

Location **54-66 Sutton Road London N10 1HG**

Reference: **16/6610/FUL** Received: 14th October 2016
Accepted: 28th October 2016

Ward: Coppetts Expiry 23rd December 2016

Applicant: Mr Gary Hodes

Proposal: Demolition of existing house, motor repair workshop and lock up garages; Redevelopment to provide 5 No houses along the Sutton Road frontage and 6 No 2 storey commercial units at the rear with associated amenity, car, bicycle, refuse and recycling facilities

Recommendation: Approve subject to s106

RECOMMENDATION I:

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

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

3. A financial contribution of £5000 toward street trees.

RECOMMENDATION II:

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

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

13/812 P01B
13/812 P02B,
13/812 P03A,
13/812 P04A
13/812 P05A,
P1510/TS/06
13/812 P07A,
13/812 P08A

Design and Access Statement
Daylight Study
Environmental Statement
Land Contamination Assessment

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 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;
- xi. details of temporary enclosures or security hoardings;
- xii. confirmation that all Non Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's SPD "Control of dust and emissions during construction and demolition" JULY 2014 or subsequent guidance. The developer shall keep an up to date list of all NRMM used on the online register at <https://nrmm.london>.

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).

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

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

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

5 a) 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) 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 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).

8 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).

9 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.

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

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

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

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

12 The office use hereby permitted shall only be in use between 8am and 6pm on weekdays, between 8am and 1pm on Saturdays and not at all on Sundays and Bank Holidays. No deliveries shall be taken at or dispatched from the premises outside these hours.

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

13 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.

14 a) Before development commences, an air quality assessment report, written in accordance with the relevant current guidance, for any biomass boiler / CHP Plant shall be submitted to and approved by the Local Planning Authority. The emissions for CHP and / or biomass boilers shall not exceed the standards listed in Appendix 7 of the London Plan's Sustainable Design and Construction SPG document 2014.

The report shall have regard to the most recent air quality predictions and monitoring results from the Authority's Review and Assessment process, the London Air Quality Network and London Atmospheric Emissions Inventory. It shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

Details of the plant and evidence to demonstrate compliance with the GLA's emissions standards will be required.

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

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

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

The development shall be at least "Air Quality Neutral" and an air quality neutral assessment for both buildings and transport shall be included in the report.

The assessment shall have regard to the most recent air quality predictions and monitoring results from the Authority's Review and Assessment process, the London Air Quality Network and London Atmospheric Emissions Inventory. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) A scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. This shall include mitigation for when air quality neutral transport and building assessments do not meet the benchmarks.

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

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 3.2, 5.3 and 7.14 of the London Plan 2011

16 Prior to installation, details of the boilers shall be forwarded to the Local Planning Authority for approval. The boilers shall have dry NO_x emissions not exceeding 40 mg/kWh (0%).

Reason: To comply with the London Plan's SPG on Sustainable Design and Construction and Policy 7.14 of the London Plan in relation to air quality.

17 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected,

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

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

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

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

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

Part 2

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

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 5.21 of the London Plan 2015.

18 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).

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

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

20 a) No development other than demolition works shall take place until a detailed assessment for the kitchen extraction unit, which assesses the likely impacts of odour and smoke on the neighbouring properties is carried out by an approved consultant. This fully detailed assessment shall indicate the measures to be used to control and minimise odour and smoke to address its findings and should include some or all of the following: grease filters, carbon filters, odour neutralization and electrostatic precipitators (ESP). The equipment shall be installed using anti-vibration mounts. It should clearly show the scheme in a scale diagram and shall be submitted to and approved in writing by the Local Planning Authority

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 that the amenities of the neighbouring occupiers are not prejudiced odour and smoke in the immediate surroundings in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012) and Policy CS14 of the Local Plan Core Strategy (adopted 2012).

21 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-E of Part 1 of Schedule 2 of that Order shall be carried out within the area of each residential curtilage hereby approved.

