - 122
15.	157A And 157B Holden Road London N12 7DU (Totteridge)	123 - 146
16.	Any item(s) the Chairman decides are urgent	

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Decisions of the Chipping Barnet Area Planning Committee

24 April 2018

Members Present:-

AGENDA ITEM 1

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

Councillor Alison Cornelius
Councillor Tim Roberts
Councillor Laurie Williams

Councillor Reema Patel
Councillor Kathy Levine

1. MINUTES OF LAST MEETING

RESOLVED that the minutes of the meeting held on 26 March 2018 be agreed as a correct record.

2. ABSENCE OF MEMBERS (IF ANY)

None.

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

None.

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. 4 POTTERS ROAD BARNET EN5 5HW

The Committee received the report.

Representations were heard from Miss Zoe Fitzpatrick, Mr Kiran Filby, Councillor David Longstaff and the applicant.

A vote was taken on the Officer's recommendation to approve the application as follows:

For –	4
Against –	1
Abstained –	2

RESOLVED that...

1. the application be approved subject to the conditions detailed in the report and subject to the addendum and any amendments come back to the committee;

2. the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

7. 44 HOLDEN ROAD LONDON N12 7DN

The Committee received the report and addendum.

Representations were heard from the applicant's agent.

A vote was taken on the Officer's recommendation to approve the application as follows:

For –	7
Against –	0
Abstained –	0

RESOLVED that...

1. the application be approved subject to the conditions detailed in the report and any amendments come back to the committee;

2. the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

8. 233 - 237 EAST BARNET ROAD BARNET EN4 8SS

The Committee received the report and addendum.

A vote was taken on the Officer's recommendation to approve the application as follows:

For –	5
Against –	1
Abstained –	1

RESOLVED that...

1. the application be approved subject to the conditions detailed in the report and subject to the addendum and any amendments come back to the committee;

2. the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

9. 1323 HIGH ROAD LONDON N20 9HR

The Committee received the report.

Representations were heard from the applicant's agent.

A vote was taken on the Officer's recommendation to refuse the application as follows:

For (refusal) –	2
Against (refusal) –	5
Abstained –	0

It was moved by Councillor Sowerby and seconded by Councillor Williams that the Officer's recommendation be overturned and that the application be approved as it provides new housing, new shopping facilities and its appearance is acceptable in the streetscene.

A vote was taken on the motion to approve the application as follows:

For (approval) –	5
Against (approval) –	2
Abstained –	0

RESOLVED that...

1. the application be approved subject to the following conditions;

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

The plans accompanying this application are: 01/A/EX Rev A (Existing Floor Plans), 02/A/PP Rev H (Proposed Floor Plans), 04/A/EE Rev A(Existing Elevations), 05/A/PE Rev F (Proposed Elevations), Energy and Sustainability Statement prepared by Build Energy dated August 2017, Highways and Parking Statement prepared by Mode Transport Planning dated October 2017, Parking Survey, Design and Access Statement prepared by The Town Planning Experts dated February 2017.

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

2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

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

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

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

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

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

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

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

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

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

6. 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).

7. Before the building hereby permitted is first occupied the proposed window(s) in the North and South elevation 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).

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

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

9. a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

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

10. 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).

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

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

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

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

13. Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 6 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

14. Before the development hereby permitted commences (other than for Groundworks and Site Preparation Works) on site details of all extraction and ventilation equipment to be installed in the development shall be submitted to and approved writing by the Local Planning Authority. Extraction and ventilation equipment shall be installed at the site in full accordance with the details approved under this condition before the first occupation of the site.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

15. The Class A1/A2 uses hereby approved shall not be open to customers or staff before 6:30am or after 8pm from Monday to Friday, or before 8am or after 8pm on Saturdays and not at all on Sundays, Bank Holidays and Public Holidays.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and the new dwellings in the development hereby approved in accordance with policies DM04 of the Barnet Local Plan and 7.15 of the London Plan.

16. The commercial units, hereby approved, shall be used for use class A1 (Retail) or A2 (Financial and Professional Services) and no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order, 2015 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason:

To ensure the development is implemented in accordance with the permission sought and to enable the Local Planning Authority to retain control of the use of the floorspace within the Use Class specified so that occupation of the premises does not prejudice the amenities of the future and neighbouring residential occupiers in accordance with policy DM01 of the Barnet Local Plan,

and any amendments come back to the committee;

2. the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

10. FOLLY FARM BURTONHOLE LANE LONDON NW7 1AS

The Committee received the report and addendum.

Representations were heard from Mr Kevin Green (representing the Mill Hill Preservation Society), the applicant's agent, Tracey Rust.

A vote was taken on the Officer's recommendation to approve the application as follows:

For (approval) –	3
Against (approval)	3

Abstained –	1
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The Chairman used her casting vote to vote against approving the application.

It was moved by Councillor Williams and seconded by Councillor Patel that the Officer’s recommendation be overturned and that the application be refused for the following reasons:

1. The development, by reason of the size and siting of the proposed house, would fail to maintain the openness of the green belt and would therefore be an inappropriate form of development within the Green Belt for which no very special circumstances have been demonstrated. The development would therefore be to contrary to Policies 7.4 and 7.6 of the London Plan (2016), policies CS NPPF, CS1 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM15 of Barnet’s Local Plan Development Management Policies (Adopted September 2012), and paragraphs 89 and 90 of the National Planning Policy Framework Published 2012.

2. The development, by reason of the size, siting and design of the proposed house, would fail to respect its semi-rural green belt location and would be harmful to the character and appearance of the locality, contrary to policies CS NPPF, CS1 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM15 of Barnet’s Local Plan Development Management Policies (Adopted September 2012).

A vote was taken on the motion to refuse the application as follows:

For (refusal)	3
Against (refusal) –	3
Abstained –	1

The Chairman used her casting vote to vote in favour of refusal.

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

11. HIGH PROSPECT AND LAND REAR OF ROGATE AND SAXBY ARKLEY DRIVE BARNET EN5 3LN

The Committee received the report and addendum.

Representations were heard from Mr Simon Birnbaum, Mr Mitchell Moore, Councillor David Longstaff, and the applicant’s agent, Mr Joe Henry.

A vote was taken on the Officer’s recommendation to approve the application as follows:

For –	4
Against –	3
Abstained –	0

RESOLVED that...

1. the application be approved subject to the conditions detailed in the report and subject to the addendum and any amendments come back to the committee;

2. the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee).

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

Councillor Sowerby thanked the Chairman for her work chairing the Chipping Barnet Area Planning Committee.

The Chairman thanked the Officers for their work on the Committee.

The meeting finished at 21:12

COMMITTEE REPORT

- LOCATION:** NEW SOUTHGATE CEMETERY AND CREMATORIUM,
BRUNSWICK PARK ROAD, LONDON N11 1JJ
- REFERENCE:** 17/TPO/038
- WARD:** Brunswick Park
- PROPOSAL:** To seek authority for confirmation of Tree Preservation Order,
without modification.
- RECOMMENDATION:**
1. That the Council, under Regulation 7 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 confirms the London Borough of Barnet New Southgate Cemetery (Brunswick Park Road frontage) Brunswick Park Road, London N11 1JJ Tree Preservation Order 2018 without modification.
 2. That the person(s) making representations be advised of the reasons.

1. MATERIAL CONSIDERATIONS

Relevant Planning Policies and Guidance Adopted

- Local Plan – Core Strategy (Adopted September 2012) – Policy CS7
- Local Plan – Development Management Policies (Adopted September 2012) – Policy DM01

Relevant Planning History

- Report of Head of Development Management Planning (Development Management) dated 27th November 2017

Background Information/Officers Comments

Section 198 of the Town and Country Planning Act 1990 (as amended) empowers a local planning authority to make a Tree Preservation Order if it appears to be ‘expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area’.

National Planning Practice Guidance clarifies that:

“Authorities can either initiate this process themselves or in response to a request made by any other party. When deciding whether an Order is appropriate, authorities are advised to take into consideration what ‘amenity’ means in practice, what to take into account when assessing amenity value, what ‘expedient’ means in practice, what trees can be protected and how they can be identified.”

- The Guidance states that “‘Amenity’ is not defined in law, so authorities need to exercise judgment when deciding whether it is within their powers to make an Order. Orders should be used to protect selected trees and woodlands if their removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order they should be able to show that protection would bring a reasonable degree of public benefit in the present or future.”
- The Guidance suggests the following criteria should be taken into account: “*Visibility* - The extent to which the trees or woodlands can be seen by the public will inform the authority’s assessment of whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public. *Individual, collective and wider impact* - Public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:
 - size and form;
 - future potential as an amenity;
 - rarity, cultural or historic value;
 - contribution to, and relationship with, the landscape; and
 - contribution to the character or appearance of a conservation area.
- In terms of expediency, the Guidance notes “It may be expedient to make an Order if the authority believes there is a risk of trees being felled, pruned or damaged in ways which would have a significant impact on the amenity of the area. But it is not necessary for there to be immediate risk for there to be a need to protect trees. In some cases the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order. Authorities can also consider other sources of risks to trees with significant amenity value. For example, changes in property ownership and intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make Orders as a precaution.”

A Tree Preservation Order was made on 10th January 2018 in the interest of public amenity following requests from local residents, supported by a Ward Member. Following a lengthy period of consideration, the making of the Order was considered justifiable both on grounds of amenity and expediency. The Order relates to 17 trees designated as group G1 (9 Oaks, 2 multi-stemmed Hornbeam, 2 Field Maple, 1 twin-stemmed Field Maple, 1 Pine and 2 Ash), standing on the Brunswick Park Road frontage of the Cemetery, between the boundary with Darwin Close to opposite 115 Brunswick Park Road.

There is a separate Tree Preservation Order (TRE/BA/45) that was made in December 1980 on part of the [variously named] Great Northern London Cemetery / New Southgate Cemetery / New Southgate Cemetery and Crematorium - in connection with the residential development of part of the cemetery to what is now Marshalls Close and Darwin Close. Almost all of the designated trees in this Order (with the exception of group G2, G3, T6, T7 and the edge of area A3) stand outside the current boundary of the Cemetery.

In November 2008, a local resident requested that trees at New Southgate Cemetery be considered for inclusion in a Tree Preservation Order as *“Many trees in the cemetery are coming under threat from the management’s new method of re-using old parts of the cemetery for new burials. The new method consists of wholesale felling to completely clear sections of the cemetery. This development of the modern way of managing the cemetery – for the maximum use of machinery and lower running costs – poses a very significant threat to the trees and the local landscape.”* The resident highlighted some sections believed to be particularly at risk.

The inclusion of Cemetery trees in an Order has been subject of protracted consideration, not least because of potential ramifications of day-to-day cemetery management and the resource implications for the Local Planning Authority. Rather than making an Order in the first instance, various alternative approaches were pursued. There were also changes to the structure and heading up of the Development Management team. The following correspondence extracts provide some details:

A reply was initially sent to the resident advising that the relevant history files had been investigated and the matter discussed with the Head of Planning and Development Management – but noting that the Council would need to consider carefully the appropriateness of making a Tree Preservation Order given the established use of the land. There was also some correspondence about Forestry Commission felling licencing.

The Tree Officer also wrote separately to the MD of Westerleigh Group (Cemetery Management Company) in 2009:

“I have been contacted by several local residents concerned about tree removals at New Southgate Cemetery, in particular along the Brunswick Park Road frontage.

My attention has recently been drawn to the New Southgate Cemetery notice dated April 2008 on display that refers to Improvement Works in Sections O, P, Q, and R “.....We will shortly be commencing the renovation project that has already started on the area adjacent to the entrance. It is our intention to continue the works along the whole of the boundary with Brunswick Park Road.....”

As you may be aware, in accordance with the provisions of the Forestry Act 1967 (as amended), a Felling Licence issued by the Forestry Commission would normally be required for felling growing trees. If there is no licence or other valid permission, or if the wrong trees are felled, anyone involved can be prosecuted. Any felling carried out without either a licence or other permission is an offence, unless it is covered by an exemption.

It seems likely that, if the improvement works are undertaken in a similar manner to those in the summer of 2008, none of the specified exemptions from the requirement to obtain a Felling Licence would apply. Colleagues at the Forestry Commission have confirmed that cemeteries and crematoria are not exempt from needing a Felling Licence.

I note that the ‘Community’ section of the New Southgate Cemetery and Crematorium website states ‘In recognition of our importance within the community, we aim to soon establish a forum of local ministers, funeral directors and families who can be consulted on future developments.’ Whilst I am obviously aware of the

need for ongoing routine maintenance treeworks for health and safety purposes, given the concern raised by local residents about trees at the site, I would appreciate being consulted on any extensive treework proposals at the New Southgate Cemetery site.”

To which a reply was received from the Westerleigh MD stating that the trees removed had been identified as unhealthy and posing a risk to the public but that “We have not felled growing trees to date and do not intend to do so in the future. We will though continue to carry out work within a responsible tree management programme and will fell trees if identified as unhealthy and of substantial risk to the public. However, we would be pleased to outline our plans to you first as you suggest in your letter.”

The Tree Officer responded:

“Whilst I was aware of my colleague's previous advice in respect of roadside trees, concern was raised as the works undertaken were in excess of those discussed.

However, on a more positive note, I welcome the opportunity to be informed of your future plans and I look forward to hearing from you in due course.”

The Tree Officer was also in contact with Westerleigh’s Arboricultural Consultant:

“I refer to your letter dated 26th August 2010 and our subsequent discussions, I apologise for the delay in writing to you. I have now had the opportunity to discuss the matter with various colleagues, and offer the following observations on the proposed works outlined in your letter:

Whilst appreciating your client’s wish to undertake works to 'improve the grounds, restore where practical historic features and also to ensure that visited graves remain safely accessible' and to 'rationalise existing grave space and to facilitate the reuse of plots where applicable', I have significant concerns about various aspects of the proposal.

As you acknowledge, the mature trees along Brunswick Park Road are important to the streetscene, have public amenity value, provide screening, and are part of a historical landscape. However, especially given the context of the site, I do not believe that it is appropriate to consider the site piecemeal – a Conservation Management Plan for the whole site would be very useful, and you may wish to look at English Heritage’s publication *Paradise Preserved: An introduction to the assessment, evaluation, conservation and management of historic cemeteries* for guidance.

Whilst I am aware that there are a lot of self-sets and scrub, many of the trees at the site are integral to the historic landscape - I do not consider that simply identifying key trees within 10m of the Brunswick Park Road boundary fence is appropriate. A tree survey (in accordance with BS5837:2005) should be prepared for the entire Cemetery site which would allow identification of key trees within the historic designed landscape – particularly given your client’s wish to ‘restore historic features’, this context could then form the basis for management, highlighting areas for removal of poor quality trees and retention of more important trees, it would also guide potential replacement planting. It appears from your attached plan that there is some tree survey data already available?

Whilst I note the references to root protection areas and method statement, I have concerns that the proposed level changes would have significant implications for localised drainage patterns and be likely to result in ponding around retained trees. However, the extensive vegetation removal and level changes currently envisaged are also considered to have implications beyond trees.

The proposed surcharging with approximately 1.2m over the existing areas as indicated would be considered as 'engineering works' and thus require planning permission. Application forms can be downloaded from the Council's website....., if you wish further advice please contact

The Cemetery site is designated as a Grade II Site of Borough Importance for Nature Conservation (Ba.BII 21) – any proposed clearance works would need to minimise any potential impact on protected species and appropriate ecological surveys should be undertaken.

The site is also included in the London Parks and Gardens Trust's List of Parks and Gardens of Special and Local Historic Interest.

In the absence of planning permission, the Forestry Commission have confirmed that cemeteries and crematoria are not exempt from needing a felling licence.

As you may be aware, there was considerable local concern at previous management works at the Cemetery site, I think it likely that extensive tree removals, especially close to the Brunswick Park Road frontage as proposed, would exacerbate the situation. Whilst I appreciate the need to undertake some works, it does not seem reasonable to undertake wholesale clearance to create an open area for potential re-use in advance of requisite legislation, especially in the absence of demonstration of appropriate justification.

As far as trees are concerned, I would suggest that an initial step would be to undertake a tree survey of the whole Cemetery site to allow identification of key trees for retention and areas where removal would be justifiable on arboricultural grounds, it would also inform replacement planting - such a survey would be required in any event as part of a planning application and may avoid the need to make an 'area' Tree Preservation Order. Once the location of key trees and their root protection areas has been identified, potential level changes could be assessed. Ecological surveys would also be required. If you, or your client, would like a meeting to discuss this matter further, please contact me at the address overleaf."

After some initial exchanges of information about treework, after about 2013 Westerleigh / their arboriculturist(s) stopped advising the Local Planning Authority of their proposals and carried on regardless with works at the Cemetery.

On 28th November 2011 English Heritage formally determined not to add New Southgate Cemetery to the Register of Parks and Gardens of Special Historic Interest in England.

There continued ongoing correspondence between the resident(s), local Councillors and the Tree Officer about the appropriateness of making an Order. In 2014, the then Head of Development Management advised Theresa Villiers MP and Members that the Council

would consider protecting individual, rather than large areas of, trees of special amenity value at the site if residents identify individual trees which they believe are worthy of protection because of their special contribution to the character and appearance of the area. It was also suggested that it may be appropriate to consider the making of an Order when more detailed information was available following the New Southgate Cemetery Bill Promoter's Undertakings to the Parliamentary Committee to carry out a nature conservation assessment of the cemetery grounds (likely to include a tree survey) and a Conservation Management Plan which "will take into account and assess, among other things, the ecological, arboricultural and landscape values of the Cemetery".

In the light of this, the resident refined the TPO request:

"Thank you for your e-mail of 4 August 2017 to the Councillors about my request for TPOs on some of the trees in the cemetery. I understand the issues from the Council's point of view and that protecting trees on private commercial land is not easy and involves cost. My request for some TPOs is limited in recognition of the needs of the cemetery to operate as a burial ground and commercial venture, and because I would not want to over-burden the Council...."

The New Southgate Cemetery Act 2017, authorising the burial authorities responsible for the cemetery to extinguish rights of burial in grave spaces and to disturb and re-inter remains in order to increase the space for further interments, was granted Royal Assent on 16th November 2017.

The TPO request was again discussed with the Head of Development Management and the trees identified on the resident's map were inspected by the Tree Officer. However, as the section boundaries are not clearly demarcated when viewed from outside the boundaries of the Cemetery, the inspection was slightly extended to include trees on the Brunswick Park Road frontage of the Cemetery approximately opposite the north-western section of New Southgate Recreation Ground (i.e. between the Cemetery site boundary with Darwin Close up to opposite 115 Brunswick Park Road – just past Brunswick Park Road Car Park).

It was considered that of the trees inspected, 17 (9 Oaks, 2 multi-stemmed Hornbeam, 2 Field Maple, 1 twin-stemmed Field Maple, 1 Pine and 2 Ash) were appropriate for inclusion in an Order. Self-evidently these trees are very clearly visible, both as individuals and as part of the wider woodland, from Brunswick Park Road and New Southgate Recreation Ground as well as from the Cemetery itself. The public amenity value of these trees is enhanced by their age, size, and position - trees close to the Cemetery boundary and Park entrances uniting visually to form a verdant streetscape. The public amenity value of the collective group is greater than some of the individual trees. Whilst the trees in the Recreation Ground (a Public Open Space) are already under the direct control of the Council, it is becoming increasingly obvious that despite assurances to the contrary, Cemetery management is being undertaken without due regard for trees (for example, as evidenced by the dumping of spoil and debris in such proximity during wall reconstruction works).

