

Location **89 Park Road Barnet EN4 9QX**

Reference: **16/3318/FUL** Received: 20th May 2016
Accepted: 25th May 2016

Ward: East Barnet Expiry 20th July 2016

Applicant: Mrs B Ohly

Proposal: Erection of 3no. two-storey dwelling house with rooms in roof space and 1no two-storey house following demolition of existing buildings with associated refuse storage, parking and landscaping

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

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 1953-SK12 RevB; 1953-04 RevF; 1953-SK11 RevG; 1953-SK Site plan RevH; Revised tree protection plan TH1043 15/05/15 and arboricultural method statement dated 15/05/2015; TH/A3/1043; Trevor Heaps AMS; 1953-SK08 RevH.

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

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

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

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

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

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

- 4 a) No development other than demolition works shall take place until details of the following:
- External materials and hard surfaced areas.
 - Window and door details at a scale of 1:20
- have been submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

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

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

- 6 a) 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 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).

- 8 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).

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

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

- 10 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which

achieve an improvement of not less than 6% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

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

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

- 12 a) No development shall take place until details of the estate road(s) to be constructed as part of this scheme have been submitted to and approved in writing by the Local Planning Authority.
- b) The estate road(s) to be constructed as part of this development shall be implemented in accordance with the details approved under this condition before the site is first occupied or the use first commences and retained as such thereafter.

Reason: To ensure a safe form of development and to protect the amenities of the area, in accordance with Policies DM01 and DM17 of the Development Management Policies DPD (adopted September 2012).

- 13 Before the development hereby permitted is first occupied turning space and parking spaces shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that parking and associated works are provided in accordance with the Council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policy CS9 of the Local Plan Core Strategy (adopted September 2012), Policy DM17 of the Local Plan Development Management Policies DPD (adopted September 2012) and 6.1, 6.2 and 6.3 of the London Plan 2015.

- 14 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).

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

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

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

16 Before the building hereby permitted is first occupied the proposed window(s) in the side elevations facing towards each new unit shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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

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

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

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

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

- 19 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).

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

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

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

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

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

Informative(s):

- 1 In accordance with paragraphs 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 £24997.00 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 £96417.00 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 if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.
- 5 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.
- 6 The applicant is advised to contact Thames Water concerning discharge to a public sewer on 0800 009 3921.

Officer's Assessment

1. Site Description

The application site is currently part of Abbey Arts Centre, the site comprises of one main residential unit of two storeys and a number of single and two storey building across the site that serve as art studios.

The Abbey Arts Centre comprises of a collection of buildings, a number of which are rented out to artists continuing the aims of the current owner's father in establishing an artistic community in 1945. The main residential house is a large Victorian villa sitting in some 2 acres. Behind the house is a courtyard surrounded by buildings of various ages. The oldest of these is a listed 13th century tithe barn from Kent that was brought from its original home many years ago and reassembled on the site. This building is timber with brick infill and a clay tiled roof.

The remainder of the courtyard has a number of buildings of varying styles, a traditional cottage, 19th century timber outbuildings, a two to three storey pair of 19th rendered houses behind which is a glazed covered courtyard within which are, what is known as 'the arcade', being shopfronts rescued by the founder when part of East Barnet Village was being demolished.

Part of the reason for the proposed development is to help sustain the art community which has been established at this site.

The proposal seeks to divide the existing site north to south to create a separate site for the creation of 4 new dwellings. The area within the red line of the site contains two existing single storey buildings which sit close to the boundary of the site with Herons Close.

The site is covered by an area TPO with a number of substantial trees that contribute to the character of the area.

The buildings on site are set back from the street frontage on Park Road and as such there is only limited visibility of the buildings on site from the street. The frontage of the site is bounded by entrance gates and a line of trees which further contributes to the enclosed nature of the site.

There are two access points to the site both of which come off Park Road. The site is bounded by four different streets, Park Road to the West (front), Herons Rise to the south (closest to plots A-C), Hamilton Road to the East (rear - closest to plot D) and the Abbey Arts Centre.