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

22 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 D, PO, O of Part 3 of Schedule 2 of that Order shall be carried out within the area of the offices hereby approved.

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

23 The building shall not be occupied until parking spaces have been laid out within the site in accordance with the approved plans (drawings no. 13/812/P01B and 13/812/P02B) and shall not be used for any other purpose other than the parking of vehicles in connection with the approved development.

Reason

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

24 Before the development hereby permitted is occupied, details of Cycle parking spaces shall be submitted to and approved in writing by the Local Planning Authority. These 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.

Reason

To ensure and promote easier access for disabled persons to the approved building in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012 which in turn refers to London Plan Parking Standards.

25 Before the development hereby permitted is occupied details of 20% active and 20% passive parking spaces with electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. 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.

26 Notwithstanding the ramp detailed on Drawing No.[P1510/TS/06] the gradient of the proposed ramp access to the underground parking area should not exceed 1:10 or it needs to be constructed in accordance with the guidelines in IStructE Design recommendations for multi-storey and underground car parks.

Reason

To ensure 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.

27 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.

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

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

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

29 a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise and vibration including from traffic/ mixed noise on the development and measures to be implemented to address its findings has been submitted to and approved in writing by the Local Planning Authority. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations

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

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.15 of the London Plan 2015.

RECOMMENDATION III:

0 RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 10 May 2017, unless otherwise agreed in writing, the Assistant Director of Development Management and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet the costs of replacement street trees. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

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 submitted Construction Method Statement shall include as a minimum details of:
 - o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
 - o For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999. Proof within the contractor's specification that all NRMM will be registered on the local government website
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - o For major developments only: provide a copy of an asbestos survey for smaller developments confirmation that a survey has been carried out.
 - o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site

hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.

o An asbestos survey to be provided.

3 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:

1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');

2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);

3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;

4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;

5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;

6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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

4 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

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

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

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

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

1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;

2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;

3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;

4) Department of Transport: Calculation of road traffic noise (1988);

5) Department of Transport: Calculation of railway noise (1995);

6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

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

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

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance: Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance (2007).

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

- 6 The report submitted to the LPA should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance - Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance (2007); 5) The report should also have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network.

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

- 7 The report submitted to the LPA should be written in accordance with the following guidance: 1) Environmental Protection UK Guidance - Development Control: Planning for Air Quality (2010); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(09); 4) London Councils Air Quality and Planning Guidance (2007); 5) The report should also have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network.

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

- 8 The applicant is advised to engage a qualified kitchen extraction consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory smoke and odour control. Please note that:
- Flue(s) must be 1.5 m* above eaves or any open able windows in the vicinity (within 20 metres of the flue) if there are sensitive premises in the vicinity. The final discharge must be vertically upwards. There should be no hat or cowl on the top of the flue. If flues are to be attached to neighbouring noise/vibration sensitive premises they must incorporate anti-vibration mounts, flexible couplings and silencers. *If the flue is in a Conservation area then this height may be reduced to 1m above eaves.
 - The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate: DEFRA Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (DEFRA, January 2005); DEFRA Odour Guidance for Local Authorities (DEFRA, March 2010). Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.
- 9 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.

- 10 Any works on public highway such as reinstatement of the existing crossovers to footway level, provision of a new crossovers or an access off the public highway and relocation of street furniture including lighting columns to facilitate the development would need to be carried out by the Council's term contractors at the applicant's expense.

This proposal may also impact on existing on-street Controlled Parking Bays. Any alterations to on-street parking bays will be subject to a statutory consultation period. The Council cannot pre-empt the outcome of the consultation process.

Works on public highways to facilitate the development will be carried out under the S278 Agreement of the Highways Act 1980 or can be charged under a rechargeable works agreement.