It would obviously be preferable to have site-wide identification of key trees within the historic designed landscape (which could then form the basis for management, highlighting areas for removal of poor quality trees and retention of more important trees, and act as a guide potential replacement planting) – and on this basis the Westerleigh arboricultural consultant's suggestion (in 2010) of identifying key trees within 10m of the Brunswick Park

Road boundary fence had previously been dismissed as inappropriate. However, given the recent apparent disregard for tree protection demonstrated by Cemetery management; the discontinuance of informal advising of plans; the failure of agreed tree-planting with absence of replacements; together with the ongoing discussions with residents / Members, it is considered justifiable to make an Order on a small group of trees on the roadside frontage at this time – rather than await a more detailed assessment.

In particular, the group of 17 trees (9 Oaks, 2 multi-stemmed Hornbeam, 2 Field Maple, 1 twin-stemmed Field Maple, 1 Pine and 2 Ash), standing on the Brunswick Park Road frontage of the Cemetery between the boundary with Darwin Close to opposite 115 Brunswick Park Road, contribute significantly to public amenity and, with normal cultural attention, are capable of so doing for a number of decades – in the circumstances, it was considered that it was expedient and appropriate in the interests of public amenity to include the trees in a Tree Preservation Order.

It has previously been acknowledged that the mature trees along Brunswick Park Road are important to the streetscene; have public amenity value; provide screening; and are part of a historical landscape. Although there has been previous reluctance to adopt a piecemeal approach to Tree Preservation at the Cemetery, it is considered that there is public amenity justification in designating a discrete group of trees along the Brunswick Park Road frontage of the Cemetery in an Order to give the Local Planning Authority some measure of control over the specified trees - particularly in the light of the apparent lack of regard for these trees recently shown by the site management. The inclusion of these trees in an Order should not pose significant operational challenges for the Cemetery because the location of the group of trees, along the site boundary, means that burial works in their vicinity is likely to be markedly less than in more central positions.

Notices were served on the persons affected by the Order in accordance with paragraph 1(a) of Regulation 5 of the Town and Country Planning (Tree Preservation) (England) Regulations.

The Tree Preservation Order secures the protection of the tree on a provisional basis for up to six months from the date of making, but an Order needs to be formally confirmed for it to have long-term effect. The Council is required to take into account all duly made objections and representations before deciding whether to confirm the TPO.

The following representations were received from a local resident in support of the Tree Preservation Order:

- “I would like to thank you very much for having placed a TPO on the group of trees standing close to Brunswick Park Road frontage of New Southgate Cemetery. I am so pleased that Barnet Council has been proactive in this matter and I appreciate that you have given a lot of consideration to my detailed reasons for fearing the loss of too many trees in this cemetery and the effect on nature and the surrounding neighbourhood.”

A letter of representation objecting to the Tree Preservation Order was received from an arboricultural consultant instructed by New Southgate Cemetery & Crematorium Ltd, which is part of the Westerleigh Group Holdings Ltd (who own and manage the relevant land). The letter stated that ‘the objections were made without prejudice and were lodged formally by Westerleigh Group Holdings Ltd with the request that the TPO not be confirmed, and that further dialogue between the Council’s tree officers be encouraged to

assuage any further concerns regarding the management of the trees onsite.’ The grounds of objection raised in the representations are as follows:

- “The trees in question are under good and effective management which ensures their preservation.
 - The trees in question are currently under good arboricultural management which meets the highest standards to ensure that the trees are retained in a healthy and safe condition. Westerleigh Group expend considerable effort to maintain the trees, in particular those with significant amenity such as these. There is no dispute over their amenity supported by the fact that Westerleigh Group are actively managing these trees. Works have been carried out to achieve good management in the recent past. It is therefore argued that the imposition of a TPO is not expedient as defined by the government guidance on the matter.”

- “The TPO will hinder the timely management of the trees.
 - Westerleigh Group expend a considerable amount of time and money to actively manage the trees on their sites. In the case of New Southgate this has taken the form of putting in place an active plan to bring back into good management areas that have been completely neglected in the past. The clearance of overgrown areas to provide improved access, to reduce incidents of anti-social behaviour and enhance the amenity of the site are self-evident. As part of this programme the principal trees dating from the original Victorian planting, including those that predate the cemetery such as along Brunswick Park Road have been retained, with other self-set trees being removed to achieve the aforementioned improvements. There is an active tree planting plan in place where larger trees with significant amenity are removed. This demonstrates a commitment not only to maintaining the existing tree stock but also to ensuring a future treed landscape in keeping with the local character and use of the site. The TPO will impose a significant additional administrative cost on Westerleigh Group which might be reasonably directed at the ongoing improvements to the tree stock onsite.”

- “The imposition of a TPO without reasonable consultation sets a poor precedent for achieving the harmonious reconciliation of tree management on this site.
 - The approach of the Council in making this TPO without first approaching the site manager or the company does not encourage or support the positive relationship enjoyed up until now. Westerleigh Group have been at pains to establish good working relations with the Council based on an openness and wish to achieve common goals. The confirmation of this TPO will inevitably diminish the sense of trust between Westerleigh Group and the Council, thereby the current working relationship will be damaged.”

In response the Council's Tree and Environment Officer comments as follows:

- (i) The representation in support suggests that resident(s), too, consider that the trees have high public amenity value. Westerleigh’s arboricultural consultant confirms “There is no dispute over their amenity value”.

- (ii) Although the arboricultural consultant contends that the trees are currently under good arboricultural management, this is not borne out on inspection. It is becoming increasingly obvious that, despite previous assurances to the contrary, Cemetery management is being undertaken without due regard for trees - for example, during the recent rebuilding of the boundary wall there were no observable tree protection measures in place and some consequent root damage was evident.
- (iii) The arboricultural consultant's suggestion that 'the imposition of a TPO is not expedient as defined by the government guidance on the matter' appears to disregard the government guidance (at paragraph 010 in the 'Tree Preservation Orders and trees in conservation areas' section of National Planning Practice Guidance) cited towards the beginning of this report, which refers to expediency in the context of the authority's belief that there is a risk of trees being felled, pruned or damaged in ways which would have a significant impact on the amenity of the area (in this case in the light of the recent New Southgate Cemetery Act 2017 and recently observed site operations).
- (iv) The contention that 'the TPO will hinder the timely management of trees' and 'will impose a significant additional administrative cost on Westerleigh Group which might be reasonably directed at the ongoing improvements to the tree stock onsite' disregards the very selective inclusion of a relatively small number of boundary trees in the Order. The substantial majority of trees across the Cemetery site are not included in this Order and their management should be completely unaffected.
- (v) The suggestion that there is 'an active tree planting plan in place' and 'a commitment not only to maintaining the existing tree stock but also to ensuring a future treed landscape' is not evidenced in the previously implemented surcharged areas further north along the Brunswick Park Road frontage - which resulted in considerable loss / damage of mature trees – and where much of the agreed mitigation planting has failed but not been replaced.
- (vi) Despite the arboricultural consultant seeking to suggest that there has been a 'positive relationship enjoyed up until now' and that 'Westerleigh Group have been at pains to establish good working relations with the Council based on an openness and wish to achieve common goals', as set out above, there has been no communication with officers in the Planning Trees team from the site manager; any representative from Westerleigh Group; or their arboricultural consultant about trees and treeworks at New Southgate Cemetery, or the New Southgate Cemetery Bill / Act for several years.
- (vii) It is not usual to undertake consultation prior to making a Tree Preservation Order (trees being significantly more vulnerable between the time of any discussion and the making of an Order, because the legal protection to the trees only comes into force at the date the Order is made). However, in both correspondence and informal discussions, Westerleigh's arboricultural consultant has been aware of the potential making of a Tree Preservation Order. In this case, it should also be noted that various alternative

approaches were pursued prior to making this Order - but after some initial exchanges of information about treework, Westerleigh / their arboriculturist(s) stopped advising the Local Planning Authority of their proposals and carried on regardless with works at the Cemetery.

As set out above, the Order is considered to be 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'. There is local support for the Order and the grounds of objection do not seem to accurately reflect the Local Planning Authority's or residents' experience of current site management practice.

2. EQUALITIES AND DIVERSITY ISSUES

The Equality Act 2010 (the Act) came into force in April 2011. The general duty on public bodies requires the Council to have due regard to the need to eliminate discrimination and promote equality in relation to those with protected characteristics such as race, disability, and gender including gender reassignment, religion or belief, sex, pregnancy or maternity and foster good relations between different groups when discharging its functions.

The Council have considered the Act but do not believe that the confirmation of the Order would have a significant impact on any of the groups as noted in the Act.

3. CONCLUSION

The inclusion of Cemetery trees in an Order has been subject of protracted consideration, not least because of potential ramifications of day-to-day cemetery management and the resource implications for the Local Planning Authority. Rather than making an Order in the first instance, various alternative approaches were pursued.

In the light of previous unfulfilled assurances about responsible tree management practices and prior outlining of plans, the request on behalf of Westerleigh Group Holdings Ltd 'that the TPO not be confirmed, and that further dialogue between the Council's tree officers be encouraged to assuage any further concerns regarding the management of the trees onsite' is considered inappropriate.

The confirmation of the Tree Preservation Order is considered reasonable in the interests of public amenity and would allow the Local Planning Authority some measure of control over treework that is considered excessive. As set out above, it is considered the trees in group G1 identified in the Order contribute significantly to public amenity and given normal arboricultural attention are capable of providing amenity value for a considerable time. It is therefore recommended that the Order be confirmed without modification.



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Location 1 - 6 Monkswell Court Colney Hatch Lane London N10 2JH

Reference: 18/1588/FUL

Received: 12th March 2018

Accepted: 12th March 2018

Ward: Coppetts

Expiry 7th May 2018

Applicant: Mr Gavin Bass

Proposal: Replacement of the existing timber doors to the front and rear entrances with new access control door entry systems to the front and rear entrances incorporating flat concrete landings and steps to the front and ramp to the rear of the block with associated replacement railings.

AGENDA ITEM 7

Recommendation: Approve subject to conditions

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

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

-Site Location Plan

- Planning statement, prepared by Capital; dated March 2018

-478/MC/01

-478/MC/02 Rev A

-478/MC/03

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

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

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

- 3 The colour of doors shall be as per the email confirmation received from the agent George Plakides in an email dated 4 June 2018 and retained as such thereafter.

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

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

Officer's Assessment

1. Site Description

The application site relates to the north-eastern building located at Monkswell Court on Colney Hatch Lane; the subject building is three storeys and is occupied by 6 apartments.

The surrounding area can be defined by two storey terraced dwellings with private amenity space to the rear, and three storey apartment blocks, particularly those in the immediate vicinity of Monkswell Court.

The application site is not listed, nor does it fall within a conservation area. The application site is not within close proximity to an area of archaeological importance.

As the subject building is a flatted development, the proposal site does not benefit from permitted development rights.

2. Site History

Reference: 16/6285/LIC

Address: Monkswell Court, Colney Hatch Lane, London, N10 2JH

Decision: Exempt

Decision Date: 17 October 2016

Description: Installation of cabinet, box, pillar, pedestal or similar apparatus with dimensions of 400mm (Width), 1210mm (Height) and 370mm (Depth)

Reference: 18/1590/FUL

Address: Monkswell Court, Colney Hatch Lane, London, N10 2JH

Decision: Pending Consideration

Description: Replacement of the existing timber doors to the front entrance with new access control door entry systems to the front and rear entrances incorporating flat concrete landings with steps to the front and ramp to the rear of the block

Reference: 18/1591/FUL

Address: 7 - 21 Monkswell Court, Colney Hatch Lane, London, N10 2JH

Decision: Pending Consideration

Description: Replacement of the existing timber doors to the front entrances with new access control door entry systems to the front and rear entrances incorporating flat concrete landings with steps to the front and ramps to the rear of the block.

3. Proposal

This application seeks planning permission for the replacement of the existing timber doors with new powder coated aluminium access control door entry systems to the front and rear entrances, incorporating flat concrete landings with steps to the front and a ramp to the rear of the block at 1 - 6 Monkswell Court, Colney Hatch Lane.

The alterations of the proposal are as follows:

Front Elevation:

- o Front door to be replaced with powder coated aluminium door with side window panel;
- o Five new steps leading to front door, a landing area with a depth of 1.4 metres in front of the doorway; and,
- o Handrails approximately 1m in height above the finished floor level of the remodelled steps and landing, leading to the doorway.

Rear Elevation:

- o Handrails approximately 1 metre in height leading to doorway;
- o New ramp leading to rear doorway and a new step down to the left of the exit; and
- o Rear door to be replaced with powder coated aluminium door with side window panel.

4. Public Consultation

Consultation letters were sent to 31 neighbouring properties.

8 responses were received; 7 letters of objection and 1 representation letter.

The concerns raised through these submissions are summarised as follows:

- o The view out of flat 7 will be impacted with people walking right next to the sitting room window
- o The value of the unit and/or rent income will be impacted due to walkways running next to windows of flat 7
- o The amendments will alter the historic look and the uniformity of Monkswell Court
- o Development is not in keeping with the characteristics of the property.
- o Concerns regarding the design and material to be used.
- o Is the additional work and costs required? Nothing wrong with the existing rail.
- o Removal of the hedges will affect privacy of ground floor flats.
- o Been contributing to garden services, waste of money.
- o Prefer a simple intercom system.
- o Strongly object to all three applications.
- o Concerns regarding the fire escape system.

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 Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, 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.

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft National Planning Policy Framework. Although this weight will increase as the Draft National Planning Policy Framework progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2012 National Planning Policy Framework.

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

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

The Mayor's Draft London Plan

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02 and DM03.

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

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

Policy DM03 states the Council's desire for all development to meet the highest standards of accessible and inclusive design.

Supplementary Planning Documents

Residential Design Guidance SPD (2016)

- Sets out information for applicants to help them design developments which would receive favourable consideration by the Local Planning Authority. The SPD states that

large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States developments should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity it states that developments should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to 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 2016)

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

5.2 Main issues for consideration

Officers consider that the main planning considerations are as follows:

- o Design and Integration
- o Impact upon residential amenity

5.3 Assessment of proposals

Design and Integration

Due to the size and scale of the proposed development officers are of the opinion that it does appear to be subordinate in scale when compared with the main property, and doesn't appear as a bulky or prominent feature, nor does it result in an alteration to the location of access into units 1-6.

Objectors have raised concerns regarding the materials proposed to be used, stating that the use of aluminium would be out of character and detract from the historic character of the buildings. It is noted that the buildings are not subject to either local or statutory listings and therefore the impact on heritage is not a relevant consideration. This proposal is one of three, the other two being under reference nos. 18/1591/FUL and 18/1590/FUL, with all applications seeking to install the same doors on all of the three blocks within Monkswell Court, and therefore the applicant's intention to replace all front and rear doors to match is clear. On this basis, the introduction of aluminium powder coated front and rear access doors is considered acceptable, noting that these will be green to be consistent with other joinery in the buildings, and match the existing doors.

Additionally, the proposed ramp and railings are not considered to detract from the character or function of the building containing units 1-6, noting that there are similar railings, ramps and means of access that are present on the site and the locality. Therefore, the proposed development would not have a detrimental impact upon the property. Furthermore, the proposed ramp access into the rear of the property will enable

universal access into the ground floor units of this building, thereby being an improvement to the universal design of the building.

Overall, Officers are of the view that the proposal would make a positive contribution to the front and rear elevation of 1-6 Monkswell Court, and the materials would compliment the main property. It is therefore considered that the proposed development would not have a detrimental impact upon the character of the area.

Impact upon Residential Amenity

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites and the amenity of residents within the subject site. This approach is echoed under Policies CS5, DM01, DM02 DM04 of the Barnet Council Development Plan Document. These policies seek to manage the impact of new developments and ensure that there is not an excessive loss of amenity in terms daylight/sunlight, outlook and privacy for existing residential occupiers or gardens.

As the proposal only seeks to replace the doors to the front and rear entrances and the access-ways into the building whilst occupying the same position/location, it would not be detrimental to the amenity of the surrounding residential properties.

Third Party Representations

In addition to the above assessment, the following comments are made in response to remaining matters raising through consultation:

- o Is the additional work and costs required? Nothing wrong with the existing rail. The cost of the development is not a material planning consideration. Furthermore, whether the replacement is necessary is not a matter to be considered.
- o Removal of the hedges will affect privacy. The applicant has clarified that the only vegetation that was to be removed was as a result of the alterations to the front access to units 7-12 and therefore this is not relevant to the immediate proposal being assessed.
- o Been contributing to garden services, waste of money. This not a material planning consideration.
- o Prefer a simple intercom system.

The LPA can only consider the merits of what is being proposed.

- o Concerns regarding the fire escape system.

This is not a material planning consideration, and is something that would be assessed by the building regulations team.

6. Equality and Diversity Issues

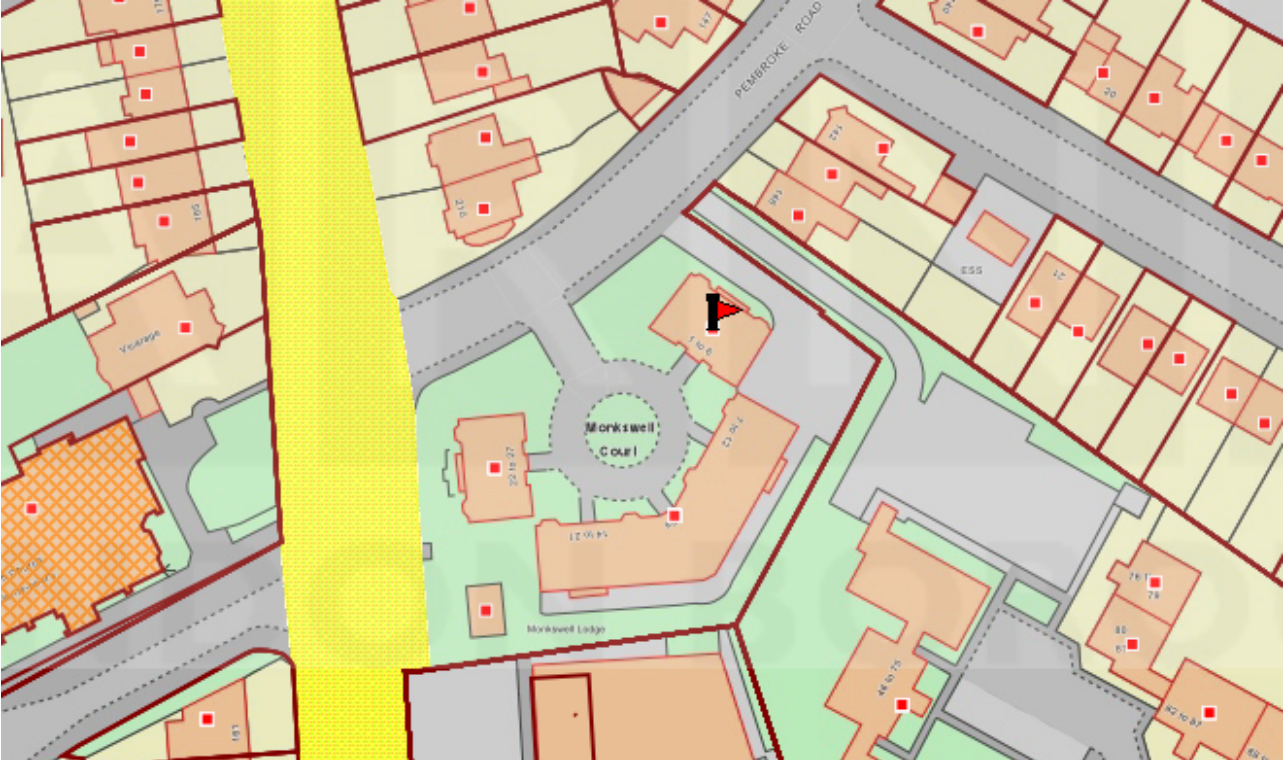
The existing development does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its

statutory equality responsibilities. As previously mentioned, the proposed alterations are considered to improve the universal access to the ground floor units of the subject building, thereby bringing the existing building into greater alignment with the Equalities policy.

