

Location **44 Holden Road London N12 7DN**

Reference: **16/6324/FUL** Received: 29th September 2016

Accepted: 4th October 2016

Ward: Totteridge Expiry 29th November 2016

Applicant: Mr Andy Tomaso

Proposal: Demolition of existing building and erection of part three, part four storey building containing 9no. self-contained flats. Associated private and communal amenity space, refuse and recycling storage and associated landscaping, 9 parking spaces (including 1 disabled space), 20 cycle parking spaces

Recommendation: Approve subject to conditions

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

A1000 Rev.5 (Location Plan)

A1001 Rev.5 (Existing Block Plan and Proposed Block Plan)

A1002 Rev.5 (Context Elevation and Context Section)

A1003 Rev.5 (Context Elevation and Street Analysis)

A1020 Rev.5 (Existing Elevations)

A1110 Rev.5 (Proposed Ground Floor Plan and Proposed First Floor Plan)

A1111 Rev. 5 (Proposed Second Floor Plan and Proposed Third Floor Plan)

A1112 Rev.5 (Proposed Floor Plans and Gross Internal Areas)

A1120 Rev.5 (Proposed Front and South Elevations)

A1121 Rev.5 (Proposed Rear and North Elevations)

A1130 Rev.5 (Proposed Sections)

A1200 Rev. 5 (Proposed Revision Amendment Comparison)

Arboricultural Report (dated Septmeber 2016)

Daylight and Sunlight Report (dated November 2016)

Design and Access Statement (dated 29/09/2016)

Integrated tree and stormwater system (dated 29/09/2016)

Planning Statement (dated 05/12/2016)

Soil Technical Sheet (dated 29/09/2016)

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

- 2 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 2015.

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

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

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

- 5 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:

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

- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13 , CS14, DM01, DM04 and DM17 of the Barnet Local Plan and polices 5.3, 5.18, 7.14 and 7.15 of the London Plan.

- 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) 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.

- 8 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 and details regarding the installation of the proposed structural root cell for the replacement protected tree, 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.

9 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).

10 Before the development hereby permitted is occupied the car parking spaces as shown on Drawing No. A1001 Rev. 5 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.

11 Before the development hereby permitted is occupied cycle parking spaces as per the submitted planning application 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.

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

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

- 13 Notwithstanding the plans submitted, before development commences, details of the revised vehicular access including car access warning (signal control) system, the management of the system, details of where vehicles will wait and the maintenance contract details 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.

- 14 a) No site works (including any temporary enabling works, site clearance and demolition or any investigative works referred in any other conditions, or development) shall be commenced until an ecological survey has been undertaken which details any mitigation strategy that may be necessary and has been submitted to and approved in writing by the Local Planning Authority.

b) The site clearance and any mitigation measures shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 15 Before the building hereby permitted is first occupied the proposed windows in the north elevation facing No.46 Holden Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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

- 16 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).

- 17 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.

- 18 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.

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

- 20 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.

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

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

Informative(s):

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

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £13,100.50 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £50,530.50 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 7294.

- 4 The applicant is advised that for construction works adjacent or affecting the public highways, the council's First Contact should be contacted on 0208 359 2000 for any necessary Highways Licenses or any highway approvals deemed necessary.
- 5 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
- 6 The applicant is advised that any works required on public highway to facilitate the development will require a separate agreement with the Highways Authority under S184 or S278 of the Highways Act 1980.
- 7 Any details submitted in respect of the Demolition Construction and Traffic Management Plan (DCMP) above shall control the hours, routes taken by delivery and construction vehicles, delivery arrangements, means of access and security procedures for construction traffic to and from the site and for the provision of on-site wheel cleaning facilities during demolition, excavation, site preparation and construction stages of the development, recycling of materials, the provision of on-site car parking facilities for contractors during all stages of development (Excavation, site preparation and construction) and the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials and a community liaison contact and precautions to minimise damage to trees on or adjacent to the site.

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

- 8 Any and all works carried out in pursuance of this consent / notice will be subject to the duties, obligations and criminal offences contained in the Wildlife and Countryside Act 1981 (as amended). Failure to comply with the provisions of the Wildlife and Countryside Act 1981 (as amended) may result in a criminal prosecution.