- 11 Refuse collection points should be located within 10 metres of the Public Highway; otherwise, unobstructed and suitable access needs to be provided to the refuse vehicle on the day of the collection. The development access needs to be designed and constructed to allow refuse vehicles to access the site and turn within the within the development site. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.
- 12 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 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.

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.

- 13 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.

Officer's Assessment

1. Site History

The site subject to this application constitutes of previously developed land which consists of vehicle workshop/garage (Trading Name: Sutton Road Garages) and a single family dwellinghouse, located at the Southern end of Sutton Road. The combined site area is 1660 sq. m. Apart from this site, Sutton Road is primarily a residential street running East - West between Colney Hatch Lane and Coppetts Road.

The majority of the site sits between the rear of properties along Halliwick Road, No 52b and an adjoining electricity sub-station. The gradient of the ground slopes from South to North (i.e. land located adjacent to the Sutton Road is higher than that of rear gardens of properties in Halliwick Road) and East to West (i.e. The sub-station is located on higher ground than that of No 52b). The property is not located within a Conservation Area nor is any part of the building a listed feature.

Sutton Road is defined by dwellings of varying density and design, ranging from purpose built flats, to semi-detached and terraced dwellings. Dwellings within Sutton Road largely follow the orientation of the street from Coppetts Road to Colney Hatch Lane. The garage and neighbouring sub-station are set further back from the street than all other properties on the street.

With the exception of one disabled bay and a double dropped kerb, there are no parking restrictions on Sutton Road.

2. Site History

None

3. Proposal

Planning permission is sought for the redevelopment of this site involving the erection of a five x 4-bedroom houses fronting the street and 6 commercial (B2) units located to the rear of the site. An access road adjacent to the boundary with No 52B leading to a terrace of B1 commercial units will also be constructed.

The three storey street fronting residential block will have a width of 30m and a depth of 11.9m. The block is set back from the edge of the highway by a distance of just over 5m. Owing to the gradient of the street, the height (to the ridge) of the building varies between 9.9m and 10m. The height of the terrace will decrease as one moves west to east along the frontage so as to accommodate the natural gradient. This block will be located 5.3m from the eastern boundary, 28m from the northern boundary and be built up to the western boundary (with the sub-station). The new residential terrace has mirrored a number of architectural features (e.g. gables ends and projecting bays) evident within the street.

Each unit, varying in size from between 147sqm and 169sqm, will accommodate a 4-bedroom self-contained dwellinghouse, benefit from one car parking space and a minimum of 67sqm of external amenity space located to the rear of the residential terrace. The site area is 1,660 sqm or 0.166 ha and the current proposal would provide 30 habitable rooms. The proposed density would therefore be 180.72 hr/ha

The rear office block will have a width of 32m and a depth of 6.3m. The site is set back from the street fronting block by a min distance of 18m. The height (to the ridge) of the building will be 5.4m. This block will be located 2m from the east and western boundaries. This block will accommodate 372sqm of B1 office space (i.e. 6 offices).

In order to facilitate the construction of the proposed offices, an excavation into the bank will be required. This will facilitate level access from the street, throughout the building and into the rear. The proposed offices will be serviced by six car parking spaces and 2 disabled spaces located at basement level.

3. Public Consultation

Consultation letters were sent to 80 neighbouring properties. The Council has received 10 objections and these are summarised as follows:

- The proposed units will attract multiple businesses which will increase traffic flow and increase noise
- The proposed office block will harm the open character of the area
- Loss of privacy
- Loss of light
- Increased pressure to on-street parking
- The provision of three storey buildings on a street characterised by two storey buildings will harm the character of the street.
- The overall scale of the development dwarfs neighbouring development
- The height of the street fronting building fails to respect the character of the street.
- Demolition and construction works will create health risks, noise, nuisance and disturbance to neighbouring residents.
- The design of the building fails to respect the character of Sutton Road.
- Offices in a residential area is not an appropriate use
- The quality of accommodation being proposed is poor by reason of limited light into habitable space.
- Neighbouring gardens will now be overlooked which will also restrict the enjoyment and use of the property.
- Side access will be restricted.
- The low boundary wall between the site and rear gardens of Halliwick Gardens will permit intruders.