7. Conclusion

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

Site Location Plan



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Location 7 - 21 Monkswell Court Colney Hatch Lane London N10 2JH

Reference: 18/1591/FUL

Received: 12th March 2018

Accepted: 12th March 2018

Ward: Coppetts

Expiry 7th May 2018

Applicant: Mr Gavin Bass

Proposal:

Replacement of the existing timber doors with new access control door entry systems to the front and rear entrances incorporating flat concrete landings and steps to the front and ramps to the rear of the block with associated hand railings. (Amended)

AGENDA ITEM 8

Recommendation: Approve subject to conditions

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

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

-Planning Statement prepared by Capital

-478/MC/01

-478/MC/02 Rev A

- 478/MC/04

-478/MC/05 Rev A

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

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

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

- 3 The colour of doors shall be as per the email confirmation received from the agent George Plakides in an email dated 4 June 2018 and retained as such thereafter.

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

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

Officer's Assessment

1. Site Description

The application site relates to the southern building located at Monkswell Court on Colney Hatch Lane; the subject building is three storeys and is occupied by apartments 7-21.

The surrounding area can be defined by two storey terraced dwellings with private amenity space to the rear, and three storey apartment blocks, particularly those in the immediate vicinity of Monkswell Court.

The application site is not listed, nor does it fall within a conservation area. The application site is not within close proximity to an area of archaeological importance.

As the subject building is a flatted development, the proposal site does not benefit from permitted development rights.

2. Site History

Reference: 16/6285/LIC

Address: Monkswell Court, Colney Hatch Lane, London, N10 2JH

Decision: Exempt

Decision Date: 17 October 2016

Description: Installation of cabinet, box, pillar, pedestal or similar apparatus with dimensions of 400mm (Width), 1210mm (Height) and 370mm (Depth)

Reference: 18/1590/FUL

Address: 22 - 27 Monkswell Court, Colney Hatch Lane, London, N10 2JH

Decision: Pending Consideration

Description: Replacement of the existing timber doors with new access control door entry systems to the front and rear entrances incorporating flat concrete landings and steps to the front and ramps to the rear of the block with associated hand railings.

Reference: 18/1588/FUL

Address: 1-6 Monkswell Court, Colney Hatch Lane, London, N10 2JH

Decision: Pending Consideration

Description: Replacement of the existing timber doors with new access control door entry systems to the front and rear entrances incorporating flat concrete landings and steps to the front and ramps to the rear of the block with associated hand railings.

3. Proposal

This application seeks planning permission for the replacement of the existing timber doors with new powder coated aluminium access control door entry systems to the front and rear entrances incorporating new flat concrete landings with steps to the front access points and ramps to the rear of the block at 7 - 21 Monkswell Court, Colney Hatch Lane.

Since the application was submitted, the front access arrangements have been altered to remain in the same position as the existing access; i.e. the steps to the front of the building will not go past the window of unit 7 as it previously was proposed to do.

The alterations of the proposal are as follows:

Front Elevation:

- o Front doors to be replaced with powder coated aluminium doors with side window panels;
- o New steps leading to the 3 front doors, with landing areas in front of the doorways; The access to units 7 - 12 will include 7 steps, with a landing area with a depth of 1 metre. The access to both units 12A - 15 and units 16-21 will include 6 steps and landing areas with depths of 1.4 metres.
- o Handrails approximately 1m in height above the finished floor level of the remodelled steps and landing, leading to the doorways.

Rear Elevation:

- o Replacement ramps leading to rear doorways;
- o Handrails along the edge of the ramps approximately 1 metre in height leading to doorway; and,
- o Rear doors to be replaced with powder coated aluminium door with side window panel.

4. Public Consultation

Consultation letters were sent to 61 neighbouring properties, on 13 April and again on the 07 June due to revisions to the access layout to units 7 -12. 10 letters of objection were received as a result.

The concerns raised through these submissions are summarised as follows:

- o The view out of flat 7 will be impacted with people walking right next to the sitting room window
- o The value of the unit and/or rent income will be impacted due to walkways running next to windows of flat 7
- o The amendments will alter the historic look and the uniformity of Monkswell Court
- o The proposed doors and ramps to the rear of the blocks are limited in safeguarding residents
- o Development is not in keeping with the characteristics of the property.
- o Concerns regarding the design and material to be used.
- o Is the additional work and costs required? Nothing wrong with the existing rail.
- o Removal of the hedges will affect privacy of ground floor flats.
- o Been contributing to garden services, waste of money.
- o Prefer a simple intercom system.
- o Strongly object to all three applications.
- o Concerns regarding the fire escape system.
- o The re-consultation period was not long enough to enable residents to comment on something that has so much financial impact
- o The base of the external rear stairway can be quite dark due to the overhang of balconies. Restricted light caused by the insertion of a heavy security door and frame will darken this area further. This will have an impact on natural light entering through the back kitchen doors of kitchens for flats 7 and 8, 12A, 16 and 17
- o The long ramps also presents an invasion of privacy and the right to a peaceable quiet life as residents or workmen pass windows of the units

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The 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.

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft National Planning Policy Framework. Although this weight will increase as the Draft National Planning Policy Framework progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2012 National Planning Policy Framework.

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

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

The Mayor's Draft London Plan

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02 and DM03.

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

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

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

Policy DM03 states the Council's desire for all development to meet the highest standards of accessible and inclusive design.

Supplementary Planning Documents

Residential Design Guidance SPD (2016)

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

- States developments should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity it states that developments should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to 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 2016)

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

5.2 Main issues for consideration

Officers consider that the main planning considerations are as follows:

- o Design and Integration
- o Impact upon residential amenity

5.3 Assessment of proposals

Design and Integration

Due to the size and scale of the proposed development officers are of the opinion that it appears subordinate to the main property, and doesn't appear as a bulky or prominent feature, nor does it result in an alteration to the location of access into any of the units due to the amendments that have been made to the entrance to units 7-12.

Objectors have raised concerns regarding the materials proposed to be used, stating that the use of aluminium would be out of character and detract from the historic character of the buildings. It is noted that the buildings are not subject to either local or statutory listings and therefore the impact on heritage is not a relevant consideration. This proposal is one of three, the other two being under reference nos. 18/1588/FUL and 18/1590/FUL, with all applications seeking to install the same doors on all of the 3 blocks within Monkswell Court, and therefore the applicant's intention to replace all front and rear doors to match is clear. On this basis, the introduction of aluminium powder coated front and rear access doors is considered acceptable, noting that these will be green to be consistent with other joinery in the buildings, and match the existing doors.

As amended, the reinstated ramps and railings are not considered to detract from the character or function of the building containing units 7-21 as these will be in the same position/location as the existing access ways into the building. As such, the proposal would not have a detrimental impact upon the property or the individual units. Furthermore, the proposed ramp access into the rear of the property will enable universal access into the ground floor units of this building, thereby being an improvement to the universal design of the building.

Overall, Officers are of the view that the proposal would make a positive contribution to the front and rear elevations of 7-21 Monkswell Court, and the materials would compliment the main property, it is therefore considered that the proposed development would not have a detrimental impact upon the character of the area.

Impact upon Residential Amenity

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites and the amenity of residents within the subject site. This approach is echoed under Policies CS5, DM01, DM02 DM04 of the Barnet Council Development Plan Document. These policies seek to manage the impact of new developments and ensure that there is not an excessive loss of amenity in terms daylight/sunlight, outlook and privacy for existing residential occupiers or gardens.

As the proposal only includes the replacement of doors to the front and rear entrances and the access-ways into the building whilst occupying the same footprint/location, it would not be detrimental to the amenity of the surrounding residential properties.

Third Party Representations

In addition to the above assessment, the following comments are made in response to remaining matters raising through consultation:

o Is the additional work and costs required? Nothing wrong with the existing rail. The cost of the development is not a material planning consideration. Furthermore, whether the replacement is necessary is not a matter to be considered.

o Removal of the hedges will affect privacy. The applicant has clarified that the only vegetation that was to be removed was as a result of the alterations to the front access to units 7-12 and therefore this is not relevant to the immediate proposal being assessed.

- o Been contributing to garden services, waste of money.
This not a material planning consideration.

- o Prefer a simple intercom system.

The LPA can only consider the merits of what is being proposed.

- o Concerns regarding the fire escape system.

This is not a material planning consideration, and is something that would be assessed by the building regulations team.

- o The re-consultation period was not long enough to enable residents to comment on something that has so much financial impact

The additional re-consultation was done to make residents aware that the access arrangement to units 7-12 that was disputed in previous objections, had been amended to then occupy the same location/position as the existing access. Due to the perceived impact of this amendment, it was not considered necessary to undertake a full re-consultation period.

- o The base of the external rear stairway can be quite dark due to the overhang of balconies. Restricted light caused by the insertion of a heavy security door and frame will darken this area further. This will have an impact on natural light entering through the back kitchen doors of kitchens for flats 7 and 8, 12A, 16 and 17

The insertion of a door in an already enclosed, access space, is not considered to impact on natural light in a manner that is acceptable.

- o The long ramps also presents an invasion of privacy and the right to a peaceable quiet life as residents or workmen pass windows of the units

The ramps being proposed occupy existing access locations and therefore do not present any new impacts on the privacy of units.

6. Equality and Diversity Issues

The existing development 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. As previously mentioned, the proposed alterations are considered to improve the universal access to the ground floor units of the subject building, thereby bringing the existing building into greater alignment with the Equalities policy.

7. Conclusion

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

Site Location Plan



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Location 22 To 27 Monkswell Court Colney Hatch Lane London N10 2JH

Reference: 18/1590/FUL

Received: 12th March 2018

Accepted: 12th March 2018

Ward: Coppetts

Expiry 7th May 2018

Applicant: Mr Gavin Bass

Proposal:

Replacement of the existing timber doors with new access control door entry systems to the front and rear entrances incorporating flat concrete landings and steps to the front and ramps to the rear of the block with associated hand railings. (Amended)

AGENDA ITEM 9

Recommendation: Approve subject to conditions

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

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

-Planning Statement prepared by Capital

-478/MC/01

-478/MC/02 Rev A

-478/MC/06

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

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

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

- 3 The colour of doors shall be as per the email confirmation received from the agent George Plakides in an email dated 4 June 2018 and retained as such thereafter.

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

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

Officer's Assessment

1. Site Description

The application site relates to the western building located at Monkswell Court on Colney Hatch Lane; the subject building is three storeys and is occupied by apartments 22- 27.

The surrounding area can be defined by two storey terraced dwellings with private amenity space to the rear, and three storey apartment blocks, particularly those in the immediate vicinity of Monkswell Court.

The application site is not listed, nor does it fall within a conservation area. The application site is not within close proximity to an area of archaeological importance.

As the subject building is a flatted development, the proposal site does not benefit from permitted development rights.

2. Site History

Reference: 16/6285/LIC

Address: Monkswell Court, Colney Hatch Lane, London, N10 2JH

Decision: Exempt

Decision Date: 17 October 2016

Description: Installation of cabinet, box, pillar, pedestal or similar apparatus with dimensions of 400mm (Width), 1210mm (Height) and 370mm (Depth)

Reference: 18/1591/FUL

Address: 7 - 21 Monkswell Court, Colney Hatch Lane, London, N10 2JH

Decision: Pending Consideration

Description: Replacement of the existing timber doors with new access control door entry systems to the front and rear entrances incorporating flat concrete landings and steps to the front and ramps to the rear of the block with associated hand railings.

Reference: 18/1588/FUL

Address: 1-6 Monkswell Court, Colney Hatch Lane, London, N10 2JH

Decision: Pending Consideration

Description: Replacement of the existing timber doors with new access control door entry systems to the front and rear entrances incorporating flat concrete landings and steps to the front and ramps to the rear of the block with associated hand railings.

3. Proposal

This application seeks planning permission for the replacement of the existing timber doors with new powder coated aluminium access control door entry systems to the front and rear entrances, incorporating flat concrete landings with steps to the front of the block and replacement railings to the rear of the block at 22 - 27 Monkswell Court, Colney Hatch Lane.

The alterations of the proposal are as follows:

Front Elevation:

- o Front door to be replaced with powder coated aluminium door with a side window panel;
- o 3 new steps leading to the front door, with a landing area with a depth of 1.4 metres in front of the doorway; and,
- o Handrails approximately 1m in height above the finished floor level of the remodelled steps and landing, leading to the doorway.

Rear Elevation:

- o Handrails to be replaced with approximately 1 metre high railings adjoining the step access towards the doorway;
- o Rear doors to be replaced with powder coated aluminium door with side window panel.

4. Public Consultation

Consultation letters were sent to 61 neighbouring properties.

8 letters of objection were received.

The concerns raised through these submissions are summarised as follows:

- o The view out of flat 7 will be impacted with people walking right next to the sitting room window
- o The value of the unit and/or rent income will be impacted due to walkways running next to windows of flat 7
- o The amendments will alter the historic look and the uniformity of Monkswell Court
- o Development is not in keeping with the characteristics of the property.
- o Concerns regarding the design and material to be used.
- o Is the additional work and costs required? Nothing wrong with the existing rail.
- o Removal of the hedges will affect privacy of ground floor flats.
- o Been contributing to garden services, waste of money.
- o Prefer a simple intercom system.
- o Strongly object to all three applications.
- o Concerns regarding the fire escape system.

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.

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft National Planning Policy Framework. Although this weight will increase as the Draft National Planning Policy Framework progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2012 National Planning Policy Framework.

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

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

The Mayor's Draft London Plan

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02 and DM03.

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

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

Policy DM03 states the Council's desire for all development to meet the highest standards of accessible and inclusive design.

Supplementary Planning Documents

Residential Design Guidance SPD (2016)

- Sets out information for applicants to help them design developments which would receive favourable consideration by the Local Planning Authority. The SPD states that

large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States developments should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity it states that developments should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to 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 2016)

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

5.2 Main issues for consideration

Officers consider that the main planning considerations are as follows:

- o Design and Integration
- o Impact upon residential amenity

5.3 Assessment of proposals

Design and Integration

Due to the size and scale of the proposed development officers are of the opinion that it appears subordinate to the main property, and doesn't appear as a bulky or prominent feature, nor does it result in an alteration to the location of access into units 22 - 27.

Objectors have raised concerns regarding the materials proposed to be used, stating that the use of aluminium would be out of character and detract from the historic character of the buildings. It is noted that the buildings are not subject to either local or statutory listings and therefore the impact on heritage is not a relevant consideration. This proposal is one of three, the other two being under reference nos. 18/1588/FUL and 18/1591/FUL, with all applications seeking to install the same doors on all of the 3 blocks within Monkswell Court, and therefore the applicant's intention to replace all front and rear doors to match is clear. On this basis, the introduction of aluminium powder coated front and rear access doors is considered acceptable, noting that these will be green to be consistent with other joinery in the buildings, and match the existing doors.

Additionally, the proposed steps, ramps and railings are not considered to detract from the character or function of the subject building, noting that there are similar railings, ramps and means of access that are present on the site and in the locality. Therefore, the proposed development would not have a detrimental impact upon the property or the amenity of the individual units.

Overall, Officers are of the view that the would make a positive contribution to the front and rear elevations of 22 - 27 Monkswell Court, and the materials would compliment the main property, it is therefore considered that the proposed development would not have a detrimental impact upon the character of the area.

Impact upon Residential Amenity

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites and the amenity of residents within the subject site. This approach is echoed under Policies CS5, DM01, DM02 DM04 of the Barnet Council Development Plan Document. These policies seek to manage the impact of new developments and ensure that there is not an excessive loss of amenity in terms daylight/sunlight, outlook and privacy for existing residential occupiers or gardens.

As the proposal only seeks to replace the doors to the front and rear entrances and the access-ways into the building whilst occupying the same position/location, it would not be detrimental to the amenity of the surrounding residential properties.

Third Party Representations

In addition to the above assessment, the following comments are made in response to remaining matters raised through consultation:

o Is the additional work and costs required? Nothing wrong with the existing rail. The cost of the development is not a material planning consideration. Furthermore, whether the replacement is necessary is not a matter to be considered.

o Removal of the hedges will affect privacy.
The applicant has clarified that the only vegetation that was to be removed was as a result of the alterations to the front access to units 7-12 and therefore this is not relevant to the immediate proposal being assessed.

o Been contributing to garden services, waste of money.
This not a material planning consideration.

o Prefer a simple intercom system.

The LPA can only consider the merits of what is being proposed.

o Concerns regarding the fire escape system.

This is not a material planning consideration, and is something that would be assessed by the building regulations team.

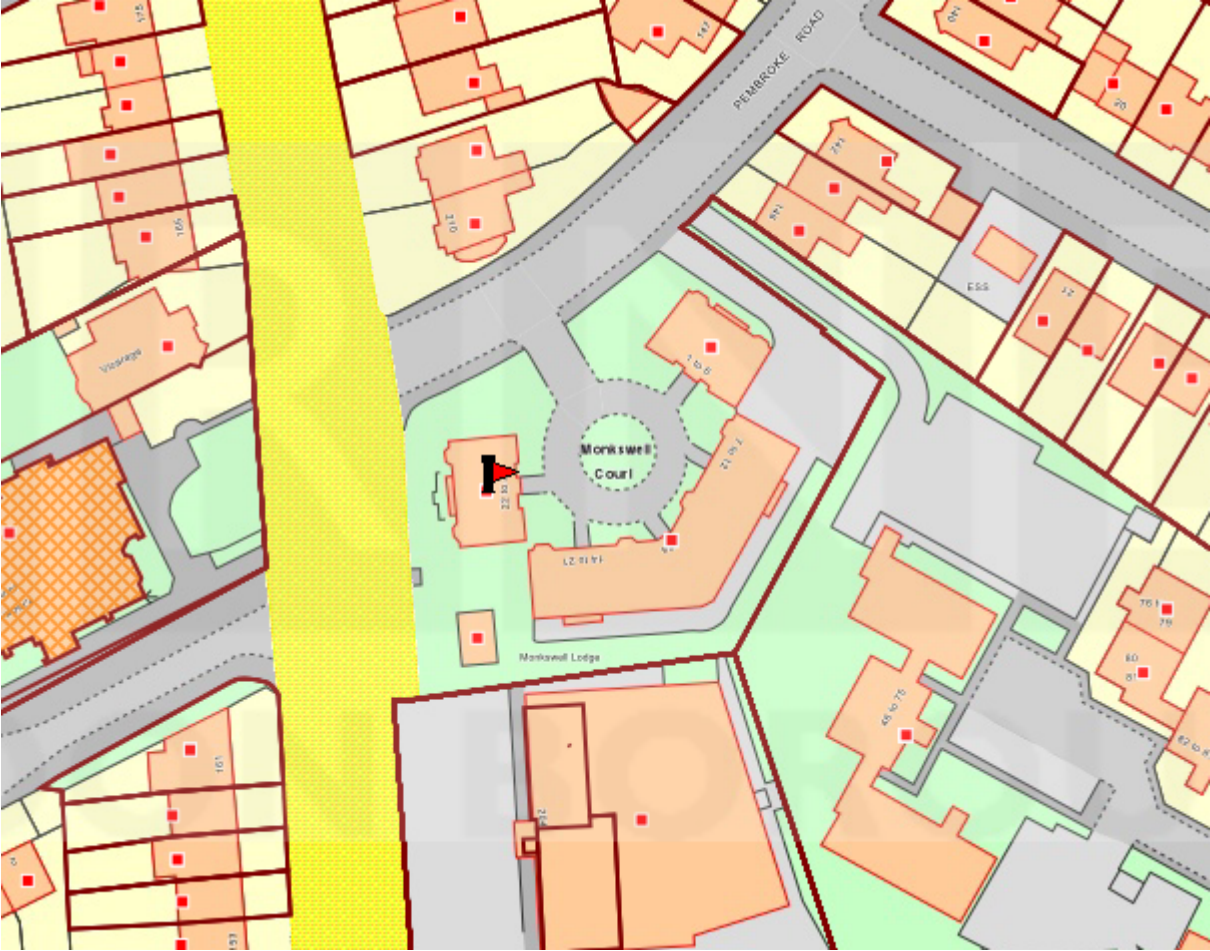
6. Equality and Diversity Issues

The existing development 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. The proposed alterations maintain the existing universal access to the ground floor units of the subject building through the retention of the existing ramp at the rear of the property.