There is a level change across the site with the site sitting at a lower level to the properties on Hamilton Road.

There is a Grade II Listed building on the site which is described within the English Heritage listing as a small C13 tithe barn brought from Birchington in Kent. Re-roofed with tiles. Moved to this site as part of a folk museum but later converted to a Church.

There are two access points to the site both of which are gated and sited off Park Road. The main entrance is closest to the Abbey Arts Centre and this appears to be more heavily used than the access point which will facilitate access to the residential dwellings now proposed.

2. Site History

Reference: 15/03697/FUL

Address: Abbey Arts Centre, 89 Park Road, Barnet, EN4 9QX

Decision: Withdrawn

Decision Date: 29 September 2015

Description: Erection of 3no. two-storey dwelling house with rooms in roof space and 1no two-storey house following demolition of existing buildings

3. Proposal

The application relates to the erection of 3no. two-storey dwelling house with rooms in roof space and 1no two-storey house following demolition of existing buildings with associated refuse storage, parking and landscaping.

The buildings to be demolished are an old hunting lodge and a dilapidated studio which is located close to the parking area beside the entrance off the road. The two buildings to be demolished do not appear to be currently in use.

Plots A-C will be two storeys with pitched roof and will be sited parallel to Herons Rise. The plots will be staggered back from each other to create a sense of spacing.

Plot D will be sited to sit parallel with the rear boundary of the site with Hamilton Road and will be set at 90 degrees to plots A-C. It will be flat roofed with a basement level. It will provide family accommodation with 4 double bedrooms.

Due to the natural level change the building A will appear lower than plot C although the actual height of the building will be approximately the same.

Plot A will have a ridge height of 8.3m and eaves height of 5.5m, 10.4m in width and 10m in depth at its maximum.

Plot B will have a height of 8.2m to the ridge and 5.2m to the eaves, 10m in width and 10m in depth.

Plot C will have a height of 8.1m to the main ridge and 5.4m to the eaves. 11.99m in width and 8.03m in depth.

Plot D will have a flat roof to a height of 5.4m, 14.57m in width and 7.8m in depth.

The site will be accessed off Park Road by re-opening an existing entrance to the site. A single road access is provided with parking provided for each of the dwellings.

4. Public Consultation

Consultation letters were sent to 85 neighbouring properties.

6 responses have been received, comprising 5 letters of objection, and 1 letter of comment.

The objections received can be summarised as follows:

First round of consultation on original scheme:

- Impact on amenity - loss of privacy, overlooking, overshadowing, loss of light.
- Character and appearance - out of scale, overbearing.
- Close proximity to Hamilton Road.
- Security concerns.
- Impact on birds and wildlife
- Noise and disturbance as a result of the use
- Loss of trees
- Not optimal use

Comments following consultation on amended plans:

- Overlooking/loss of privacy. Overbearing and out of scale.
- Previous planning objection.

Thames Water - no objection in relation to sewerage infrastructure. Consent from Thames Water is required for surface water discharge to the public sewer.

Trees officer - Subject to conditions, the proposal is acceptable.

Urban design and heritage officer - no objections to principle of development. Proposal has to be sensitive to Listed Building and existing character of the arts centre.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2016

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

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM06, DM17.

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

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

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

Residential Design Guidance SPD (adopted October 2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to setting of a Grade II Listed Building. .
- Whether harm would be caused to the character and appearance of the existing site, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether the proposal will provide sufficient amenity for future occupiers.
- Whether harm would be caused to parking and traffic in the surrounding area.
- Whether harm would be caused to trees and landscaping.

5.3 Assessment of proposals

The application has been amended since first submitted and the changes have been subject to reconsultation. The amendments made include:

Re-siting the proposed dwellings to re-orientate plot C and move it away from the boundary with Hamilton Road.