Highways and transport: No objections subject to conditions

Environmental Health: No objections subject to conditions relating to contaminated land, air quality and noise pollution.

Street Trees: No objection subject to a financial contribution of £5000

5 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 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.

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, CS5, CS13, CS14
- Relevant Development Management Policies: DM01, DM02, DM04, DM07, DM14

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2016)

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

Main issues for consideration

The main issues for consideration in this case are:

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

6 Assessment of proposals

Principle of Development

Office (B1) Space

The site, currently in use as Sutton Garages (799sqm), an employment use, is proposed for redevelopment. All proposals for redevelopment of employment uses to another employment use should consider their impact on local employment. Redevelopment should demonstrate it's contribution to local employment. The council expects proposals to provide a more intensive employment use by demonstrating the level of employment. Proposals which cannot do this will be resisted. It is noteworthy that policy DM14 requires new office space to be located within Town Centres. However as the existing site is in use as an employment use and replacement employment space is required to satisfy the policy, given the residential nature of the area, it is considered that an office use would be more appropriate than an alternative B1/ B2 use.

Notwithstanding the reduction in employment floorspace, the provision of some (372 sqm) B1 floorspace renders the current proposal acceptable in principle largely due to the increase in employment on the site. The existing business employs 6 people in total, whilst the proposed 6 office units will employ between 16-32 people. This calculation is based on the Mayor of London's 2014 'London Office Floorspace Projections' report (LOFP) which recommends that forecasts of available office space should assume an average of 1 person per 11.3 sqm of gross internal floor area. Therefore it would be reasonable to assume a proposed number of future employees on the site of a maximum of between 16 people and 32 people (i.e. 3-6 people per unit).

It is also noteworthy that some facilities within the site have become obsolete; reference is made specifically to the garages located to the rear of the property which are largely unusable.

In addition to the increase of potential employment proposed, it is considered that owing to the character of the street being predominantly residential, the provision of offices will be a better use of the space when compared to the existing Sutton Garages development.

Therefore on balance, the principle of offices within the site is accepted. The discussion now falls to the impact of that development on neighbouring amenity and the character of the wider area.

Principle of Housing

For areas such as the application site policies CS1 and CS3 of the Barnet Core Strategy expect new developments to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

The proposed development would result in the redevelopment of a site that has previously been used as garages but which will be demolished within a residential area.

The application site has not been identified for any specific use in development plan planning policies, is previously developed land and is situated in an area characterised by residential housing, including purpose built flats.

In such circumstances, Planning Officers find that there is nothing to specifically preclude the redevelopment of the site in the broadest sense, subject to the scheme proposed being compliant with the relevant development plan policies.

As such the principle of redevelopment for housing of the site is deemed acceptable

Design and character matters

The National Planning Policy Framework (published in 2012) makes it clear that good design is indivisible from good planning and a key element in achieving sustainable development.

Local Plan Policy DM01 states that all development should represent high quality design that is based on an understanding of local characteristics, preserves or enhances local character, provides attractive streets and respects the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The residential element which will address the street will contain generous areas of private garden. The proposed development would be set back from the edge of the highway by just over 5m. This space in conjunction with parking on the forecourt would form defensible space for new dwellings.

The proposed development would be constructed from brick, would have a gable roof at each end and a two storey flat roof rear projection. There would be balconies to each dwelling which each would be bound by a privacy screen for the purposes of amenity protection.

Given that the pattern of development is already disrupted by the existing development, the proposal whilst not mimicking the established pattern of development, it does go some way to improve the situation by creating a residential terrace that addresses the street frontage in a traditional manner. Also found to be positive, were the creation of landscaped areas to the rear of the dwellings.