7. Conclusion

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

Site Location Plan



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Location **44 Brookhill Road Barnet EN4 8SL**

Reference: **17/7656/FUL**

Received: 4th December 2017

Accepted: 4th December 2017

Ward: East Barnet

Expiry 29th January 2018

Applicant: Mr Barry Groner

Proposal: Construction of a three storey dwellinghouse with associated amenity space, refuse storage and provision of 1no off-street parking space.

AGENDA ITEM 10

Recommendation: Approve subject to conditions

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

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

BGBR 1153 (Existing Ground Floor), BGBR 1153 (Existing First Floor Plan), BGBR 1153(Existing Second Floor Plan), BGBR 1153(Existing Roof), BGBR 2001 (Existing Front Elevation), BGBR 2002(Existing Rear Elevation), BGBR 2003(Existing Side Elevation), BGBR 1653 Rev B (Proposed Ground Floor Plan), BGBR 1654 Rev B (Proposed First Floor Plan), BGBR 1655 Rev B (Proposed Second Floor Plan), BGBR 1670 Rev B (Proposed Roof Plan), BGBR 2601 Rev B (Proposed Front Elevation), BGBR 2602 Rev B (Proposed Rear Elevation), BGBR 2603 Rev B (Proposed Side Elevation), BGBR 3601 Rev B (Proposed Section aa), BGBR 1683(Proposed Ground Floor Plan, New Front Area), Energy Statement prepared by Catherine Alexandra dated November 2017, Sustainability Statement prepared by Catherine Alexandra dated December 2017, Land Registry Plan, Design and Access Report prepared by RS Architect, Survey of Pymme's Brook Culvert - Conditional & Dimensional Survey Report prepared by Kaymac Marine & Civil Engineering Ltd dated 23 March 2018.

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

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

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

- 3 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

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

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

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

Reason: In the interests of highway safety 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 Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

6 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.

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

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).

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A to D of Part 1 of Schedule 2 of that Order shall be carried out within the area of 44 Brookhill Road 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)

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

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

- 11 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.

- 12 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 18 % 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.

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

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

- 14 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.

- 15 Prior to occupation of the development the proposed parking spaces within the parking area as shown in BGBR 1683 Rev. A submitted with the planning application and the access to the parking area from public highway shall be provided and the access to the parking spaces shall be maintained at all time. The parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason

To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 16 Prior to occupation of the development, Cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

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

- 17 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 2016.

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work

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

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £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 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 payment under Barnet CIL.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

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

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

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

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

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 4 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 5 Refuse collection points should be located within 10 meters of the Public Highway. 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.
- 6 In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team in conjunction with

the highway tree section as part of the crossover application. The outcome of this assessment cannot be prejudged.

Please Note: A maximum width of a crossover allowed from a public highway is 4.8 meters. Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

- 7 Works on public highway shall be carried out by the Council's contractors. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ
- 8 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance towards any damage to the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic related to the proposed development. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

Officer's Assessment

1. Site Description

The site is land adjoining 44 Brookhill Road an end of terrace single dwelling. The site is part of the curtilage of the existing building.

The street is predominantly residential with private parking area in front of each property and a shared public open space at the area. The site is not listed and it is not in a conservation area.

2. Site History

None

3. Proposal

The application seeks to construct a three storey dwellinghouse with associated amenity space, refuse storage and provision of 1no off-street parking space on the front forecourt.

The width of the proposed dwelling would be approx. 5m, the depth 8.4m and due to the gradient of the ground the maximum height to the eaves would be approx 7.6 and to the ridge approx. 9.79m. The proposed footprint of the dwelling is approx. 43.3 sqm
The proposal includes 4 solar panels to the roof at rear.

The proposed materials will match the host dwelling. Leicester weathered red bricks for the walls, white UPvc frame for the window and the external walls will be white timber cladding.

4. Public Consultation

Consultation letters were sent to 85 neighbouring properties.

12 responses have been received, comprising 9 letters of objection, 2 letters of support and 1 letter of representation.

The objections received can be summarised as follows:

- loss of light
- overlooking and loss of privacy
- impact on visual amenity
- Noise disturbance
- loss of green space and impact on wildlife
- Loss of view
- no need for additional property
- encroachment on grass verge
- traffic
- Obstruct vision for traffic travelling out of Doggetts Close onto Brookhill Road
- Impact on culvert

The representations received can be summarised as follows:

Hendon and District Archaeological Society

44 Brookhill Road lies in an Archaeological Priority Area, and the proposal involves construction on a hitherto empty site. The Design and Access Statement should have recognised and taken account of this. Historic England may want to consider whether any archaeological condition would be warranted.

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.

The London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan

Barnet's Local Plan (2012)

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

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

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

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 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

Policy DM01 expects that development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The proposed dwelling house would utilise the side garden of an existing 3 storey end of terrace town house. Concerns have been raised that the proposed development would be on the verge, the plans shows that the proposed dwelling will not project beyond the curtilage of the existing dwelling. The proposed development would be of the same size as the host dwelling. The existing rear garden will be subdivided to provide private amenity space for the proposed new dwelling.

The proposed development would have the same front building line as the host building with parking space for one car. The proposal would maintain a comparable eaves and ridge height, with materials to match the host building. The proposed development would be in keeping with the character of the host building and the character of the area.

Impact on the amenities of future occupiers

In terms of the amenity for future occupiers, the Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. Table 3.3 within Policy 3.5 of the London Plan 2016 provides minimum space standards for new dwellings. Policy requires that a 3 bedroom, 4 persons unit over 2 storeys should measure 87sqm at a minimum. The proposed dwelling measures approx. 107.6sqm and would meet this requirement.

The proposed internal layout and room spaces would comply with the London Plan space standards.

The property has dual aspect and the proposed private amenity space to the rear would be approx. 40.6sqm, it is approximately the same size as the existing and surrounding properties on the terrace. In addition, there is a public open space to the rear of the terrace, which the future occupiers could also utilise.

Impact on the amenities of neighbours

The proposal would maintain the same front and rear building line as the host building and it is unlikely to create adverse impact on the residential amenity of the host property No 44 Brookhill Road and the adjoining property No 46 Brookhill Road. The proposal would not cause overlooking or loss of privacy to neighbouring properties as the only windows on the flank wall would be facing the street. Concerns have been raised regarding loss of outlook, given the distance between the proposed development and adjoining properties, it will not lead to sense of enclosure and loss of outlook.

Highways

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

Policy DM17 sets out parking standards as follows for the residential use:

1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms)

The proposal includes creation of a parking space and crossover in front of the proposed dwelling

The Council's Highways team have been consulted on the scheme and subject to conditions do not object to the proposal. According to the Highways Team response, the site lies within a PTAL 2 site, according to car parking standards set out on Policy DM17 of the London Plan, an application such as this would require the provision of 1 off-street car parking space. Taking into consideration the following:

- It is located within a town centre location
- It is within walking distance of local amenities

The proposal is therefore acceptable on highways grounds.

Drainage

The Council's Drainage Consultant and Environment Agency objected to the initial proposal on the basis that the "development is within 8m of a main river line, that being a culvert. Culvert locations are not exactly represented by the main river line. Due to the uncertainty over the exact location of the culvert at this location it is necessary for the applicant to undertake a survey of the site to ensure that the culvert does not exist beneath it".

The applicant has carried out the survey as per the Environment Agency's directive, and the Environment Agency has reviewed the culvert survey report for the Pymme's Brook prepared by Kaymac Marine & Civil Engineering Ltd, dated 23/03/2018. According to the EA, "the report shows the culverted Pymme's Brook to be beyond the byelaw distance from the proposed development and based on this information the EA confirmed they no longer raise objection to the proposal".

Archaeology

Historic England has been consulted in relation to the scheme and have responded that having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, it is concluded that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. Although within an Archaeological Priority Area, the proposed development is too small-scale to be likely to cause significant harm in this location. No further assessment or conditions are therefore deemed necessary.

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 would be attached in the event planning permission is granted 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 18% 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 would be attached in the event planning permission is granted to ensure compliance with the Policy

In terms of water consumption, a condition would be attached in the event planning permission is granted 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.

5.4 Response to Public Consultation

It is generally considered that the planning related objections have been addressed in the report above.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, the proposed development would be in keeping with the character and appearance of the surrounding area and in a design which is considered to be in keeping with neighbouring dwellings. The proposed development is not considered to have a detrimental impact on the residential amenities of neighbouring dwellings. The proposal is in accordance with the NPPF and Policies contained within the adopted Local Plan. It is recommended that the application be approved subject to the discharging of attached conditions.

It is therefore recommended that the application be APPROVED



Location 11 Dury Road Barnet EN5 5PU

Reference: 17/7538/LBC

Received: 28th November 2017

Accepted: 29th November 2017

Ward: High Barnet

Expiry 24th January 2018

Applicant: Ms Fiona de Lys

Proposal: Replacement and repair of existing windows. Replacement of front render with new timber boarding. New front door. Internal alterations

AGENDA ITEM 11

Recommendation: Approve subject to conditions

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

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

- Site Location Plan
- 11DR-01, 02, 03A, 04A, 05A, 06A, 07, 08A and 09
- Heritage Statement
- Design and Access Statement
- Anglia Lime Company - Fibrechalk and Woodwool board User Guidelines
- Anglia Lime Company -Thermaline data sheet
- The Wood Window Alliance document
- Photograph

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 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).

- 4 The windows and doors hereby approved shall match those specified in the hereby approved plans.

Reason: To protect the character of the house and the Monken Hadley Conservation Area in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012).

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

Officer's Assessment

1. Site Description

The application site relates to a two storey terraced house forming one half of a pair of traditional timber framed cottages located on the north-west side of Dury Road. Constructed mid-1700s within the Monken Hadley Conservation Area, it is a Grade II listed building and forms part of the original terrace known as Gothic Place.

The property is of brick/timber frame with rendered external wall, under a clay tiled pitched roof with timber suspended floors internally.

Historic England Entry:

1. 5004 *DURY ROAD Monken Hadley*

Nos 11 and 15 TQ 2497 9/14

II GV

2. *C18. Timber framed pair of houses. Two storeys pantile roof. Stucco ground storey. Roughcast first storey. No 11 - 2 windows. Central Doorway. No 15 - 2 windows. Door to left. Included for group value.*

2. Site History

Reference: 17/3515/HSE

Address: 11 Dury Road Barnet EN5 5PU

Decision: Approved subject to conditions

Decision Date: 07 August 2017

Description: Replacement and repair of existing windows. Replacement of front render with new timber boarding. New front door. Internal alterations.

Reference: 17/5060/LBC

Address: 11 Dury Road Barnet EN5 5PU

Decision: Approved subject to conditions

Decision Date: 01 September 2017

Description: Replacement and repair of existing windows. Replacement of front render with new timber boarding. New front door. Internal alterations.

3. Proposal

This application proposes:

- i) The replacement and repair of existing windows
- ii) Replacement of front render with new timber boarding
- iii) New front door
- iv) Internal alterations (including relocation of bathroom to first floor, alterations to kitchen configuration, re-opening of original kitchen serving hatch, removal of unoriginal stud-wall larder, services and pipework routed through vaulted roof void of kitchen, alterations to first floor access hallway for new bathroom)

4. Public Consultation

0 responses have been received in connection with the press notice published on 07.12.2017 and site notice posted on 14.12.2017.

Other Consultation

Monken Hadley Conservation Area Advisory Committee: No Objections
Urban Design & Heritage: No Objections

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, DM06.

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

development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

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

Monken Hadley Conservation Area Character Appraisal

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 Grade II listed building, the street scene and the Monken Hadley Conservation Area;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

The current application has been called-in by a ward councillor to be presented at the Chipping Barnet Area Planning Committee

The replacement and repair of existing windows

The current application follows a similar scheme which gained planning permission under reference 17/3515/HSE dated 02 August 2017 and the associated listed building consent was approved under reference 17/5060/LBC dated 01 September 2017. It was noted on a previously completed site visit that the windows at the property were in a poor condition. As such, it is considered that it would be in the interest of the Listed Building's longevity and optimum use to replace and repair the windows as detailed in the submitted plans. The windows will match the existing windows in the building in style. However, the

thickness of the glazing differs from that which was previously approved. The approved thickness measure 3mm. However, due to technical difficulties, the applicant requires a 4mm glazing depth in the proposed windows. All other aspects of the glazing remain as previously approved. It is considered that the change would not result in any unacceptable harm to its character and appearance or the adjacent listed buildings within its vicinity. It is further considered that there would be no demonstrable harm to the neighbouring occupiers as a result of the proposed replacement windows.

Replacement of front render with new timber boarding

As previously approved, the applicant seeks to reinstate the building to its original state by removing the external front render and replace it with timber weatherboarding to match both adjoining properties. Given that the applicant has identified that the existing render is attached to chicken wire, it is acknowledged that its removal would cause little harm to the historic fabric of the original building. The use of timber cladding will be acceptable in terms of impact on the character and appearance of the Listed Building, its vicinity and the Conservation Area. It is not considered that these alterations would result in demonstrable harm to the neighbouring occupiers.

New front door

Also, as previously approved, the proposed new front door in principle is considered to be acceptable, matching the neighbouring adjoining property in style. As such it is not considered to harm the character and appearance of the listed building, the conservation area, or the amenities of the neighbouring occupiers.

Internal alterations

Amended drawings were submitted by the agent relating to internal changes to the approved scheme. Under the current application the bathroom and study being proposed at the rear have been swapped around from the previous approval at first floor level. Following a discussion with the Conservation Officer, the Heritage team is satisfied that the amendments allow for a more acceptable proposal. The changes represent acceptable alterations that would not be substantially harmful to the character or historic fabric of the Listed Building. Much of the room reconfigurations combined with their services and pipework routing are compatible with the existing layout without causing unnecessary harm to the Listed Building. The applicant will be removing previously internal alterations that were not original. Furthermore, the internal changes are not considered to result in unacceptable harm to the amenities of the neighbouring occupiers.

It can be concluded that the amendments to the previously approved scheme are acceptable and fall within the Residential Design Guidance SPD 2016. Furthermore, they do not detract from the proposal listed building, character of the general locale, current streetscene and neighbouring amenities.

5.4 Response to Public Consultation

No responses received.

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 Listed Building, the street scene, Monken Hadley Conservation Area, and wider locality. This application is therefore recommended for approval.

Site Location Plan



Location **1 Sunset View Barnet EN5 4LB**

Reference: **18/1072/HSE**

Received: 19th February 2018

Accepted: 19th February 2018

Ward: High Barnet

Expiry 16th April 2018

Applicant: Mr Eren

Proposal: Single storey rear extension. Part first floor and part single part two storey side extensions. Alterations to existing garage door

Recommendation: Approve subject to conditions

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

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

A-100 (received 16/04/2018)

A-101 (received 16/04/2018)

A-102 (received 16/04/2018)

A-103 (received 16/04/2018)

A-104 Rev A (received 16/04/2018)

A-105 Rev A (received 16/04/2018)

A-106 (received 16/04/2018)

A-107 Rev A (received 16/04/2018)

A-108 Rev A (received 16/04/2018)

A-109 Rev A (received 16/04/2018)

A-110 Rev A (received 16/04/2018)

A-111 Rev A (received 16/04/2018)

A-112 Rev (received 16/04/2018)

A-113 (received 16/04/2018)

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

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

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

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 4 Before the building hereby permitted is first occupied the proposed window(s) in the side elevation facing No.3 Sunset View 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).

- 5 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevation(s), of the extension(s) hereby approved, facing No.3 Sunset View.

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).

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

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

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

Officer's Assessment

1. Site Description

The application site is a two storey 'arts and crafts' detached property located on the corner of St Albans Road and shares a boundary with the neighbouring property at No.3 Sunset View. The area is predominantly residential in character.

The application site falls within the Monken Hadley Conservation Area. The property is noted listed.

To the rear, the host site abuts with the Old Ford Manor Golf Course which is in the Green Belt. The property itself does not however fall within the Green Belt land.

There are no tree preservation orders on site.

2. Site History

Reference: 17/5904/HSE

Address: 1 Sunset View, Barnet, EN5 4LB

Decision: Withdrawn

Decision Date: 30 October 2017

Description: Part single, part two storey side and rear extension following demolition of existing garage. Roof extension involving raising of the roof height, rear dormer window, 2no. rooflights to front and 1no rooflight to side elevation to facilitate a loft conversion

3. Proposal

The application seeks planning permission for single storey rear extension. Part first floor and part single, part two storey side extensions. The proposal further seeks alteration to the existing garage door.

The single storey rear element will measure 3 metres in depth, 13.6 metres in width, 2.5 metres to the eaves, and 3.5 metres in maximum height. The extension would be constructed with a pitched roof.

The ground floor side extension will measure approximately 5 metres in depth, and 0.4 metres in width. The extension will be in line with the existing side extension set in by 1.9 metres from the side boundary with No.3 Sunset View. The side extension will link in to the proposed rear extension.

The first floor side extension will sit above the ground floor side extension however would be set back 2m from the front elevation. The first floor side extension would measure 8.5 metres in depth and 2.8 metres in width. This extension as stated above is set back by 2 metres from the front elevation and set down from the main ridge by 0.5 metres. There will be a gap of approximately 3.5m between the flank wall of the proposed extension and the neighbouring flank wall at N0.3.

The existing garage door will be replaced by a window matching the design of the existing windows at No.1 Sunset View.

4. Public Consultation

Consultation letters were sent to 12 neighbouring properties.
17 responses have been received, comprising 17 letters of objection

The objections received can be summarised as follows:

- Out of character with the local street scene
- Will create a terraced effect
- Deprives public ad opposite neighbouring from views towards the Golf Course and beyond
- Overbearing impact
- Loss of outlook
- Increase sense of enclosure
- Loss of light and sunlight
- Proposal endangers the arts and crafts design

A letter has also been received from Theresa Villiers MP contents of which expresses concerns with regards to the proposals and urges the planning committee to take the constituent's views into account before reaching a decision.

Council's Heritage Team. was also consulted. No objection were raised tto the proposed extensions however, they have advised that the proposed materials must strictly match the existing property in order to mitigate any impact on the original character and appearance of the host site as well as the surrounding and wider conservation area.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

The National Planning Policy Framework (NPPF) was 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.

The London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan

Barnet's Local Plan (2012)

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

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

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

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

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

Monken Hadley Conservation Area Character Appraisal Statement (adopted January 2007)

- This character appraisal assessment includes information to explain and justify the Conservation Area status. It forms a basis for planning decisions in the area and provides the groundwork for any future policies and projects to preserve or enhance the area.

5.2 Main issues for consideration

The main issues for consideration in this case are:

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

5.3 Assessment of proposals

The application property is a two storey detached dwelling located at No.1 Sunset View. The property is located on the eastern end of Sunset view and shares a boundary with St Albans Road. To the rear, the property abuts the Old Ford Manor Golf Course which is in the Green Belt.

Ground Floor Side Extension

The host site benefits from an original single storey garage, and a kitchen extension at the side facing the boundary of No.3 Sunset View, whilst the side extension extends the full depth of the original dwelling house. The garage and kitchen additions are not joined, there is a gap of approx 0.87m between the two structures. Following a site visit to the application property, it is noted that the existing garage structure is sited 0.4m closer to the neighbouring boundary at No.3. (1.9m from the garage and 2.3m from the kitchen flank wall).