Officer's Assessment

1. Site Description

The application site consists of a three storey detached property set within a plot of approximately 0.12ha, located on the eastern side of Holden Road, within the ward of Totteridge. The existing property is currently occupied as 3no. self-contained flats.

The area of Woodside Park is residential in character with a mix of property styles and a variety of single family dwellings, conversions and newer flatted developments.

The site is not listed and is not located within a designated conservation area.

2. Site History

There is no relevant planning history for the site despite the building's current use as self-contained flats.

It is worth noting that there is an application (16/5352/FUL) currently being considered by the Local Planning Authority at the adjacent site at no.42 (and St Barnabus Church) for the "Conversion of the existing St Barnabus Church from Use Class D1 (community use) to Use Class C3 (residential) comprising 21 flats and four floors, along with associated external alterations. Demolition of the existing bungalow at 42 Holden Road and construction of a three storey plus lower ground floor building comprising 9 residential flats and car parking, provision of private and shared amenity space, cycle and bin stores and other associated works."

3. Proposal

The application seeks consent to demolish the existing building on site and redevelop the site for the erection of a part three, part four storey building containing 9no. self contained flats. The proposal also includes the provision of private and communal amenity space, refuse and recycling storage, 9 parking spaces (including 1 disabled space) and 20 cycle parking spaces.

The proposal has been amended as follows:

- o 1m step in of the plan on all floors on the south side facing no.42;
- o Removal of the stepped terracing at the rear and 3.0m shortening of the overall building depth towards the garden;
- o Change to the overall mix of units - 4 x 1 bed, 3 x 2 bed and 2 x 3 bed;
- o 0.3m step in of the bathrooms on the north side facing no.46 to break up the side elevation; and
- o Bathroom window sizes changed on both side elevations which breaks up the elevations.

4. Public Consultation

Consultation letters were sent to 100 neighbouring properties. Following the submission of amended plans and new documents, the application was re-consulted.

8 responses have been received, comprising 7 letters of objection and 1 letter of support.

The objections received can be summarised as follows:

- Loss of family house
- Loss of building of character;
- Addition of further flats will have an adverse impact on the character of the street;
- Overlooking;
- Insufficient parking proposed;
- Increase in traffic congestion;
- Impact of loss of trees and wildlife; and
- Noise and disturbance during construction;

The letter of support received can be summarised as follows:

- Site is located within an area of good transport links; and
- Plenty of parking provided.

Internal and External Consultations

Arboricultural Officer - No objections

Traffic and Development - No objections subject to conditions

London Fire Brigade - No response received

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, CS9.
- Relevant Development Management Policies: DM01, DM02, DM03, 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

Residential Design Guidance SPD (adopted October 2016)

- Part two sets out the general guidelines for new residential development as well as amenity and space standards. The document provides advice on privacy and overlooking, minimum room sizes, good building layout and provision of gardens.

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 redeveloping the site for flats;
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether adequate accommodation is provided for future occupiers of the units;
- Highways Safety and parking provision; and
- Any other relevant planning considerations.

5.3 Assessment of proposals

Principle of development

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

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; however they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street for example, through the provision of car parking and refuse facilities, this can have an unacceptable impact on the established character of an area.

Policy DM01 seeks to resist the introduction of flatted schemes in streets where the character is made up of family housing. In addition, development should also respond to the context of its surroundings in respect of its spatial character and layout.

The application site consists of a building containing 3 no self-contained flats and the wider area is of mixed character incorporating detached and semi-detached dwellings and both small and large scale flatted developments. The mix of residential typology is evident along the whole street. As a result, it is considered that a proposal to redevelop for a flatted development would broadly follow the general pattern and typology of development within the street.

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 3. The proposal would provide 9 units with a total of approximately 25 habitable rooms. The site measures 0.12ha and the London plan would indicate an appropriate density of between 150-250 habitable rooms per hectare and 50-95 units per hectare. In this instance, the proposal would result in a density of approximately 208 hr per ha and 75 units per ha, which would be within the density ranges for a PTAL 2-3 (Suburban) location. As such this density is considered to be acceptable.

The proposed development would provide a mix of dwelling types, comprising 4 x 1 bedroom units, 3 x 2 bedroom units and 2 x 3 bedroom units. Policy DM08 states that homes with 3 bedrooms are a medium priority and therefore the proposal would help contribute towards this provision.