The modest two storey office block with a low hipped roof will not be visible from the street but rather only from neighbouring gardens. Its discreet architectural vernacular with chamfered edges and uniform fenestration is considered appropriate to the its use and indeed an improvement to the existing row of derelict garages insitu.

It is considered that the proposed development in the form and appearance of a short terrace would respect and respond to these positive characteristics of the area which correspond to the local character. The use of predominantly brick would combine the two most common building materials in the street. The use of hipped roofs would also accord with local character.

Within this residential area, the proposal retains a degree of spaciousness expressed by gardens and also through amenity spaces within the public realm. The proposed development occupies a similar footprint to the existing buildings and garages, enhances and improves the site and provides a generous area of communal garden within the red line site outline.

The architectural vernacular whilst more modern than the historic character of the street has gone a long way to respect the mixed character of the street.

The proposal will result in the loss of one street tree. The tree will be replaced at the expense of the applicant. Details of which will be secured by way of a legal agreement. On the basis of the street tree being replaced, it is considered that the proposed development would not harm the setting, viability and visual and landscape character of the street.

Quality of accommodation for future occupants

Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers. Policy DM02 identifies standards that development will be expected to meet in relation to a number of matters, including the internal floorspace of new dwellings and outdoor amenity space.

The London Plan contains a number of policies relevant to the provision of adequate amenities for future occupiers of new residential accommodation. The council also has adopted SPD's (entitled Sustainable Design and Construction and Residential Design Guidance) providing more detailed guidance on a range of matters related to creating new residential accommodation in addition to the Mayors adopted SPG's (entitled Housing).

The units proposed would have gross internal areas which would meet the requirements of the London Plan for a dwelling of that type. All new dwellings would feature private terraces and rear amenity space which would exceed the thresholds set out in the Adopted SPD (Sustainable Design and Construction). This private amenity area would be defensible space to both front and rear. It would be functional space.

Development plan policy requires that new dwellings are provided with adequate outlook. The design approach proposed maximizes the outlook of occupiers of the new dwellings, while also taking account of the need to prevent unacceptable levels of overlooking from and to neighbouring properties. The new residential block will contain a minimum separation of 18m from the rear office block.

It is considered that each of the units proposed in this instance have an acceptable degree of outlook with the main living areas being served by windows on two elevations. The main outlook for the living areas would be situated to the front and rear of the site.

Environmental Health have advised that owing to the existing use site contamination is considered to be an issue. The applicant has submitted an investigation report by Subadra Geo-environmental which concludes that the site is 'suitable for on-going commercial use'. Officers have noted Benzo(a)pyrene and asbestos fibres in shallow ground. As such further testing would need to be carried out, particularly in areas where excavation would take place or where gardens would be created so to ensure safety of future residential uses. If further testing identifies further contamination, mitigation measures may be required to ensure safety of future residents. Details of further testing and possible mitigation will be secured by condition(s).

Finally, Colleagues in Environmental Health have noted future residents could suffer from noise and disturbance resulting from the office use. If disturbance occurs mitigation measures will need to be employed. Details of testing and possible mitigation measures will therefore be secured by condition(s).

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

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.

The residential element of the property will contain rear balconies. Concern has been raised that these balconies will result in a loss of privacy by reason of overlooking. However, privacy screens for the depth of the balcony will eliminate direct overlooking thereby protect neighbouring amenity. It is noteworthy that the new residential terrace is set away by a minimum of 5m from both neighbouring buildings (Nos 70 and 52B Sutton Road). Given the distances between buildings and privacy screens neighbouring amenity by way of overlooking is not considered to be harmed to a point of detriment.

Given the street fronting block is located in excess of 21m from rear gardens of Hallwick Road, it is not considered that these rear gardens will be overlooked. The rear office block will not contain any windows overlooking rear gardens of Halliwick Road.

Given the separation between directly neighbouring properties and rear gardens of Halliwick Road, the new residential building is not considered to result in an overbearing impact on neighbouring amenity.