The proposed single storey side extension only involves widening the existing kitchen wall by 0.4m to bring it in line with the garage flank wall to form a larger dining kitchen area. A gap of 1.9m will still be maintained from the neighbours boundary.

The single storey side extension is considered moderate and sympathetic addition to the host property and not considered to detract from the character and appearance of the host site nor the surrounding properties nor detract from the established character of the Monken Hadley Conservation Area.

With regards to neighbouring amenity, it is not considered that the ground floor side extension would have any appreciable adverse impact on neighbours amenity. A gap of 1.9m would still be maintained from the side boundary which is considered sufficient distance away to mitigate any harm on neighbours amenity. The new window proposed in the flank facing No.3 would be conditioned to be obscure glazed to ensure there is no overlooking or loss of privacy.

First Floor Side Extension

The Council's Residential Design Guidance states that first floor side extension should not exceed half the width of the original property, should be set back by a minimum of 1 metre from the front elevation, and should be set down by a minimum of 0.5 metres from the main ridge height. Furthermore, side extensions at first floor should ensure that a minimum gap of 2 metres is maintained between the flank walls at first floor between neighbouring properties i.e. a minimum gap of 1 metre to the neighbouring boundary.

The proposed first floor side extension proposes to extend from the existing catslide roof and measure 8.7 metres in depth and 2.8 metres in width. Its set back 2m from the front building line and set down 0.5m from the main ridge height. A gap of 1.9m would also be maintained from the neighbours boundary and 3.5m between the flank walls..

Whilst first floor side extensions are not characteristics within the street scene, given the modest size, siting and design it is not considered the first floor extension would have any impact on the character and appearance of the host property nor the street scene. It is noted that a similar first floor side extension was also granted at No.14 Sunset View, under reference 17/1793/HSE dated 23/05/2017.

On balance, the proposed side extension is considered to comply with the Council's Residential Design Guidance and would appear subordinate and sympathetic addition to the host property.

It should be noted that the application site was also viewed from the neighbouring property at No.3 Sunset View. Consideration has therefore been given with regards to the impact the proposed extensions would have on the neighbouring amenity. Concerns were raised with regards to overlooking from the first floor flank window. The flank window to first floor ensuite bathroom would be conditioned to be obscure glazed and permanently fixed shut with only a fan light opening and therefore addresses the concerns raised with regards to overlooking and loss of privacy to neighbours habitable room.

For the reason above, the proposed first floor side extension is considered acceptable and not result in any appreciable adverse impact on the visual and residential amenities of neighbouring occupiers.

Single Storey Rear Extension

The proposed 3m deep single storey rear extension across the whole width would replace the existing 1.5m deep x 9.2m wide extensions. The existing also benefits from a rear balcony which sits on top of the conservatory.

The proposed 3m deep Single storey extension would link in to the proposed ground floor side extension. The plans have been amended reducing the overall height of the single storey extension.

Paragraph 14.21 states that single storey rear extensions on detached properties should not exceed 4 metres in depth from the original rear wall. In this instance, the proposal only seeks a 3 metre deep extension. The extension would extend the full width of the property and extend 3m beyond the building line of neighbouring property at N0.3 with a gap of 1.9 m from the boundary. The height of the extension as amended would measure 2.53 metres to the eaves and 3.5 metres in maximum height.

The proposed single storey additions are considered moderate and subordinate addition to the host property and not considered to detract from the character and appearance of the property. It should be noted that whilst smaller in depth, a full width rear extension has previously been approved under reference B/02382/13. The principle of a full width rear extension is therefore considered acceptable.

As stated above the proposed rear extension would only project 3m from the rear building line of adjoining property's shed type structure which runs along the shared boundary. However there would be a gap of 3.4m between the flank walls of host property and the neighbouring property.

Taking the above into account, it is considered the generous gap between the proposed extension and the neighbouring property is sufficient to offset any overbearing and obtrusive impact. It is further noted that the overall maximum height has been reduced to a maximum of 3.5 metres whilst the eaves height has been proposed at 2.5 metres. On balance, the reduced ridge height and moderate eaves height are not considered excessive enough to result in significant adverse impact on the visual and residential amenities of neighbouring occupants.

Materials

The applicants have confirmed that the proposed materials will match the character and appearance of the existing property. Notwithstanding this, a condition has been attached to ensure that the details of the materials to be used have been approved by the Local Planning Authority in order to safeguard the character and visual amenities of the site and the wider conservation area.

Impact on the Conservation Area

Sunset View lies on the eastern end of the Monken Hadley Conservation Area. It is noted that the street did not form part of the original Conservation Area as it would have been included at a later stage through extensions to the conservation area.

Sunset View benefits from a varied architectural value. The properties along this stretch of land are different variations on arts and crafts themes and present a well-established character for Sunset View. It is noted that the properties are originally detached and tend to benefit from large gaps to neighbouring flank walls at first floor. This is mainly identified along the properties on the northern end of Sunset View. The relationship between the north facing properties allows for favourable views of the existing Green Belt and the Old Ford Manor Golf Course. It must be noted that there are no Statutory or locally listed buildings along Sunset View.

Overall, the proposed extensions at No.1 Sunset View are considered acceptable with regards to size, bulk, and massing. The single storey rear extension, as well as the first floor side extension, are considered to comply with the design requirements set out in the Council's Residential Design Guidance. Whilst it is acknowledged that the first floor side element will increase the bulk of the host site along the boundary with No.3 Sunset View, it is considered that the extension has been adequately set in from the front and side elevations in order to allow the addition to appear as a sympathetic and subordinate feature.

It is further recognised that the proposed side extension at first floor will not materially increase the width of the property towards the adjoining premises thus maintaining the established gaps between the properties with views in an out of site

5.4 Response to Public Consultation

Comments have been received with regards to the impact on the character of the host site, the conservation area, and the impact on neighbouring occupiers. The comments have been addressed in the report above.

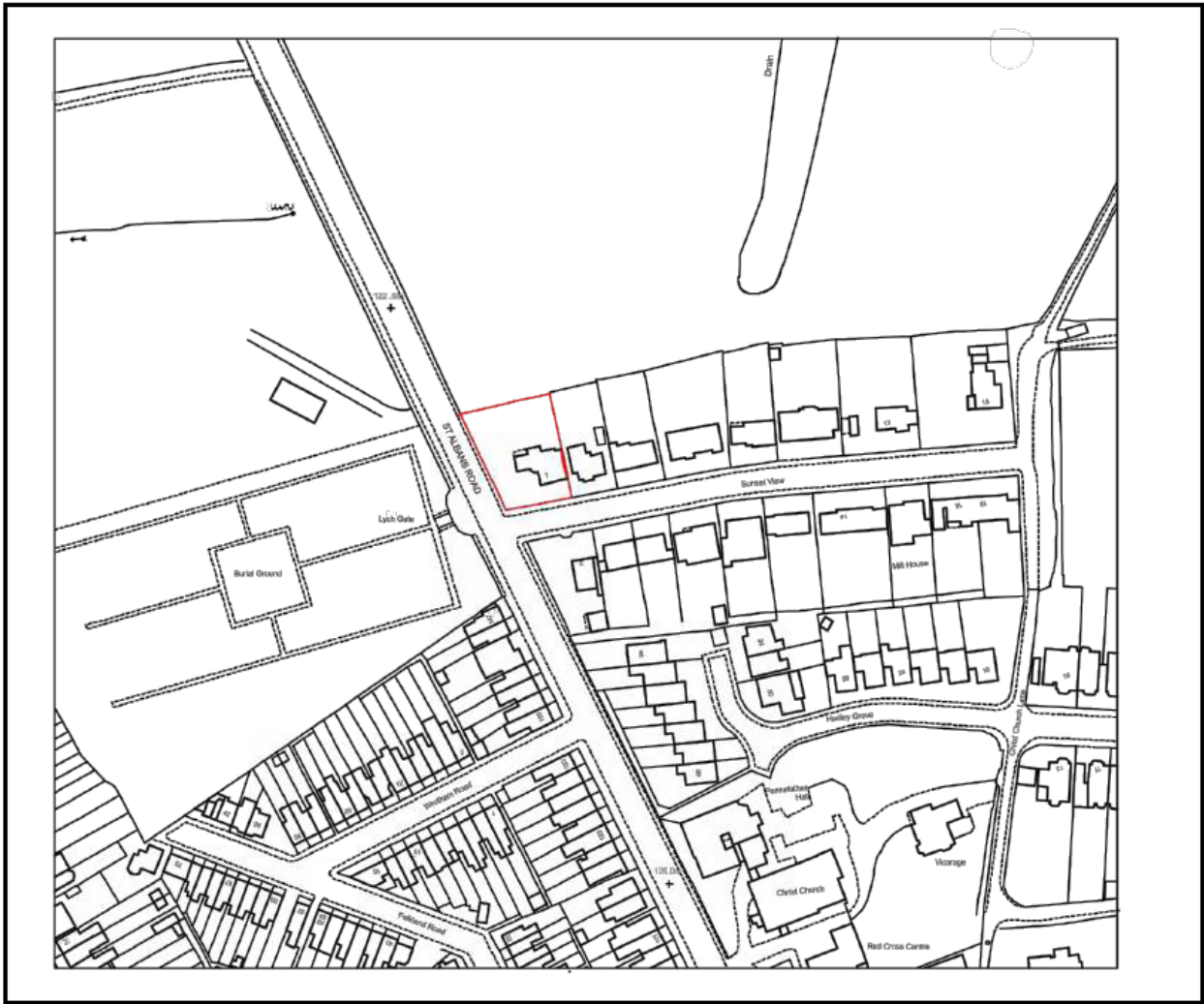
Further comments have been addressed towards the Right of Light issues. Whilst this does not entirely fall under planning legislation, care has been taken in assessing the impact of this on neighbouring amenity

6. Equality and Diversity Issues

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

7. Conclusion

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



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Location 91 And 91A Longmore Avenue Barnet EN5 1JZ

Reference: 18/2590/HSE

Received: 30th April 2018

Accepted: 1st May 2018

Ward: Oakleigh

Expiry 26th June 2018

Applicant: Mr Darren Webber

Proposal: Extension to roof including raising the ridge height to part of the roof to 91 Longmore Road. Single storey side extension and new front porch with pitched roof following removal of existing porch to side elevation. Extension to roof including raising the ridge height of the roof to match 91, with hip to gable end and 1no rear dormer, 1no rooflight to front elevation and 1no roof window to side elevation. Associated alterations to fenestration and landscaping including new boundary fencing to 91A Longmore Road

AGENDA ITEM 13

Recommendation: Refuse

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

- 1 The proposed additions to the dwellings at 91 and 91A Longmore Avenue, by reason of their size, siting and design would be disproportionate additions which would not respect the appearance, scale, mass, and pattern of the host building and unbalance the symmetry shared between the original semi-detached dwellings at 91 and 93 Longmore Avenue. The proposal would be detrimental to the character and appearance of the host building and the streetscene, contrary to policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), policy DM01 of the Adopted Development Management Policies DPD (2012) and the Adopted Residential Design Guidance SPD (2016).

Informative(s):

- 1 The plans accompanying this application are:

- Design and Access Statement, prepared by Teal Planning
- Cover letter, dated 28 April, written by Teal Planning
- Drawing no. 2016- 580/103 Rev B

2 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority (LPA) has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

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

Officer's Assessment

1. Site Description and History

The subject site is located on the southern side of Longmore Avenue, and consists of two dwellinghouses; 91 and 91A Longmore Avenue.

91 Longmore Avenue is the original dwelling, of which was a semi-detached dwelling that was granted a two-storey side extension under planning reference no. N09997A. A requirement of this extension was that the extension be subordinate to the host building to preserve the character and symmetry between no. 91 and the semi-detached pair at no. 93 Longmore Avenue. Following the construction of the extension, subdivision of the two storey element was sought and granted planning permission under reference no. N09997B/06 for the side extensions to be converted into a separate dwelling; namely No. 91A Longmore Avenue and resulting in the creation of what is ultimately a set of 3 terrace properties. However still maintaining the subordination in which the dwelling houses could still be seen as a pair within the street scene. As a result of the subdivision consent permitted development rights were removed from 91A Longmore Avenue.

The site is not located within a conservation area, nor is it subject to an article 4 direction.

2. Planning History

Reference: 16/8178/HSE

Address: 91 and 91A Longmore Avenue

Decision: Refused

Decision Date: 3 April 2017

Description: Two storey rear extension to both properties

Reference: 16/6009/HSE

Address: 91A Longmore Avenue

Decision: Refused

Decision Date: 9 November 2016

Description: Roof extension involving hip to gable, raising of the ridge height, rear dormer window with 1no. rooflights to front elevation to facilitate a loft conversion

Reference: 16/4416/HSE

Address: 91A Longmore Avenue

Decision: Refused

Decision Date: 30 August 2016

Description: Roof extension involving hip to gable, raising of the ridge height, rear dormer window with 1no. rooflights to front elevation to facilitate a loft conversion

Reference: N09997B/06

Address: 91 Longmore Avenue

Decision: Approved subject to conditions

Decision Date: 19 April 2006

Description: Conversion of property into two self-contained units. New french doors to existing rear conservatory.

Reference: N09997A

Address: 91 Longmore Avenue

Decision: Approved subject to conditions
Decision Date: 14 July 1993
Description: Two storey side extension

3. Proposal

The proposal seeks to undertake the following works:

- Undertake a hip to gable roof extension over both 91 and 91A Longmore Avenue; this will see the ridgeline of 91A Raised to be flush with that of the original building ridge height, with a maximum height of 8.7 metres. This will also remove the remaining portion of the hipped roof at no. 91.

Construct a rear dormer on the extended roof of no. 91A; the dormer will have a maximum height of 2.66 metres above the roofline, will extend a maximum depth of 3.2 metres out from the roofline, and will have a width of 3.76 metres.

- Single storey side extension to no. 91A will extend up to the boundary which will protrude 1.2 metres out from the flank elevation, and will be flush with the front elevation of the dwellinghouse and extend up to the full depth of the original building to approx.9m in depth. The side extension will have an irregular lean-to roof with a maximum height of 3.9 metres at the front of the property, decreasing to a maximum height of 3.66 metres at the rear of the dwelling, with a maximum eaves height of 2.9 metres. This extension will include a series of 4 high level windows along the flank elevation and a new front entrance door.

The side extension will incorporate the new front porch with the introduction of a new front entrance door with a gable over to match the entrances to both 91 and 93 Longmore Avenue.

- The proposal also seeks to install one new front roof light and one new gable window on the flank elevation.

This application has been called in to committee by Councillor Rajput who requested that committee should consider the application using their local knowledge and make an informed decision as to whether the application is in keeping with neighbouring properties and does not cause offence by the size, bulk, style etc of that which is sought.

4. Public Consultation

Consultation letters were sent to 8 neighbouring properties.
12 responses in support of the application have been received.

The letters of support can be summarised as follows:

- This is a separate dwelling, paying its own council tax and it should have the same opportunities every other property has in Barnet
- Refusing the application will result in the family having to move out of the neighbourhood/Barnet
- The proposal will have no impact on the neighbouring properties.
- Will enable the occupants to remain part of the community

- Plans are similar to the alterations that were undertaken to 60 Longmore Avenue
- The hip to gable extensions would improve the roof line and would be more in keeping with the general street scene
- The proposal will improve the leaking roof of no. 91
- It will allow the occupants of no. 91 to continue to have family members living next door
- Rules made in 1990/2006 need to be changed/relaxed
- The property at 89 Longmore will not be affected because of the large vehicle access way

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.

The Draft London Plan

'Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.'

Barnet's Local Plan (2012)

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

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

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

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

5.3 Assessment of proposals

Impact on character of host building and street scene

As stated above, the dwelling at no. 91A was created through the subdivision of an extension off the semi-detached dwelling of 91 Longmore Avenue. At the time of the extension being granted planning permission, it was made clear by the LPA that such an extension had to remain subordinate to the original building in order to preserve the well-balanced symmetry of the semi-detached pairing of dwellings (being no. 91 and 93). As a result, the roof height of the extension was set down approximately 1 metre from the ridgeline of no. 91. This approach is still taken by the LPA in assessing planning proposals against policy DM01 of the Local Development Plan, and through the application of the Residential Design Guidance SPD.

The proposal would be contrary to the advice contained in the councils SPD and policy DM01, resulting in the conversion of a building of a subordinate nature, into an unbalanced row of terrace properties where one end terrace has a gable end and the other has a hipped end. The applicant has suggested that there are examples of this being done further to the east in Longmore Avenue; however, upon looking into these examples it was noted that these dwellings were constructed as terrace properties and although they are not symmetrical, this is not considered to offer a precedent that would justify the proposed hip to gable roof extensions across 91 and 91A, and the loss of the symmetrical relationship with no. 93. It is further noted that the vast majority of properties in the

immediate area are semi-detached dwellings that have retained their symmetrical relationship within the pairings.

With regards to the proposed rear dormer, this is of a scale that is considered to be discordant with the proportions of the host dwelling at no. 91A; the Residential Design Guidance SPD suggests that dormers should be half the width and half the height of the roof slope, so as to not dominate the original roof slope. The proposed rear dormer occupies the entire original roof slope and in conjunction with the hip to gable roof extension, which would subsume the original roof form.

As stated above, there have been several other applications submitted for similar proposals on this site to raise the ridgeline of 91A, most notably under reference no. 16/6009/HSE. These applications have been refused on the basis that the impact of the roof extensions (including the scale of the rear dormer) on the character of the host building and streetscene would be unacceptable, particularly when 91A was designed to be subordinate. This demonstrates the Council's priority to maintain the subordination of 91A from 91 and 93 Longmore Avenue.

In addition to the roof extensions the proposal also proposes to alter the existing first floor rear roof form from pitched to a flat roof. Generally a flat roof over first floor rear extension is not considered to be acceptable by the council and considered to be an unsympathetic addition to the building, detracting from the character and appearance of the host property and the surrounding properties in the area. Contrary to the advice contained in the residential design guidance SPD.

The side extension, although when viewed in isolation has minimal width, this is flush with the front elevation with the introduction of a new front entrance door which further results in the detraction from the symmetry of the original semi-detached pair of dwellings at 91 and 93.

For these reasons discussed above, the proposed works are considered to be discordant and incongruous additions to both 91 and 91A Longmore Avenue, and will be detrimental to the character and appearance of the host building, and unbalance the symmetry of the semi detached pair with NO. 93 Longmore Avenue.

Impact on the amenities of neighbours

The properties to the west of the subject site will be screened from the side extension by the existing building, and the additional bulk introduced through the increased roof height of both 91 and 91A Longmore Avenue will not intrude on the outlook of these properties. Similarly, the properties to the east are separated from the site by approximately 6 metres and as a result, despite the additional height that will be introduced, the outlook and sunlight access of this property is not considered to be impacted. The windows that will be inserted on the side elevations of no. 91A as a result of the proposal are either of a height above ground level that will not facilitate overlooking into the neighbouring property, or are shown to be obscure glazed at first and second floor.

Properties to the north of the site are sufficiently separated from the proposed additions by the public highway, rendering any impact on their residential amenity minimal.

There are no properties to the south that are considered to be impacted.

For the abovementioned reasons, the proposal is not considered to impact the residential amenity of neighbouring properties.

5.4 Response to Public Consultation

The matters raised through submissions are not material planning considerations. However, further comments can be made on comments made to:

out of date policies should be updated. - It should be noted that Council's policies and relevant supplementary planning documents such as Residential Design Guidance and DM policies are the up to date/approved local policies that officers consistently apply to all planning applications so a consistent approach is maintained across the whole borough. The application has been assessed and considered having due regard to these policies.