Impact on the character of the area

Policy DM01 states 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 existing building on site is not nationally or locally listed and the site is not located within a designated conservation area. However, officers note that the building consists of traditional character. The proposal seeks to demolish the existing and construct a part three storey and part four storey building within the site. The proposed building would consist of a front gable to reflect elements from the existing buildings on the street, would continue the existing building line along the street and respect the existing separation distances between buildings. The proposed building would be below the height of the existing building. The proposed building would be constructed predominately out of brick, with a zinc roof and aluminium framed fenestration and balustrades. A number of

amendments have been made to the proposal in order to reduce its overall depth within the plot and reduce the proposal's overall bulk. It is acknowledged that the adjoining bungalow is much smaller than most if not all buildings within the area, however, given the height of the existing building and its relationship with the single storey bungalow it is the view of the Local Planning Authority that the proposal would have no appreciable adverse impact on the bungalow and should not form a constraint against future development on this site by virtue of its single storey height. Taking into account the above, officers consider that the proposal takes into account a number of localised characteristics that make a positive contribution to the character and appearance of the area and the streetscene. As the proposal is of a high design, officers consider that this offsets the loss of the existing building.

Impact on neighbouring buildings

While officers acknowledge that a separate planning application is being considered at the adjoining site, the main assessment of the proposal has been against the current site conditions, which in the case of no.42 is the bungalow. However, officers have also taken into account and assessed the proposed new development and whether both developments could co-exist.

In respect of no.42 Holden Road, the bungalow, this building appears to be on a lower land level compared to the application site. At present, nos 42 and 44 have a similar building footprint and their building lines come to approximately similar points, while no.46 extends further beyond. The proposed development would represent an increase in the depth as it extends towards the back of the site however, however, the proposed building would be set in approximately 6.5m away from the flank wall of the bungalow and 4.5m from the flank wall of no.46.

The proposal involves a number of windows on the side elevations facing no.42 and no.46. To the north which lies no.46, the proposed windows are small in size and are located to the front/middle of the building. Analysing the floorplans, officers note, that the majority of windows serve bathrooms, with the exception of three, a bedroom on the ground floor and a kitchen window on the first and second floor. Given their proposed location within the rooms, officers consider that these three windows would only serve as secondary windows and would not lead to a detrimental impact on the residential amenity of no.46 in terms of overlooking. In addition, to remove the issue of overlooking, a condition will be applied to ensure that the windows along the northern elevation are fitted within obscure glazing. On the south elevation, facing no.42, the windows are larger in scale and are mainly floor to ceiling in form. The floorplans illustrate that the windows on this elevation would serve a variety of living spaces. Officers note that the windows are positioned towards the corners of the rooms and as such would help limit any potential overlooking as less activity is likely to occur in the area where the proposed windows are positioned. Due to the nature of the building at no.42, it is unlikely that it would suffer detrimentally in terms of overlooking.

The majority of the proposed flats would have a private balcony/terrace area. However, the design of these areas are such that they are in-set within the building and officers are satisfied that they will not lead to adverse impact of overlooking.

The applicant has submitted a daylight/sunlight report to assess any potential impacts of the proposed development on the neighbouring properties. In terms of the impacts of nos.42 and 46, the report details that the great majority of windows to the front, rear and flank elevations will retain daylight levels very close to or at the same level as existing and would therefore satisfy BRE criteria. Officers are accepting these results and are satisfied

that the development would not adversely affect the daylight/sunlight of neighbouring residents.

In terms of overshadowing, the application site lies to the north of no. 42 and would not cause further overshadowing. The properties along this side of the street benefit from long gardens with good views of the sky from the east and south. The proposed development maintains a 42 degree angle from the neighbouring windows on the rear elevation of no.46 and as such officers are of the opinion that no detrimental amenity impacts would occur to the occupiers of this property.

The amendments to both side elevations which have involved the stepping back of the certain areas are considered to successfully help break up the building's bulk and depth on these elevations.

Quality of accommodation for future occupants

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. Each of the proposed nine units would exceed the required standard for internal floorspace.