The design of each of the buildings has been amended so each has a different design.

Re-positioning of buildings to give a staggered building line.

Removal of previously proposed garages to provide greater separation between the buildings.

Reduction in the level of road proposed.

Impact on the character of the area

Land use

The introduction of four new dwellings in this location is considered to be acceptable. The site is flanked on each boundary with residential units. The arts centre itself also comprises of a residential house. The introduction of residential accommodation in this location is considered to be an appropriate land use.

Setting of the Listed Building and Character of the site and surrounding area

Policy DM06 seeks to protect Barnet's heritage assets, it should be noted that there is a grade II listed barn building located on the site of the arts centre which falls outside the red line of the application site but the proximity of the Listed Building is such that an assessment as to whether the proposal will be harmful to the setting of the Listed Building should be made. It is considered that there is sufficient distance between the Listed barn and the proposed dwellings to ensure that the proposed dwellings do not harm the setting of the listed building. The proposal will maintain a green landscaping buffer between the new buildings and the existing buildings by maintaining the substantial planting/trees. This is considered to help ensure that the proposal will not result in harm to the setting of the listed building by maintaining a level of screening as well as distance. The landscaping helps add both a physical barrier and perception of separation between the two developments.

Policy DM01 of the Development Management Plan policies states development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The proposal has been amended since its initial submission to remove previously proposed garages and provide a greater degree of spacing between each of the new units to ensure the proposal maintains a suitable degree of separation and maintain the spacious character of the site. The proposal is considered to provide an appropriate number of new buildings and would ensure the proposal does not appear cramped given the size of the site.

Although, the buildings to the north of the site which form part of the Abbey Arts Centre fall outside the red line of the site for the proposed development, the proposal has been designed to ensure it makes reference to this existing development. Each of the units have individual designs to compliment the varying designs of the existing buildings within the Arts Centre, part of the sites positive attribute is the individuality of each of the buildings and the unique nature of the use. To retain this the proposed buildings each have a different design although certain design features like the fenestration detailing including window and doors will match for plots A-C to tie each of the houses together as part of a comprehensive development. The design of the buildings is considered as a positive feature of the proposal.

The proposal has also been amended since its initial submission to reduce the level of hardstanding and roadway to limit the amount of development required for the proposed development and to limit the impact on the root protection area of retained trees. The level of surfacing to providing vehicle movement and parking is considered to be appropriate.

Impact on the amenities of neighbours

Barnet's SPD Residential Design Guidance indicates that a distance of 10.5m should be maintained between habitable room windows and neighbouring gardens and 21m between facing habitable room windows.

Plots B and C meet the 10.5m standard, the rear of the buildings will face towards the side elevation of Kingslea 1 Herons Rise and as such there is no overlooking between habitable room windows.

Plot A will be set at an angle to the neighbouring property at Laguna House, Herons Rise. Given the position of the two buildings it is not considered that there will any overlooking or loss of privacy as a result of the proposal. It is also considered that there is sufficient distance to prevent the proposal appearing overbearing

It is noted that plot D sits closer to the rear boundary of the garden space of properties along Hamilton Road than the recommended 10.5m. The proposal has been designed to take into account the level change between plot D and Hamilton Road with properties along Hamilton Road being set at a higher level. Given the existing level change, it is not considered that the proposal will have a harmful impact on the amenity of the residential occupiers and associated rear garden space along Hamilton Road. At first floor level plot D will have high level windows in the rear elevation to further mitigate any impact on the residential occupiers. In this specific circumstance it is considered acceptable to have a building closer than 10.5m. The level change also ensures that the proposal will not appear overbearing or visually obtrusive. The section plan provided as part of the application demonstrates that the new building will have a flat roof which will have a height of 4.25m when measured from the lowest point of the rear gardens of Hamilton Road at a distance of approximately 4m from the common boundary. By virtue of the proposed

height and distance maintained the proposal is considered to have an acceptable relationship with the properties along Hamilton Road. The proposal maintains a 21m distance between habitable room windows and as such meets this element of the guidance.