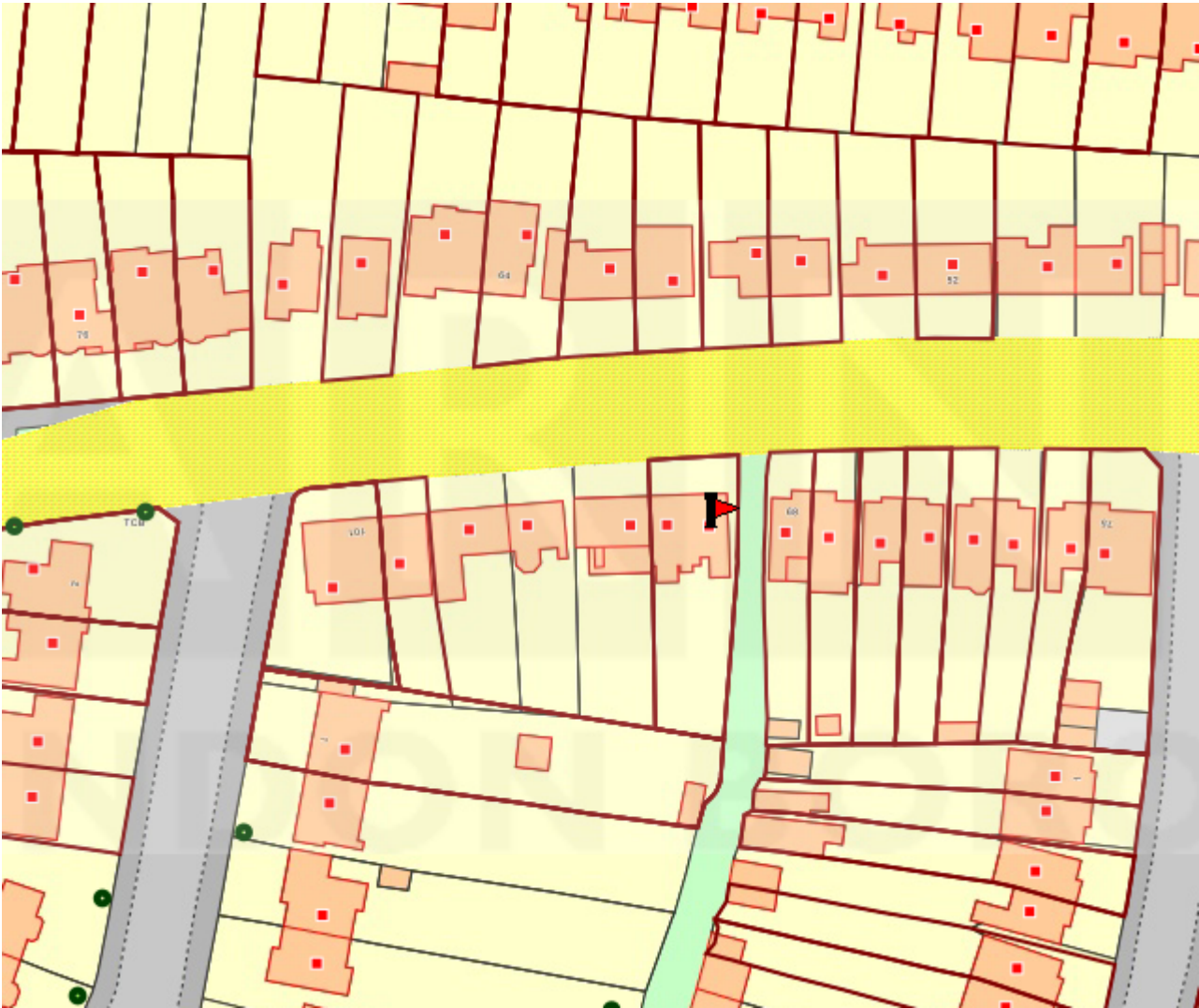
6. Equality and Diversity Issues

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 result in discordant and incongruous additions to both 91 and 91A Longmore Avenue that will be detrimental to the character of the host building and unbalance the symmetry of the semi-detached pair which these two buildings form part of. The proposal would be contrary to council's policies and appear visually obtrusive within the street scene, contrary to the Local Development Plan and the Residential Design Guidance SPD and is therefore recommended for REFUSAL.

Site Location Plan



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Location Springdene Nursing Home 55 Oakleigh Park North London N20 9NH

Reference: 17/1652/FUL

Received: 14th March 2017

Accepted: 23rd March 2017

Ward: Oakleigh

Expiry 22nd June 2017

Applicant: Mr Jeremy Balcombe

Proposal: Conversion of existing building from C2 to C3 to provide 27 self contained residential flats. Construction of basement, ground, first and second floor rear (west) and side (south) infill extensions. Alterations and extensions to roof including raising of ridge height and construction of 3 dormer windows to south side (side), 4 dormers windows to east side (front) 4 dormers to side (north) and 5 dormers to rear elevation (west side). 14 lantern rooflights to main roof. External alterations including changes to fenestration and addition of balconies to all sides. Provision of cycle storage and 24 parking spaces at basement level and 4 surfact level parking spaces. Associated hard and soft landscaping, amenity space and refuse storage.

AGENDA ITEM 14

Recommendation: Approve subject to conditions

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

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

054/EX/001, 054/EX/002, 054/EX/100, 054/EX/101, 054/EX/102, 054/EX/103, 054/EX/104, 054/EX/105, 054/EX/120, 054/EX/121, 054/EX/122, 054/EX/123.

054/PL/210 Rev E, 054/PL/211 Rev F, 054/PL/212 Rev G, 054/PL/212 Rev H, 054/PL/213 Rev D, 054/PL/213 Rev E, 054/PL/214 Rev G, 054/PL/215 Rev B, 054/PL/216 Rev H, 054/PL/250 Rev A, 054/PL/261 Rev A, 054/PL/230 Rev E, 054/PL/230 Rev F, 054/PL/231 Rev D, 054/PL/231 Rev E, 054/PL/232 Rev G, 054/PL/232 Rev H, 054/PL/233 Rev C, 054/PL/234 Rev C, 054/PL/235 Rev B, 054/PL/236 Rev E, 054/PI/237 Rev E, 054/PI/038 Rev B. 054/PL/261Rev A.

Daylight and Sunlight Assessment (14 February 2017)
Energy and Sustainability Assessment
Statement of Community Involvement (February 2017)
Transport Assessment (March 2017)

Travel Plan (January 2017)
Drainage Scheme (July 2017)
Sustainable Drainage Review (April 2017)
Design and Access Statement Revision H
Planning Statement
Arbtech: Arboricultural Impact Assessment (October 2017)
Arbtech: Arboricultural Method Statement (October 2017)

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

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

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

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

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

- 4 Before the development hereby permitted is occupied the vehicular parking spaces shown on the approved plans shall be provided and shall not be used for any purpose other than 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.

- 5 Before the development hereby permitted is occupied the Cycle parking spaces shown on the approved basement plan (054/PI/214 Rev G) shall be provided and shall not be used for any purpose other than parking of cycles in connection with the approved development.

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

- 6 Notwithstanding the plans submitted, before development commences a dimensioned drawing indicating details of the width of the access, ramp gradient for the access ramp to the basement car parking area and the vertical clearances

along the ramps shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out nor shall it be subsequently operated otherwise than in accordance with the approved details.

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.

- 7 No site works or works on this development including demolition or construction work shall commence until a Demolition, Construction and Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. All works must be carried out in full accordance with the approved details unless previously agreed in writing by the Local Planning Authority.

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.

- 8 The electric vehicle charging points shall be provided in accordance with the London Plan Parking. The provision shall not be less than 20% of active and 20% of passive of the approved parking spaces to be provided with electric vehicle charging facilities and implemented prior to first occupation and thereafter be maintained as such.

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

- 9 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).

- 10 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).

11 a) A scheme of hard and soft landscaping, including details of planting for the podium deck, and 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.

12 Before the building hereby permitted is first occupied the proposed window in the second floor of the south elevation facing 53a Oakleigh Road North 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).

13 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).

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

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

- 15 a) Before the development hereby permitted is first occupied, details of the subdivision 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).

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

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

- 17 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.

- 18 Prior to the first occupation of the new dwellinghouses (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 so that mains water consumption would meet a standard of 105L per head per day or less. 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 London Plan (2015)

- 19 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 40% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

- 20 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).

Reason:

To ensure that the development discharges surface water from the site in a manner that takes into consideration the statutory duties, legislation and regulatory requirements of authority(ies) receiving surface water and ensures that downstream flood risk is mitigated in accordance with Policy CS13 of the Barnet Local Plan, Policies 5.13 and 5.14 of the London Plan, Approved Document Part H of the Building Regulations 2010) and Paragraph 80 of Planning Practice Guidance.

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

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

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

Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015.

- 22 The surface water drainage strategy shall use SuDS to manage peak surface water runoff rates in accordance with S2 and S3 of the Non-statutory Technical Standards for Sustainable Drainage Systems. SuDS shall be used to provide volume control in accordance with S4, S5 and S6 of the Non-statutory Technical Standards for Sustainable Drainage Systems.

Reason:

To ensure that surface water runoff is managed effectively to mitigate flood risk and to ensure that SuDS are designed appropriately using industry best practice to be cost-effective to operate and maintain over the design life of the development in accordance with 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) and best practice design guidance (such as the SuDS Manual, C753.)

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

Reason:

To ensure that the surface water drainage system and SuDS are constructed appropriately and are adopted by an Adopting Authority responsible for the safe operation and maintenance of the system throughout the lifetime of the development. Appropriate construction of SuDS should take into consideration S13 of the Non-statutory Technical Standards for Sustainable Drainage Systems. Operation and maintenance of SuDS should take into consideration the Written Ministerial Statement of 18 December 2014 and Planning Practice Guidance Paragraphs 81 and 85.

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the

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

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

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

The application site is occupied by a large detached building which was last used as a nursing home (Spingdene) within use class C2. The nursing home closed in 2015. This was a purpose built structure with useable floorspace over 5 floors including within a basement area and at roof level. The site benefits from a parking area to the front and to the rear there is a garden area/patio. The site rises to the rear to form an embankment and the basement area is exposed, the building is three storeys in appearance to the front. The garden area is enclosed by close boarded fencing to the rear and there is also some mature vegetation on the boundary, some of which is statutorily protected. There is also a recreation ground on the rear boundary (Dame Alice Owen's Grounds).

The site is on the junction of Oakleigh Park South and Mary Rose Way, which is a cul-de-sac with dwellings to the rear of Spingdene. Oakleigh Park South consists predominantly of large detached dwellings set on fairly generous plots. There are some blocks of flats within Athenaeum Road and Oakleigh Park North. The site is within 500m of Oakleigh Park railway station, and just over 1km from Totteridge and Whetstone Tube Station, and local bus routes pass nearby. The High Road is in close proximity with a range of shops and services available.

2. Site History

Reference: B/01485/12

Address: Springdene Nursing Home, 55 Oakleigh Park North, London, N20 9NH

Decision: Refused

Decision Date: 22 August 2012

Description: Erection of a new two-storey single family dwelling with associated car parking and landscaping.

Reference: B/01163/11

Address: Springdene Nursing Home, 55 Oakleigh Park North, London, N20 9NH

Decision: Approved subject to conditions

Decision Date: 10 May 2011

Description: Two-storey side/rear extension at lower and ground floor levels.

Reference: B/00233/11

Address: Springdene Nursing Home, 55 Oakleigh Park North, London, N20 9NH

Decision: Approved subject to conditions

Decision Date: 9 March 2011

Description: Single storey rear conservatory.

Reference: B/01853/09

Address: Springdene Nursing Home, 55 Oakleigh Park North, London, N20 9NH

Decision: Refused

Decision Date: 24 July 2009

Description: Retention of internally illuminated v-shaped board sign.

Reference: N00839X

Address: Springdene, 55 Oakleigh Park North, London, N20 9NH

Decision: Approved with conditions

Decision Date: 18 November 1996

Description: Demolition of existing private hospital and erection of new residential care home (55 beds) on lower ground, ground, first and second floors with ancillary staff areas in third floor roof.

3. Proposal

The proposed development involves the change of use and conversion of the existing redundant care home to provide 27 self-contained residential units which would comprise 7 x 1 bed, 17 x 2 bed and 3 x 2 bed.

The existing basement would be excavated further to create a larger floor area which would be dedicated to an enlarged car parking/cycle parking area and would also result in the partial demolition of an existing rear projection at the lower ground floor level. A new terrace area would also be created.

An extension of up to 4m would be created at the ground floor level on the rear elevation and direct access would be provided to individual private amenity areas for units 1-4. A more useable communal amenity area would be provided to the rear. A refuse storage area would also be provided at the rear and 4 parking spaces would be provided to the front with a ramped access to the basement parking.

An extension of approximately 10.0m along the flank boundary with No. 53 would be created at the first floor level of the building. This would be 1.0m from the boundary at its closest point. This floor of the building would also have a setback from the boundary at a depth of approximately 4.8m (original building line).

At second floor level the extension along the common boundary with No.53 has been reduced from the initial submission to remove the proposed corner of the building at this level. The proposed extension would still move closer to the common boundary than the existing position at a depth of approximately 11.5m. The new section would be approximately 5.5m from the common boundary at its closest point.

The third floor level has also been reduced in depth from the original submission. The side extension at second floor would also still bring development closer to the common boundary with No.53.

The existing roof level would be reconstructed with the ridge level rising by approximately 0.50m. A number of dormers, some with Juliette balconies, would be constructed to all four elevations. The exterior of the building would also be comprehensively changed with new materials proposed.

4. Public Consultation

Consultation letters were sent to 50 neighbouring properties, 56 replies were received. The comments received can be summarised as follows;

- There are already too many flats along the road.
- Further flats will change the character of the road.
- The proposed bulk and scale will be out of character with adjoining dwellings.
- The proposal will lead to parking issues along the road.
- This scheme will lead to overlooking of adjoining residents.
- The road is characterised by mainly residential dwellings.
- Emphasis should be on the provision of single family homes.

- Existing bin storage is shown on plan at the wrong position. Concern that the bin storage area as submitted will cause amenity issues with regards to residential properties on Mary Rose Way.
- Concern about noise during the construction period and potential structural harm to my property.
- The proposal is in conflict with policy which aims to prevent flat developments on residential roads.
- Balconies will result in overlooking of adjoining residents.
- There is the potential for impact on adjoining trees.
- It is not known if any provision has been made for community benefits.
- There is already massive congestion on the road.
- Concern about impacts on road safety.
- This could set a precedent.
- The proposal is a gross over-development of the site.
- Oakleigh Park will be damaged irreparably.
- The proposal will lead to further on street parking along the road.
- The area does not have the infrastructure for flats.
- The proposal will have a detrimental impact on the character of the area.
- The number of units proposed seems too many.

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.

Draft London Plan

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS3, CS4, CS5, CS8, CS9, CS13, CS14, CS15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM10, DM14, DM17

Supplementary Planning Documents

Affordable Housing SPD (Adopted 2007)

Residential Design Guidance SPD (adopted October 2016)

Sustainable Design and Construction SPD (adopted October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of redevelopment;
- Affordable housing provision;
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Provision of adequate accommodation for future occupiers;
- Highways issues;
- Any other material considerations.

Principle of redevelopment

Loss of Care Home

The proposal involves the change of use of a pre-existing 55 bed elderly persons' residential care home to 27 self-contained residential units. The existing use in practice consisted of a nursing home where residents occupied the premises in the form of individual bedrooms with access to communal lounges, dining rooms and amenity areas. The existing development was not operated as an extra care facility. Its function was outlined as nursing care for 56 older people, some of whom may also have dementia. A short stay rehabilitation service for people between hospital and home was also provided. The premises were not administered for or on behalf of the Local Authority.

The Core Strategy at Section 16.4 sets out the Council's strategic policy position on the provision and supply of residential care within the Borough. Paragraph 16.4.3 states that the Borough has an oversupply of residential care homes and it is considered that sites should be remodelled as extra care housing, which is seen as a viable alternative to residential care providing independence to residents. There are 102 registered residential homes and 21 registered nursing homes providing for 3000 people with the emphasis on

older people. Although there is a rising demand for dementia care, the Core Strategy advises that there is adequate supply to meet this demand.

Policy CS11 supports the remodelling of existing facilities to other forms of special accommodation in order to widen the housing choice and to reduce the over-supply. The loss of the existing use to residential could, in the context of an over-supply constitute an acceptable change of use.

The former operators of the care home have provided details of why the care home has failed and how conversion to an extra care facility would not be viable. The extra care model requires apartments of varying sizes around communal services and provisions, and enables people to increase the amount of care they received in relation to their needs. It was found that the existing building was of insufficient size to make a financially viable extra-care scheme.

The submission outlines how, while the demand for dementia style units is steady, Springdene was designed to provide for smaller bedrooms and avoid open spaces, which is in conflict with current thinking on how such units should be laid out. Independent advice has stated that should the building be converted to larger individual units it would not be a financially viable venture. The site and planning constraints would hinder any potential to secure a building on site which could provide the level of use needed to be financially viable. Whilst viability appraisals have not been submitted for consideration, it is conceivable that if the existing multi-room unit could not achieve sustainable viability, then a reduced unit scheme would similarly struggle.

It is not considered that policy insists on remodelling of existing facilities. The viability argument appears plausible. When this is balanced along with the ever existing demand for residential dwellings, including smaller units, within London a redevelopment for flats and the loss of the care home site, in the face of an over-supply of such facilities, can be justified.

Flat development at this location

A number of neighbours have raised concern about the general principle of flats at this location and its potentially negative impact on the character of the area. Local policy DM01 outlines that loss of houses on roads characterised by houses will not normally be appropriate. The proposed development would not result in the loss of a single dwelling as the building is a purpose built C2 use. In that respect it does have a differing character to single dwellinghouses. The building's appearance would not significantly alter; it would still have the appearance of a site providing for multiple residents.

Notwithstanding this, the introduction of flats can alter the character of the area by increased activity, vehicle movements, deliveries and the general comings and goings from a multi-unit development. The level of activity would be materially greater than the existing lawful use. However the wider area does contain flatted developments (within 200-300m from the site), with large purpose built units at the corner with Oakleigh Park North. There are other purpose built flats to the south along Oakleigh Park South and into Athenaeum Road. Therefore this use would not result in the introduction of flats or purpose built flats to the area. The locality already contains a strong presence of flatted developments and when this is coupled with the existing lawful use of the site and the fact that this is a large purpose built structure differing in character from its neighbours, it is not considered that conversion to flats would run contrary to the general character of the area.

Density

With regards to density, Barnet's approach is to optimise housing density in order to achieve appropriate development. This is set within the context of the Sustainable Residential Quality Density Matrix in Table 3.2 of the London Plan. This matrix sets out appropriate density ranges for suburban, urban and central locations which reflect the setting of site in terms of its location, existing building form and massing and public transport accessibility level (PTAL). The Planning Authority considers that the site can be classed as having a suburban setting and has a PTAL level of 2. 27 residential units are proposed for a site of circa 0.28ha. This would result in a density ratio of 96 units per hectare or 282 habitable rooms per hectare. The London Plan density matrix suggests that a PTAL 2 and suburban location such as this site would deliver a density of 35 - 65 units per hectare or 150 - 200 habitable rooms per hectare. The proposed density is therefore greater than what the guidance advises. However the density matrix is caveated in stating that the density ranges should not be applied mechanically. Material considerations pertinent to a particular site and proposal must come into play. In this case the area does contain denser developments as detailed above. Furthermore this is not a new build scheme and involves the utilisation of an existing structure. If redevelopment for care facilities can be discounted, then subject to adequate unit sizes and an appropriate mix, and suitable living conditions for future occupants of the development and existing neighbouring residents, maximising the sites residential potential can be appropriate. Although a suburban location there is good access to shops and services and alternative modes of sustainable transport. Subject to compliance with the requirements above, it is deemed that this is a site suitable for a greater density than that suggested within the density matrix for suburban sites.