Concern has been raised over the impact of the two storey rear office block on the rear gardens of Halwick Road. Given the separation between the boundary (1.7m) and the modest height of the new block (2.7m to eaves), it is not considered that the new development will create an overbearing impact on the named rear gardens.

Concern that the northern boundary wall (2.1m) is so low, it will permit criminals access to properties on Halliwick Road has been raised. The height of the boundary treatment must be appropriate for the development and neighbouring amenity. A feature any higher is likely to result in an overbearing impact on the rear gardens at Halliwick Road. Further given that the secretary of state consider a lower height to be appropriate (i.e. Permitted development allows a boundary treatment to be 2m in height without the benefit of express permission) and similar heighted boundary treatments exist within the locality, on balance the proposal is considered to be acceptable in this regard.

The applicant has submitted a daylight/sunlight study which confirms the amount of daylight and sunlight into neighbouring gardens will not be harmed detrimentally. It is noteworthy that the rear block has since been set in from the side (west to east) boundaries by 2m - thereby improving on an already acceptable proposal.

Whether the proposals would have an acceptable impact on highway and pedestrian safety

Policy DM17 states that for one and two bedroom units, parking should be provided at a ratio of between 1.5 and 2 spaces per unit. This would result in the need to provide at least one car parking space. Each unit would be provided with an off street car parking space within a dedicated parking area a short distance away.

All the garages previously on the site have already been demolished and as such no parking would be relocated to the surrounding highway network as a result of this proposed development. There are 2 existing vehicular accesses in the form of crossovers on the current site, both from Sutton Road. The proposed development will only require one crossover to be maintained. This will form part of a ramp which will provide access to the underground parking at the rear of the site. A total of 13 car parking spaces will be provided for the development.

Figure 6 of the Transport Assessment shows that the proposed ramp gradient to be 1:10. This needs to be constructed in accordance with the guidelines in IStructE Design recommendations for multi-storey and underground car parks.

The minimum recommended head room clearance for vehicles is 2.10m in line 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. The proposed 5.2m headroom clearance as shown in Drawing no. P1510/TS/06 is acceptable on highways grounds.

A Traffic Management System is proposed to control one-way traffic on underground parking access ramp.

The proposed 5 car parking spaces on Sutton Road would require 3 new crossovers, the removal of a street lamp post and tree would also be required. A S278 Agreement under the Highways Act 1980 will need to be put in place between the developer and the Council.

The PTAL rating for the site has been assessed as 2. The provided Transport Assessment demonstrates that there is sufficient public transportation in the vicinity of the site.

Thirteen car parking spaces are to be provided, eight of which are to be located in the basement and the other five, one for each of the individual dwellings on Sutton Road. The provision of 13 car parking spaces (including 2 disabled bays) for the entire proposed site is acceptable on highways grounds.

Sixteen cycle parking spaces will be provided in the basement area, and cycle stands are to be provided for each individual dwelling.

The provision of 16 cycle parking spaces is 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, however, 2 Cycle parking spaces per 4 bed residential unit are required in order to meet cycle parking standards

20% Active and 20% Passive Electrical Vehicle Charging Points (EVCPs)EIVCPs are proposed in accordance with London Plan Parking Standards.

Emergency Access

The Emergency access and procedures need to be referred to Emergency Services for their agreement. A condition will be placed on the application.

Refuse arrangement

The refuse collection arrangement will need to be agreed with the Council's Waste Management Team. A condition will be applied to this effect.

CIL

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 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.

Response to Public Consultation

Details of demolition and construction shall be secured by way of a condition.

All other concerns have been addressed in the main body of the report.

6. Equality and Diversity Issues

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

7. Other

A contribution toward employment will not be sought as the net increase in employment and reduction in employment floorspace, is considered to have a nil effect on employment as a whole with the borough, on balance.

8. 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 subject to conditions.