Each of the units are considered to be designed in such a way that they do not appear visually obtrusive or overbearing when viewed from the neighbouring buildings on both Herons Rise and Hamilton Road.

In terms of noise it is not considered that the proposal will give rise to significant comings and goings in close proximity to surrounding residential occupiers to an unacceptable degree. Given the properties location it is not sited immediately adjacent to neighbouring buildings.

By virtue of their scale, siting and design it is considered that the houses would not impact adversely on any neighbouring properties access to light or have an overbearing impact on neighbouring properties. Furthermore, it is considered that the proposed fenestration would not result in any direct overlooking to the neighbouring properties.

Amenity of future occupiers

The proposed works would result in the creation of four single family dwellings. Policy DM01 of the Development Management Policies 2012 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Section 8.4 of Barnet's Local Plan SPD: residential design guidance states: "in designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to outdoor amenity space that is not overlooked from the public realm and provides reasonable level of privacy". In addition to this, section 2.4 of the SPD for sustainable design and construction states that "the impact of development on the availability of daylight / sunlight and privacy to the occupants of existing buildings and the occupants of new development is strongly influenced by design and contributes significantly to the quality of life. The amount of daylight available in buildings enhances people's quality of life and reduces energy use. The Mayor's Housing SPG standard 5.5.2 recommends that development should preferably have direct sunlight in living areas and kitchen dining spaces and all homes should provide for direct sunlight to enter at least one habitable room for part of the day. Overheating should be considered when designing for sunlight".

The proposed houses meet the minimum space standards as set out in the London Plan and would provide sufficient outlook and access to light for habitable rooms. It is also considered that the proposed houses would have access to sufficient private amenity space in the form of rear garden space for plots A-C and plot D will have a side amenity area. In this circumstance, amenity space to the side of the property is considered to be appropriate considering that it provide an adequate level of privacy to the future occupiers of this property.

The basement level of plot D will be a games/music room and as such the limited light/outlook is not considered to be a concern as it does not provide habitable accommodation.

Traffic and parking

The proposal will use an existing entrance to the site to provide access to the new dwellings. There will be one access to the site off Park Road, it is not considered the use of this to facilitate access to the development will be harmful to the freeflow of traffic on Park Road. Parking for the development will be provided within the site, each development benefitting from 2 parking spaces.

2 parking spaces are also located close to the entrance of the site which may facilitate visitor parking.

Given the number of parking spaces provided on site it is not considered that the proposal will have a harmful impact on the parking availability on Park Road.

Trees and Landscaping

A TPO covers the majority of trees growing on the site.

The proposed new buildings are all located outside the root protection areas of retained trees. No trees are shown to be removed for this proposal.

The new access road to the proposed buildings on the site passes over the root protection area of retained and protected trees. The tree protection plan shows the use of no-dig surfacing to reduce the impact of this on trees to an acceptable level. Plot B is acceptable as there is no impact on trees.

Entrance and access - development traffic and vehicles accessing the property post development are shown to be using a narrow track to the east of the main entrance. Alongside this access road/track are mature trees which may be affected by large vehicles entering the site. Further information regarding this matter is required.

No-dig surfacing is proposed at the entrance and along the main access road. This approach is acceptable.

A number of conditions related to trees are proposed.

Accessibility and Sustainability

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

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve a 6% CO₂ reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition would be attached in the event planning permission is granted to ensure compliance with the Policy

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

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

5.4 Response to Public Consultation

All planning related matters are considered to be covered in the above appraisal. The proposal has been amended since its initial submission and this has been subject to public consultation. The amendments result in plot C being re-orientated to improve the relationship with the properties in Herons Rise.

6. Equality and Diversity Issues

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

7. Conclusion

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

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



Key

- Site boundary
- Proposed buildings
- Existing buildings
- Proposed drainage
- Existing drainage
- Gravel road



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