Affordable Housing Provision/S106 Agreement

Policy DM10 requires that: 'Having regard to the borough-wide target that 40% of housing provision should be affordable, the maximum reasonable amount of affordable housing will be required on site, subject to viability, from all new sites providing 10 or more units gross or covering an area of 0.4 hectares or more.' As this is a C3 proposal of >10 units affordable housing provisions are triggered. The council has concluded on the agreement of a commuted sum of £435,076 to meet affordable housing needs in the district. Any grant of permission should be subject to the securement of agreed affordable housing contributions by way of a Section 106 Agreement.

The council are also of the view that the securement of apprenticeship places should also be agreed under a S106 Agreement. The council are of the view that securing such places in relation to the proposed development meets the tests for a planning obligation as detailed at para. 204 of the NPPF.

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

Layout

The footprint of the building would not significantly alter, and not to an extent that would harm the character of the area. A more formalised parking layout would be provided to the front and a communal bin storage area would be located along the rear flank boundary with the access road to Mary Rose Way. Some objections have raised concern with the location of the bin storage area. Decision makers do have to be mindful of the location of such areas and the potential noise and odour impact on nearby residents. The proposed

location retains a reasonable separation distance to the nearest neighbours and will be enclosed within a storage compound. A balance also has to be struck between providing ready access to residents of a development without infringing on their amenity. This balance has been achieved in this case and to the rear of the building is the most suitable location for such a facility. Furthermore storage facilities should be convenient for collection crews and this is achieved here. When all matters are considered the design and positioning of the facility is acceptable.

The rear area of the care home would be remodelled in order to provide a communal amenity area and 4 individual amenity areas for residents on ground floor rear flats. This will be generally enclosed from public views, which are the current position, and raises no concerns. The layout, including the ramped access to the basement parking, would not significantly differ from the layout of a lawful C2 use.

Massing/Scale

The building would be extended, largely to the southern side and the roof would be reconfigured with the introduction of a number of dormer windows on all elevations. The building would increase slightly in height and there would be some increase in mass. It is not considered this increase would impact negatively on the character of the area. The area contains large purpose built flat developments and whilst the area immediately around the site contains single dwellings, this site differs markedly, containing a purpose built care home. Any increase in scale and massing would have no material impact on the character of the area and the building would still sit comfortably on the plot.

External Appearance

The external appearance will alter and the building will assume the appearance of an apartment development. The existing building is in position some 20 years and its brick façade is relatively utilitarian in appearance. Styles change, and if a redevelopment of the site is agreed the opportunity exists for an external refurbishment of the structure. Whilst design and appearance will always be subjective, the introduction of dormers and balconies are a common way of maximising the use of a building. They arguably add interest and break an otherwise large expanse of tile or slate. From an appearance viewpoint the modifications are acceptable which will give the building a more modern exterior but will also retain the character of the wider area.

Landscaping

The application site contains a number of mature trees including some which are statutorily protected. The rear area of the site would be remodelled in order to provide a more useable communal area for future residents. Existing trees would be retained and where suitable augmented with new planting. This has involved negotiation between the application and the council's Trees Officer. The trees to the front of the site in particular make a valued contribution to the overall character of the area and their retention and future health is of importance to the overall character and appearance of the area. Suitable tree protection measures can be agreed by condition.

The ramp down to the car park is confirmed it does not have a significant impact on the root protection area of the protected scots pine tree. If all measures set out in the AMS are followed.

G1, G2, G3 confirmed as having a slight impact into the root protection area. G1, G2 & G3 agreed. The existing basement is close to T4 and therefore the larger basement will not be catastrophic. There is likely to be roots of this trees behind the current wall of the basement. The submitted arboricultural method statement must be followed.

T1 is a veteran oak tree with special ecological and historic values, growing on third party land. The basement is shown to have an incursion of 5m into the root protection area. However, excavations to build the current the building will have had a significant and irrecoverable loss of roots. Therefore, the new proposal will not have any additional impact soil improvements should be a condition of any approval to mitigate this additional disturbance.

No landscaping scheme has been submitted. A scheme will be required that will help the new development settle into the local area and character of sylvan street. Native species such oak and scots pine should form the main structural planting. Other ornamental trees such as western red cedar and wellingtonia can also be included around these primary species.

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

A number of letters of correspondence have raised concern in relation to potential impact on the amenity of neighbouring residents. As detailed in the development description above, the overall massing on the boundary with No.53A Oakleigh Park North as originally proposed has been reduced. This effectively involved the removal of the rear corner of the building at 2nd and 3rd floor level as detailed above. The proposed building will however increase in bulk on this elevation and will be moved closer to the boundary than the existing scenario. A flank wall at first floor level will extend 10.0m along the boundary. This would be within 1.0m at its closest point. The second floor would retain a gap of approximately 5.5m to the common boundary at the closest point. The rear projection on the third floor has also been reduced from the original submission.

Impact on the amenity of existing residents from a new development will invariably involve a judgement call. It should be noted that under existing circumstances a two storey element of the building is already located in close proximity to the boundary. Whilst the first floor would increase in depth, the increased depth would progressively project away from the boundary. The second and third floor additions would retain a gap of 5.5m to the boundary at the closest point and would also progressively project away. It is noted that some existing screening exists on this common boundary and that the aim is retaining this. No.53A also benefits from a wide and relatively deep rear amenity area. It is not considered that an extension to No.55 of this nature would appear particularly overbearing or create an enclosing feel from the rear garden area. The rear elevation of 53A is west facing and the garden area would receive direct sunlight for a long section of the day. The extension would not appear particularly overbearing when viewed from rear facing windows. It is considered that the reduction in built form, as agreed through amendments, would result in an extended building which would not significantly encroach on the amenity of existing residents at No53a and can be accepted.

The scheme includes balcony areas and proposed windows on this elevation. The balconies are set back from the boundary and would replace in some instances existing windows. The building line would help to screen the garden area from balconies. A window in the southern boundary at second floor level close to the boundary can be reasonably conditioned as obscure glazed. A proposed dormer in the roof on the southern elevation would not give rise to serious overlooking.

New windows and balconies are also proposed in the northern and western elevations facing towards Mary Rose Way. Existing vegetation and the distances involved from the western elevation to dwellings in Mary Rose Way would ensure that there would be no material impact on amenity. New openings would face towards the front of dwellings which are less susceptible to amenity concerns.

Some of the new openings proposed on the northern elevation; overlooking the access roadway to Mary Rose Way, have the potential to cause material impact on the amenity of No.57 Oakleigh Park North. However this elevation of Springdene already contains a large number of existing windows facing towards this property. The majority of the flank boundary of No.55 is also well screened by vegetation. Whilst proposed balcony areas would arguably have greater potential to impact on amenity, on balance, it is not considered that there would be a significant increase in overlooking or impact on amenity.

In conclusion it is not considered adjoining or nearby residents would suffer significant impact through overlooking, loss of light or loss of privacy. All neighbouring properties, including No.53a, would retain adequate outlook and the proposed scheme would not be significantly overbearing or result in a sense of enclosure. Whilst extensions will bring development closer to the flank boundary with 53a it is considered that amendments have reduced future impact to an acceptable level for the reasons detailed above.

Amenity of future occupiers

External Amenity Space

Barnet's Local Plan expects that sufficient and functional amenity space should be provided for all new houses and flats wherever possible. The Sustainable Design and Construction SPD advises that 5m² should be provided per habitable room for flats. A large area of communal amenity space would be created to the rear of the site which residents would have direct access to (approximately 600 sq. m useable space). Ground floor apartments would have access to their own private amenity areas. Furthermore upper floor units would be served by small balcony areas. This provision exceeds the standards for private amenity space. The immediate area is also served by public amenity spaces, including to the rear of the site.

Internal Space Standards

In terms of the amenity for future occupiers, the Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. Table 3.3 within Policy 3.5 of the London Plan 2016 provides minimum space standards for new dwellings.

Single bedroom: minimum area should be 7.5 m² and is at least 2.15m wide to comply with the nationally described space standard. Double/twin bedroom: minimum area should be 11.5 m² and minimum width should be 2.75 m to comply with the nationally described space standard and every other double (or twin) bedroom is at least 2.55m wide. A minimum ceiling height of 2.5m for at least 75% of the dwelling area is strongly encouraged.

Each of the proposed flats would meet the minimum space requirements.

Highway Issues

Vehicle Parking:

Highways officers have been consulted and have no objections to the proposals. A total of 28 parking spaces including 3 disabled parking spaces are provided in basement level car park, with 3 spaces at ground floor level.

Cycle Parking:

56 cycle parking spaces are being provided which is in accordance with the cycle parking standards set out in London Plan and will be conditioned as such.

Access Arrangement:

A ramped vehicular access to the site is served via drop kerb from Oakleigh Park North to the basement car park. The gradient of the ramp needs to be 1:10 or it needs to be designed in accordance with the Design Recommendations for multi-storey and underground car parks by The Institution of Structural Engineers.

Any modifications to the existing access arrangement of the public highway would require the applicant to enter into an Agreement with the Highway Authority under S278 of the Highways Act.

Servicing/Refuse Arrangements:

A refuse collection point must be provided at ground level on a levelled surface within 10 metres of public highway, otherwise the applicant will be expected to bring the refuse bins to the back of the public highway on collection days.

Construction Management Plan:

A robust construction management plan needs to be provided and careful consideration must be given to the optimum route(s) for construction traffic and the Development Regulatory Services should be consulted in this respect.

5.3 SUDS and drainage

The site is located within Flood Zone 1 and is less than 1ha. As such, a flood risk assessment is not required.

The site is classified as 'More Vulnerable Development' in association with Table 2 of the Planning and Practice Guidance (buildings used for dwelling houses). In accordance with Table 3 of the Planning and Practice Guidance, 'More Vulnerable Development' is permitted in Flood Zone 1. As per the Development Management Procedure Order (2015 update), the proposed development is classified as a 'Major Development'. Major Developments require the use of sustainable drainage systems (SuDS), as per the Department for Communities and Local Government Written Ministerial Statement of 18 December 2014.

The use of SuDS to manage surface water runoff is advised as per policy CS13 of the Local Barnet Plan, and Policies 5.13 and 5.14 of the London Plan. It is advised that Barnet Council issue the General SuDS / drainage strategy comments below to the applicant to inform them of the requirements for SuDS / drainage strategies.

The applicant has specified in the Sustainability Appraisal that "the surface water drainage will be designed to avoid, reduce and delay the discharge of rainfall run-off using SUDS techniques, such as use of permeable paving and small detention basin features aimed at conveying and storing surface water at surface before discharging all surface water to ground via soakaways." The use of detention basin features is considered an appropriate substitute for not meeting the first priority of the SuDS discharge hierarchy - 'store rainwater for later use'. The applicant has since proposed two revised SuDS options:

a. Option 1 - based upon the possibility of infiltration being used and a soakaway (30m³) being constructed. To drain the remaining area, an overflow attenuation tank (69m³) has been proposed, with surface water flows discharging into the surface water sewer in Maryrose Way at a restricted rate of 5l/s.

b. Option 2 - based upon infiltration not being possible. This is similar to Option 1, but without the soakaway tank.

The LPA's drainage consultant has been consulted on the application and following the receipt of additional information it is considered that the proposal is adequate in regards to providing adequate drainage. The management of surface water runoff is appropriate and sufficient. The infiltration tests undertaken for the pavement shows that infiltration is suitable.

No objections have been raised subject to conditions being imposed.

5.3 Sustainability/Environmental Issues

The proposals need to comply with the requirements of the Mayor's London Plan. An Energy Statement accompanies the planning application. This states that the proposals would comply with the Code For Sustainable Homes Level 4 (Now withdrawn) and achieve a 35% improvement in emissions over Building Regulations 2013. This would comply with the requirements of policy 5.2 of the Mayor's London Plan.

5.4 Response to Public Consultation

It is considered the majority of issues raised have been addressed in main report.

Character - As detailed above, it is considered a flatted development would not be out of character with the prevailing character of the area and is as such policy compliant. The proposed bulk and scale of the scheme is deemed acceptable.

Trees - Amended Tree Surveys indicate that trees on site could be adequately protected.

Parking/Road Safety - The Highways Officer raises no concerns in relation to these issues.

Density/overdevelopment - While the proposed density of the scheme is high, on balance taking into account the existing building on site and compliance with all relevant policies, the proposal is not considered to be overdevelopment.

6. Equality and Diversity Issues

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

7. Conclusion

In light of the above appraisal it is considered that the proposed development, as amended from the original submission, is acceptable in policy terms. It is therefore recommended that consent is granted subject to conditions.



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Location **157A And 157B Holden Road London N12 7DU**

Reference: **18/1845/FUL**

Received: 22nd March 2018

Accepted: 23rd March 2018

Ward: Totteridge

Expiry 18th May 2018

Applicant: Mr R Gabriele

Proposal: Demolition of 2no two storey semi-detached houses and erection of a three-storey block to provide 6 self-contained flats, provision of 6 car parking spaces and 10 cycle spaces, amenity space provision and associated refuse and cycle storage.

AGENDA ITEM 15

Recommendation: Approve subject to conditions

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

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

Site Location Plan; Drawing no. P.01 Rev C; Drawing no. P.02 Rev C; Drawing no. P.03 Rev B; Drawing no. P.04; Drawing no. P.05; Drawing no. P.06 Rev A; Landscaping Scheme Drawing no. TH/A3/1497/LS; Arboricultural Impact Assessment & Method Statement by Trevor Heaps Arboricultural Consultancy Ltd Ref: TH 1497 dated 11th December 2017 including Drawing no. TH/A3/1497/TPP; Sustainability Statement by Henry Planning; Planning Statement by Henry Planning; Document titled "Holden Road, London, N12 8SP- Part M4(2) Category 2 Accessible and Adaptable Dwellings".

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

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

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

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

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 4 The proposed development shall be implemented in accordance with the levels submitted in the hereby approved documents including drawings no. 06 Rev A and 05, and the levels shall be 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 2016.

- 5 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).

- 6 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).

7 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

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

8 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages shown on Drawing No. 06 Rev A; shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development. Parking space 1 should be allocated to unit 2.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2016.

9 a) Before the development hereby permitted is first occupied, the amenity space shall be subdivided as indicated on hereby approved drawing no. P06 Rev A, 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 October 2016).

10 Before the development hereby permitted is first occupied, the box hedge as indicated on Drawing no. 06 Rev A surrounding the private gardens of Flat 1 shall be planted before first occupation or the use is commenced, shall not be higher than 1.2m and shall be 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 October 2016).

- 11 The landscaping on the hereby approved drawing reference TH/A3/1497/LS 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.

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

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

- 12 No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan hereby approved (Drawing no. TH/A3/1497/TPP) has been erected around existing trees on site, and works shall be carried out in accordance with the details of the approved document titled "Arboricultural Impact Assessment & Method Statement by Trevor Heaps Arboricultural Consultancy Ltd Ref: TH 1497 dated 11th December 2017". This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015.

- 12 a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with details approved under this condition.

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

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

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

- 14 Before the building hereby permitted is first occupied the proposed window(s) in the side elevation facing no.157 and 159 Holden Road and the rear windows at second and third floor labelled as obscured glazed on Drawing no. P.03 Rev B, shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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

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

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

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

- 16 The layout of the residential units as indicated on the hereby approved plans shall be implemented 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 policy DM01 of the Development Management Policies DPD (adopted September 2012), and the Residential Design Guidance SPD (adopted October 2016).

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

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

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

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

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

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 19 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), as detailed in the hereby approved document titled "Holden Road, London, N12 8SP- Part M4(2) Category 2 Accessible and Adaptable Dwellings".

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

- 20 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.

- 21 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.

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £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 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 Barnet CIL.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

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

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

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

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

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

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

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

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 5 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.
- 6 The proposal should demonstrate compliance with Part B5 of Building Regulations.
- 7 The London Fire Brigade strongly recommends that sprinklers are considered for new development. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing

providers, and can reduce the risk to life. The Brigade's opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of the occupier.

Officer's Assessment

1. Site Description

The application site is currently occupied by two storey pair of semi-detached dwelling houses located on the western side of Holden Road, close to the junction with Laurel View. The application site covers an area of 743sqm.

The site is not located within a conservation area and the buildings are not listed. There is a Tree Preservation Order protecting the trees located at the front of the site (TRE/F1/15/G2). According to TPO schedule, the TPO covers four Lime trees; two have been approved for removal following storm damage, and the TPO covers the replacement trees. The site has a notable green character.

There are significant changes in ground levels, with the site sloping downwards towards the rear (west) of the site). The properties on Laurel View, to the rear, are located at a lower level, and the host properties themselves are sited at a lower level than the highway.

This section of the road accommodates the three single family units (including 2 at the host site) and two buildings containing apartment blocks. Immediately to the north of the site, is a development known as Risegate Lodge (No.159 Holden Road) which was granted consent for 5 self-contained flats. North of Risegate Lodge, lies a four storey block of 16no flats known as Holden Heights with car parking at the forecourt.

To the south, lies a modest detached dwelling known as 157 Holden Road.

To the west of the host site lies a detached two storey dwelling known as no.1 Laurel View.

2. Site History

: 18/0445/FUL

Address: 157A And 157B Holden Road London N12 7DU

Decision: Withdrawn

Decision Date: 08.03.2018

Description: Demolition of two semi-detached houses and erection of a three-storey block to provide 7 self-contained flats, provision of 7 car parking spaces and 10 cycle spaces, amenity space provision and associated refuse and cycle storage.

Other Relevant History

: N09522K/05

Address: 159 Holden Road London N12 7DU

Decision: Approved subject to conditions

Decision Date: 14.09.2005

Description: Demolition of existing house with 4 self-contained apartments and erection of three-storey block of 5 self-contained flats and the formation of 7 car-parking spaces.

3. Proposal

Planning permission is sought for the demolition of the two semi-detached houses (known as 157A and 157B) and erection of a three-storey block to provide 6 self-contained flats.

The proposal includes the provision of 6 car parking spaces and cycle storage for 10 cycle spaces, private amenity space and associated refuse.

The units would be comprised as follows:

- 2 x 1 bed (1 occupier) flats (studios);
- 1 x 1 bed (2 occupiers) flat;
- 1 x 2 bed (3 occupiers) flat;
- 1 x 3 bed (4 occupiers) flat;
- 1 x 3 bed (6 occupiers) flat.

The building would have a staggered front building line with a setback of 1.4m adjacent to no.157. At the rear there would be a greater stagger to reflect the relationship with neighbouring properties.

The proposed building at ground floor would have a maximum depth of 15m along the boundary with no. 159 and 10.9m along the boundary with no.157. At first and upper floors, the building depth would be reduced and recessed at the rear. The depth of the building at these levels would be 12.1m along the boundary with no. 159 and 9.9m along the boundary with no. 157. The building would have a maximum width of 10.6m.

The building would be set away from the boundary with no. 157 by a distance of 1.5m at the front 1.3m at the rear, and at the other boundary to no.159 it would be set 1.9m from the front and 1m from the rear.

Compared to the existing buildings which extend up to the boundary, the proposed structure would be set 3.5m from the flank wall no.157 measured at the front, and splaying towards the rear. The proposed building would be set between 2.2m and 2.5m from the nearest side wall of no.159.

The building would project 0.7m beyond the existing rear elevation off no.157, and at upper floors the depth would be less than the existing along the same boundary. On the other side, the building would project 3.4m beyond the existing at ground floor and 0.5m beyond the existing rear elevation at upper floors.

The building would have a height set between the ridge heights of 159 and 157 following the gradient of the road; the proposed building would be 1.3m higher than the existing ridge height.