The majority of units with the exception of two, would have a private balcony with all units having access to a large communal garden (200sqm) to the rear. The Sustainable Design and Construction SPD states that for flats, 5 sqm of external amenity space should be provided per habitable room. With 25 habitable rooms within the development, the scheme should provide for at least 125sqm and it is considered that combined with the proposed private amenity space, the development more than satisfies this requirement.

All flats are dual aspect and have either an easterly or westerly main outlook with an additional secondary window on the northern and southern flank elevations. On the northern elevation, the majority of these secondary windows serve a bathroom, with the exception of 1 bedroom on the ground floor (unit 1) and a kitchen window on the first floor (unit 5) and second floor (unit 8). Given the nature of these windows and their positioning, officers consider that these are acceptable. On the southern elevation, all of the habitable rooms would have a window facing no.42. At present, this site is a bungalow and there is no impact on the proposed development. Furthermore, the windows are all secondary and are positioned on the corners of each of the rooms in order to reduce their impact. Officers are satisfied with the proposal in this respect. The submitted Daylight/Sunlight Report confirms that all the proposed habitable rooms would receive daylight amenity values above the minimum values recommended by BRE.

As mentioned previously, the application on the adjacent site seeks to demolish the existing bungalow and erect a new building of approximately the same scale, depth and height. Officers have assessed the current scheme against the proposed development on the neighbouring site. In terms of their potential relationship with other, officers are satisfied with the design, scale, siting, layout, density and height of both proposals and that they have an acceptable relationship with other. Officers are also satisfied with the associated amenity impacts that could be achieved in both developments and have considered the window arrangements and are satisfied that overlooking will not be a significant issue. At its closest point, the separation distance between the developments would be approximately 5m, with this increasing at the developments step back.

Highways safety and parking provision

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

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

For 1 bedroom units	0.0 - 1.0 space per unit
For 2 and 3 bedroom units	1.0 - 1.5 spaces per unit

Based on the above parking standards, the parking requirement for the proposed development is calculated as follows:

4 x 1b = a range of (0.0 - 1.0) = 0.0 - 4.0 parking spaces required
3 x 2b = a range of (1.0 - 1.5) = 3.0 - 4.5 parking spaces required
2 x 3b = a range of (1.0 - 1.5) = 2.0 - 3.0 parking spaces required

This equates to a range of parking provision of between 5 to 11.5 parking spaces to meet the Barnet Local Plan parking standards contained in Policy DM17.

9 parking spaces including 1 disabled space are being provided. The Council's Traffic and Development service has assessed the proposal and taking into account the site's PTAL rating, are satisfied that the proposed parking provision is in accordance with the DM17 residential parking standards.

20 cycle parking spaces are proposed and are in accordance with London Plan Cycle Parking Standards.

The Traffic and Development team note that the proposed vehicular access to the car parking area at the rear, measures only 2.5m wide. This means it will only be able to serve one vehicle at a time. They note that the safety implications of this can be overcome by installing a signalised access to ensure that there is no conflict between the vehicles entering and egressing the site. A condition is attached to this permission that this is implemented in accordance with the recommendation of the highways officers to ensure that no undue impacts would result on the highways. The London Fire Brigade were contacted several times as advised in the consultation response, however did not respond to any of the requests and are assumed to have no objection to the proposal.

Other relevant considerations

Trees and landscaping

The application site includes one tree to the front within its curtilage which is subject of a Tree Preservation Order (TPO), sited at the south-western corner of the site (right side as viewed from the front). There are a number of trees at the rear of the site which are not subject to TPO.

The applicant has submitted an Arboricultural Assessment which advises that the proposal incorporates the removal of the protected ash tree due to the need to reduce the ground

level and also a number of other trees throughout the site. The proposal seeks the removal of 17 category C trees, including 1 category U tree and also would retain a number of trees at the front, side and rear.

The proposal and the submitted arboricultural report have been subject to consultation with the Council's Arboricultural officer. Policy DM01 of the Adopted Barnet Development Management Policies advises that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. The officer is in agreement with the valuation of the trees and that the retention of the trees along the back boundary will help to screen the proposed parking area. The most significant loss would be an Ash tree on the right hand side of property to facilitate a new vehicle access road to rear. The proposal seeks to replant a new ash tree and construct a protected area under the ground to allow for a viable rooting area. It is acknowledged that the removal of the tree will result in a loss of amenity value and the new tree has been established, however given the tree's close proximity to the public highway and the high quality of development being submitted, officers consider that the loss can be mitigated through the submission of a detailed arboricultural method statement and supporting tree protection plan.