Amenity space would be provided to the rear of the site, with a communal garden at the rearmost section of the site covering an area of approximately 104sqm. In addition, unit 1 would benefit from two private gardens with a combined area of 26.5 sqm. The cycle storage for 10 cycles would be located at the rear along the boundary with no.159 within a purpose built store.

The parking space would be located adjacent to the boundary with no.159 on the front forecourt and accessed via the existing northern most crossover. The refuse store would also be located at the front set approximately 8.6m from the front of the site and at a distance of 1.9m from the boundary with no. 157.

4. Public Consultation

Consultation letters were sent to 87 neighbouring properties.

15 responses have been received, comprising 15 letters of objection.

The objections received can be summarised as follows:

- Loss of light;
- Gross overdevelopment of the site/ increased density;
- Increased sense of enclosure and loss of outlook particularly to neighbouring gardens/ patios;
- Tunnelling effect;
- Loss of privacy due to height;
- Dwarf neighbouring properties;
- Disruption during construction, noise and disturbance for months;
- Parking pressures/ parking congestion/ naïve to assume only 6 cars will be needed;
- Highway safety near busy junction;
- Impact to streetscene and contrary to "once pleasant suburban street";
- Design, siting, size and scale results in poor form of development contrary to policies;
- Use of rear garden close to neighbouring occupiers by 6 households would be intrusive and noisy;
- Level of activity of 6 flats would increase noise and disruption/ noise pollution;
- Loss of green gardens;
- Dormers visually obtrusive;
- Revised scheme is only superficially different to previous application (withdrawn);
- Objection to the design and appearance of the building;
- Out of character;
- Height and bulk;
- Set a precedent;
- Loss of family units;
- Flat roof could be used as a terrace;
- Impact on bedroom windows at the front of no.159.

A site notice was erected on the 29th March 2018.

The Council's Highways and Arboriculturalist have been consulted and consider that the scheme is acceptable subject to conditions.

The London Fire Brigade submitted comments and stipulated that they are not satisfied with the proposals for fire-fighting access as compliance with Part B5 of building regulations is not shown. It must be noted that this is not a planning consideration and would be dealt with under Building Regulations legislation. An informative has been added to advise the applicant that sprinklers should be considered.

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 Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, 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.

The London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS10, CS15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM17.

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

- Principle of flats;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether the development would provide suitable amenities for future occupiers;
- Whether the development would increase parking pressures and congestion (Highways);

- Arboricultural Impact;
- Access and Sustainability measures.

5.3 Assessment of proposals

Principle of development & Density

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

There are examples of flats to the north of the site and opposite; the road is therefore considered to be varied in character. The principle of flatted development is acceptable given the mixed nature of the road.

The proposed development would result in the loss of two family dwelling houses (assumed to be at least 3 bedrooms). Policy DM08 stipulates that for market housing, the highest priority is for family homes; the scheme would include two flats which would be considered as a family units. In addition, the overall increase in the number of units is considered to outweigh the loss of the family units due to the associated benefits of adding to the housing stock. The scheme is relatively small in scale and would include a mix of units and as such is considered to be acceptable.

London Plan policy 3.4 seeks to optimise the housing potential of sites with reference to the density matrix contained in Table 3.2 which provides a guide to appropriate density ranges for particular locations, depending on accessibility and character.

The application site has a PTAL of 2 which is considered average, and is considered to fall within a suburban setting as defined in the London Plan. The development should seek to ensure that a suitable density is provided which is compliant with the suburban setting and that the unit mix is appropriate. The proposal has been calculated as having 21 habitable rooms and has an estimated size of 0.0696ha. Based on this, the density would equate to 86.21 units per hectare (301.72 habitable room per ha) which meets the London Plan density matrix, stipulating a range of 35-95 units per hectare (however exceeds the habitable rooms per hectare range of 150-250 hr/ha). The density in terms of units per hectare is considered to be appropriate.

The building density however is not the only consideration to determine whether development is suitable. The NPPF stipulates that planning decisions should "optimise the potential of the site to accommodate development" and development should be guided by the numerous factors including overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally. This is discussed in the following section.

Impact on the character of the area

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. Furthermore the NPPF

stipulates that development should be guided by the numerous factors including overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally. 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. 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.

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), 7.4 and 7.6 (both of the London Plan).

Although the building line on this section of the road is not strong, the proposed development on the site is considered to have regard for the stagger of the buildings on this section of the road and the building would offer a stagger adjacent to no. 157 Holden Road. This recess in the front elevation allows for the massing of the building at the front to be "broken up".

At the rear, the staggered building design would reduce the bulk and massing and appears subordinate and relates well to no. 157. On the other side the proposed footprint would not project beyond the building line of no.159 and considered acceptable.

In addition, the proposed siting of the building off the boundaries would increase the spacing between the buildings and provide an appropriate transition in height from the higher building to the north (no.159) and the lower house to the south (no.157). The roof design includes a modest crown which allows visibility to either side of the building. The proposed front dormer would be centrally located and appears modest in size.

Parking on the front forecourt is acceptable in principle and as it has already been established on the host site and on other sites on Holden Road therefore considered acceptable. A landscaping condition will be attached to ensure hardstanding is softened by introduction of soft landscaping.

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 should respect the character of Holden Road. Whilst planning does not seek to replicate design, development, whether modern or traditional in style, should be harmonious and sympathetic to its setting. The properties on this road vary vastly in terms of design, scale, size and form. The proposed building would not be considered out-of-character in the streetscene and would reflect the form of other buildings on the road and is supported in this regard. Details of the materials would be submitted and discharged via an appropriate materials condition.

Overall, the proposal is considered to be suitable in the context of the varied character of Holden Road.

Impact on the amenities of neighbours

Any scheme will be required to address the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the

protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

Any development, particularly in a constrained site should ensure that the amenities of neighbouring occupiers are respected. The Council's guidance advises that new development should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the neighbouring buildings and using an appropriate roof form to ensure that the amenities of neighbours are not harmed.

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

The Residential Design Guidance SPD states that to mitigate overlooking between residential units, the minimum distance between windows serving habitable rooms should be 21 metres and that there should be a distance of 10.5 metres between a new development and a neighbouring garden. Due to the siting arrangement of properties on Laurel View, the proposed ground floor of the building would be approximately 5m from the rear boundary of no.1 Laurel View and 6m at first, second and third floors. Whilst this fails to meet this standard, consideration has been given to the siting of the existing buildings which projects closer to this neighbouring property than the upper floors of the proposed building, and the modest section of the neighbouring garden that is at this distance. It is acknowledged that there would be an additional storey of accommodation compared to the existing buildings, however the proposal would include obscured glazing to the windows at second and third floors closest to the boundary with 157 Holden Road and 1 Laurel View. It is considered that this would prevent direct overlooking above and beyond what is currently experienced. On balance, it is not considered that the building would result in a material sense of overlooking or loss of privacy to the occupiers of no.1 Laurel View or other properties on Laurel View.

In terms of the neighbouring occupiers on Holden Road, it is not considered that the proposed building would have a greater level of overlooking onto the private gardens of these neighbouring properties. It must also be noted that no.159 is sited at a higher level than the host site. A recessed balcony is proposed at roof level for the 1 bedroom unit. Given the siting within the roof and siting close to the northern edge, direct overlooking would be limited. The flat roof of the ground floor would be conditioned to prevent access to it other than for maintenance.

Although the proposed building would project beyond the rear elevation of both neighbouring properties, consideration has been given to the distance from the common boundaries and the siting of the existing buildings. It is not considered that the proposed depth of the building would have a harmful impact to the visual amenities of neighbouring properties. The building would be deeper at ground floor, particularly adjacent to no.159 comparable to the projection of this property itself. In the upper floors, the building would be recessed to limit the overbearing impact. Due to the change in ground levels, the building would naturally be higher than the properties to the south. Nonetheless, officers consider that on balance, the mass of the building has been recessed sufficiently in the upper floor and the distances from the neighbouring boundaries would reduce the presence of the building to ensure that this it is not unacceptably imposing.

The relationship of the proposed building to neighbouring properties at the front has changed. The building would project beyond the front elevation of no.157, however it is also

set further away from boundary with a distance of 3.5m between flank walls. It is not considered that this would result in an unacceptable sense of enclosure or loss of outlook to the house to the south.

On the other side, the building would also be set further away from the boundary (approximately 0.5m) and would project 0.8m beyond the existing front building line. No159 has windows facing directly on to the development and also towards the road. At the site visit, it was noted that some of the windows were obscured glazed and therefore not considered to serve habitable rooms. The others appear to serve habitable rooms, however given the modest increase the projection of the building at the front, higher siting of no.159 and distance maintained between the properties it is not considered that the outlook or light would be compromised to an unacceptable level to warrant refusal of the application.

It is not considered that the submitted scheme would adversely impact neighbouring amenity in this instance. This determination is based on the scale, siting and design of the building. For the reasons specified above, the scheme is not considered to cause unacceptable harm to the amenities of neighbours to warrant refusal of the scheme.

Impact on the amenity of future occupiers

Any proposal for the site which includes an element of residential dwelling use will need to demonstrate that it is providing suitable amenities for its future occupiers in the relevant regards (for example, daylight, sunlight, outlook, privacy and internal and external amenity space). Development plan policies DM01, DM02 (of the Barnet Local Plan) and 3.5 (of the London Plan), the guidance contained in the Barnet Supplementary Planning Documents 'Sustainable Design and Construction' and 'Residential Design Guidance' and the Mayoral planning guidance document 'Housing' identify what this would constitute.'

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 (MALP 2016). Table 2.2 of the Sustainable Design and Construction SPD specifies that double bedrooms should provide a minimum floor area of 11.5sqm and single bedrooms a minimum floor area of 7.5sqm, in line with the National standards. The minimum standards, as set out in the London Plan stipulate that:

- 1 bedroom 1 person flat (single storey) requires a minimum of 39sqm (37sqm if the unit has a shower instead of a bathroom);
- 1 bedroom 2 person flat (single storey) requires a minimum of 50sqm;
- 2 bedroom 3 person flat (single storey) requires a minimum of 61sqm;
- 3 bedroom 4 person flat (single storey) requires a minimum of 74sqm;
- 3 bedroom 6 person flat (single storey) requires a minimum of 95sqm.

The units would meet and in some cases, exceed the minimum space standards.

New flats are expected to provide suitable outlook and light to all habitable rooms whilst not compromising the amenities of neighbouring occupiers. The Council Sustainable Design and Construction SPD stipulates that "the positioning of doors and windows should also be considered and single aspect dwellings should be avoided". Four windows at second floor rear and one of the dormer windows at roof level have been conditioned to be obscured glazed as indicated on the rear elevation, however these windows serve non-habitable rooms and/or are secondary windows. All habitable rooms would benefit from suitable levels of outlook.

With regards to outdoor amenity space, all new residential development is expected to provide suitable and useable outdoor amenity space for future occupiers. The provision is calculated at 5sqm per habitable room (rooms over 20sqm would be considered as two habitable rooms). Unit 1 would benefit from private gardens equating to 26.5sqm. The other units would benefit from a communal garden accessed via the side paths with an area of 194sqm; this exceeds the requirements for garden space based on the number of units.

The proposal is considered to provide high quality units for future occupiers and is acceptable in this regard.

Highways

Officers have consulted with the Council's Highways team, who have assessed the scheme in terms of the impact on highways.

The site benefits from a PTAL of 2 which is considered to be relatively low, bus and tube are the two public transport modes available within the PTAL calculation area. The development is not located in a controlled parking zone nor is there one likely to be in place by the time the development is occupied. There is a CPZ in place within a close proximity of the development as such it is thought that during the day on street generated by parking stress is likely to be high.

Policy DM17 states the parking provision as follows:

- "ii. 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and
- ii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom)"

Based on this, the proposal would require a range of between 4.5 and 7.5. The development has proposed 6 off street parking spaces (1 per unit). The proposed level of parking is in line with the Council's maximum parking standards, as displayed in DM17. One space per unit for the studio and one bed units is at the upper end of the range of the maximum parking standards (DM17 states 0-1 space per unit for 1 bed units); however one space per unit is at the lower end of the range for two and three bed units. These types of units (studio/one beds) are more likely to have less demand for the use and ownership of a private vehicle. In operational terms this may equate to more parking availability for the larger units two bed units, which would be further up the "range". It is therefore considered that the parking provision will mitigate against over spill (this have been calculated using census car ownership data)

The existing site benefits from two vehicular accesses, both crossovers will be retained however the southern crossover will not be utilised as no parking spaces will be located near there.

The gradient of the northern access is at an angle which may make visibility "down" the hill (to the right when exiting) difficult should there be an obstruction, Highways officers have therefore recommended that no boundary treatment is implemented and all planting in this point is kept to a minimum height.

In accordance with Policy 6.9 of the London Plan, new development should provide secure, integrated, convenient and accessible cycle parking facilities. Based on table 6.3 of the London Plan, the development would require the provision of 9 cycle spaces and the

proposal is in compliance with this providing 10 cycle spaces. Details of the cycle store would be conditioned.

Refuse stores have been provided within a close proximity to the highway; details of the appearance would be requested as part of a planning condition.

The proposals will not generate a significant negative impact on the performance and safety of the surrounding highway network or its users, as such a recommendation for approval is supported on highways grounds. The proposal is considered to have an acceptable impact on the local highways of this section of Totteridge and Holden Road in particular, and pedestrian and vehicular safety.

Arboricultural Impact

The Council's Arboriculturalist has reviewed the documentation including the submitted Arboricultural Impact Assessment. The following comments were provided by the Arboriculturalist:

In this part of Holden Road the character of the properties is front gardens with established soft landscaping at the front which screen/soften the buildings. This includes trees and shrubs that are mature and provide considerable visual tree amenity.

A TPO TRE/FI/15/G2 made in 1971 protects two very large lime trees growing along the front of the properties. One of them is growing in the garden of 157A & 175B Holden Road and the other in the garden of 157 Holden Road. Both trees provide considerable visual tree amenity that is part of the character of Holden Road.

The demolition and construction of the proposal will not directly impact on trees surrounding the site.

There is a high risk of harm to the protected lime tree at the front of the property from construction activities. The submitted arboricultural method statement and tree protection plan demonstrates that this risk can, with care, be managed to an acceptable level.

The proposed driveway retains a portion of the root protection area of the lime under soft landscaping; this is supported. The remaining frontage will be surfaced with cell-web or equivalent. This approach should prevent harm to roots under the drive way and is also acceptable.

The existing site benefits from a large area of hardstanding. The proposed landscaping would provide a balance between hardstanding and soft vegetation, which would soften the appearance of the building.

No details have been submitted regarding services; it is assumed that existing services will be utilised. There is a high likelihood that excavations will be required to join services up within the RPA of T1. Full details must be submitted as part of a condition.

The submitted landscape plan provides for 3 new trees (weeping silver lime) to be planted in strata-cells tree pits under the driveway. Silver lime is aphid resistance lime tree species and acceptable in this location where 6 cars parking spaces are provided.

The proposed bin stores are located within the RPA of the protected lime tree, however subject to careful installation, the amenity value of the tree should be protected.

Subject to conditions, the proposal is considered to protect the health of existing trees which represent an important amenity feature and the landscaping would soften the appearance of the building.

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, however a lift cannot be provided due to the limitations of the site. The applicant has provided a document detailing how the proposal would meet the requirements of M4(2). A condition is attached to ensure compliance with these Policies and this document.

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.

Community Infrastructure Levy

The Mayor of London is empowered to charge a Community Infrastructure Levy (CIL). The Levy is intended to raise £300 million towards the delivery of Crossrail. The Mayoral CIL will take effect on developments that are granted planning permission on or after 1 April 2012 setting a rate of £35 per sqm (index related) on all 'chargeable development' in Barnet.

Barnet has adopted its own CIL Charging schedule chargeable on liable development granted permission on or after 1st of May 2013 at £135 per sqm (index related).

The proposal would be liable for both Mayor's CIL and Barnet CIL.

5.4 Response to Public Consultation

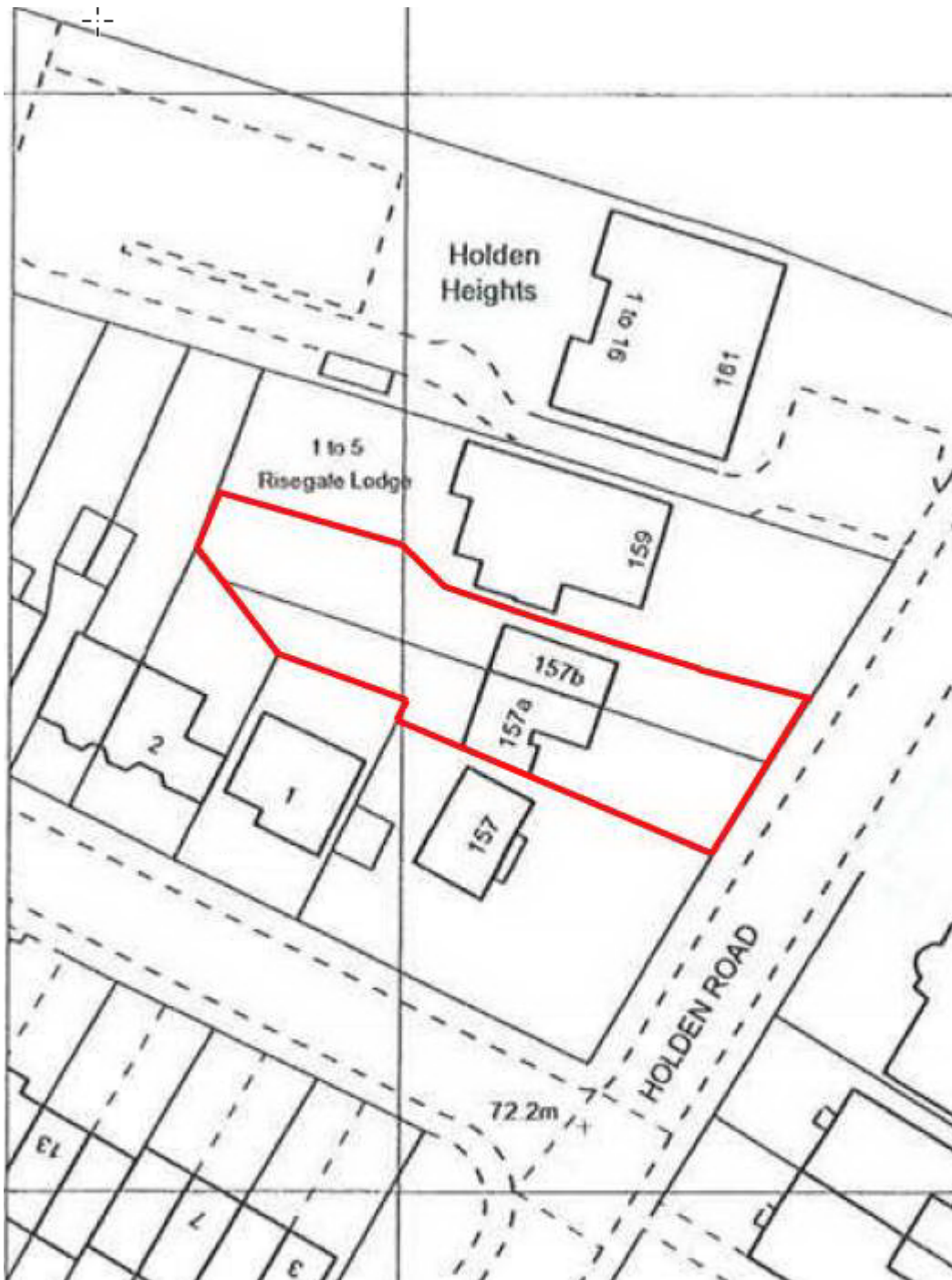
It is considered that the planning related objections have been addressed in the report above.

6. Equality and Diversity Issues

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

7. Conclusion

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



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