The Arboricultural Officer has noted that there may be bats present around the building. With no assessment having been carried out, officers consider that it would be appropriate that a survey should be carried out to assess whether the development would have any impact on bats. This will be sought via condition.

Accessibility and sustainability

The proposed development has an internal lift within the development from a level access from the car park and the street. It is therefore considered that the proposed development would be able to comply with the mandatory requirements of M4(2) of the Building Regulations.

It is written within the Planning Statement and Design and Access Statement, that the proposed development is committed to meet the objective of 40% improvement beyond Part L of the Building Regulations.

5.4 Response to Public Consultation

The majority of comments raised relating to the principle of development, design, impact on character and residential amenity and highways have been addressed within the report.

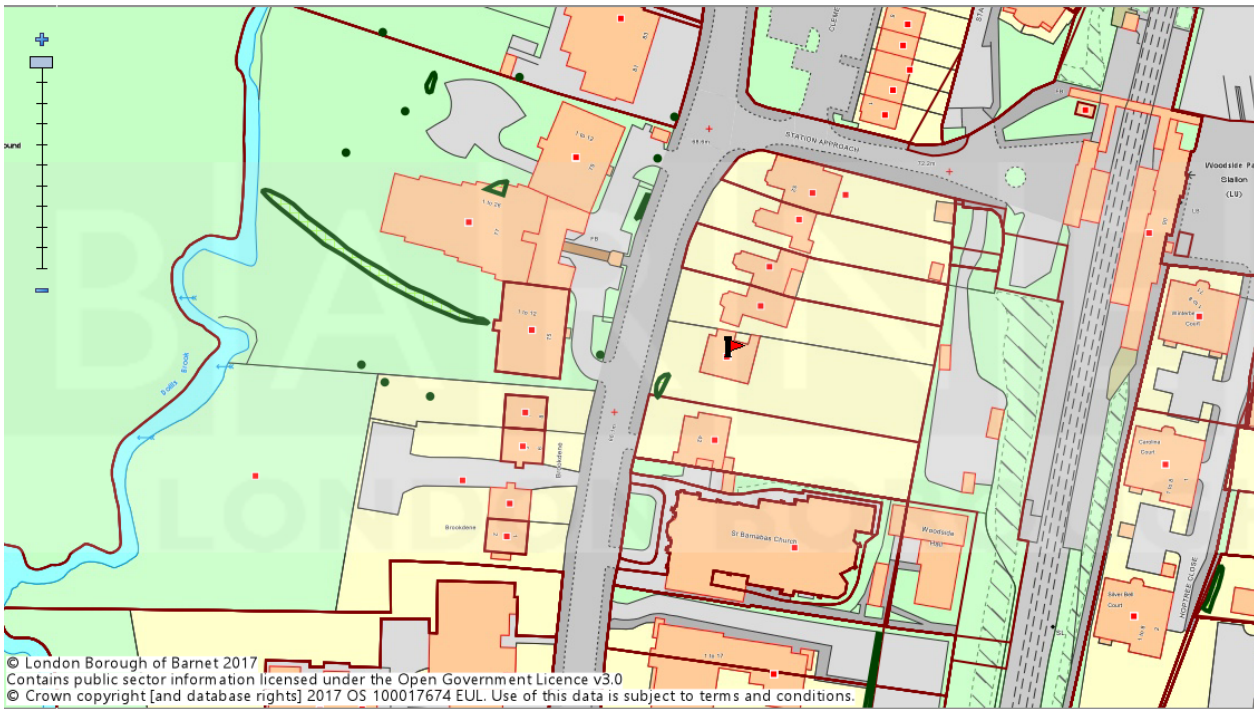
In terms of noise and disturbance during construction period, the Local Planning Authority can restrict the hours of operation through applying appropriate conditions. Out of hours noise and disturbance issues are dealt separately through Environmental Health Legislation. Any damaged caused to neighbouring properties as a result of the proposed development is a civil matter.

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 planning 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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