

**Location**                         **63A Union Street Barnet EN5 4HY**

**Reference:**                   **17/2421/FUL**   Received: 13th April 2017  
Accepted: 21st April 2017

Ward:                                 High Barnet   Expiry 16th June 2017

Applicant:                         Mr Roger Newell

Proposal:                            Demolition of existing shop and construction of two storey building to provide 2no self-contained flats [AMENDED DESCRIPTION]

**Recommendation: Refuse**

- 1     The proposed development, by reason of its size, design, siting, mass and bulk would result in a visually obtrusive, discordant, overly dominant and unsympathetic form of development which would fail to harmonise with existing and neighbouring development and would fail to preserve or enhance this part of the Wood Street Conservation Area contrary to policies CS NPPF, CS1 and CS5 of the Core Strategy (Adopted 2012), policies DM01 and DM06 of the Development Management Policies DPD (Adopted 2012) and the Wood Street Conservation Area Character Appraisal.
- 2     The proposed development, by reason of its size, design, mass, bulk and proximity to neighbouring properties along Coes Alley would result in a visually intrusive and overbearing form of development which would result in overlooking, loss of privacy, a significant loss of outlook and a sense of enclosure as perceived from the ground and first floor windows of properties in Coes Alley to the detriment of the residential and visual amenities of the occupiers of these properties contrary to policies CS NPPF, CS1 and CS5 of the Barnet Core Strategy (Adopted September 2012), policies DM01 and DM02 of the Barnet Development Management Policies Document (Adopted September 2012) and the Residential Design Guidance and Sustainable Design and Construction Supplementary Planning Documents (2016).
- 3     The proposed development would by reason of its design, siting and layout, fail to provide a good outlook, adequate external amenity space and privacy for the future occupiers of the flats. The proposal is therefore found to be unacceptable and contrary to policy 7.6 of the London Plan (2016), policy CS5 of the Barnet Core Strategy (Adopted September 2012), policies DM01 and DM02 of the Barnet Development Management Policies Document (Adopted September 2012) and the advice contained in the Residential Design Guidance and Sustainable Design and Construction Supplementary Planning Documents (Adopted 2016).

## Informative(s):

- 1 The plans accompanying this application are:

U/S/Block(Block Plan), U/S/001(Proposed Side), U/S/002(Proposed Rear), U/S/003(Proposed Front Elevation), U/S/004(Proposed First Floor), U/S/005(Proposed Ground Floor), U/S/007(Existing Ground Floor), Site Location Plan, Planning Statement prepared by Orb Property Planning (April 2017).

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

- 3 This is a reminder that should an application for appeal be allowed, then the proposed development would be deemed as 'chargeable development', defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Therefore the following information may be of interest and use to the developer and in relation to any future appeal process:

The Mayor of London adopted a Community Infrastructure Levy (CIL) charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for a £0 per sq m rate for education and health developments. This planning application was assessed as liable for a £2905 payment under Mayoral CIL at this time.

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 were set at a rate of £0 per sq m. This planning application was assessed as liable for a £11205 payment under Barnet CIL at this time.

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

Liability for CIL is recorded to the register of Local Land Charges as a legal charge upon a site, payable should development commence. The Mayoral CIL charge is 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.

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

The Community Infrastructure Levy becomes payable upon commencement of development. A 'Notice of Commencement' is required to be submitted to the Council's CIL Team prior to commencing on site; 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 any appeal being allowed, please contact us: [cil@barnet.gov.uk](mailto: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](http://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](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

2. Residential Annexes or Extension: 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](http://legislation.gov.uk).

Please visit [www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil) for further details on exemption and relief.

## Officer's Assessment

### 1. Site Description

The application site relates to a single storey building which was previously used as a shop occupying a triangular shaped plot of land located on the south eastern side of Union Street. The site lies within the Wood Street Conservation Area and Area of Special Character.

### 2. Site History

Application Number: N08422C  
Application Type: Listed Building Consent  
Decision: Refuse  
Decision Date: 03/09/1991  
Proposal: Demolition of 63a Union Street. (CONSERVATION AREA CONSENT)

Application Number: N08422D  
Application Type: Full Application  
Decision: Refuse  
Decision Date: 03/09/1991  
Proposal: Erection of two storey building for use as professional offices with parking provision for two cars.

Application Number: N08422B  
Application Type: Full Application  
Decision: Refuse  
Decision Date: 23/04/1991  
Proposal: Erection of Two Storey Building for use as Professional Offices with Parking Provision for Two Cars.

Application Number: N08422A  
Application Type: Full Application  
Decision: Withdrawn  
Decision Date: 06/01/1987  
Proposal: Change of use of part of ground floor and first floor from shop to offices, single storey side and rear extension to form shop and shop storage.

Application Number: N08422  
Application Type: Full Application  
Decision: Approve with conditions  
Decision Date: 21/01/1987  
Proposal: Change of use from retail to residential and two storey extension.

Application Number: N08422E  
Application Type: Full Application  
Decision: Refuse  
Decision Date: 12/04/1995  
Proposal: Two storey office (Class B1) building.

Application Number: 03468/10  
Application Type: Full Application  
Decision: Refuse  
Decision Date: 22/11/2010  
Proposal: Demolition of existing single storey shop unit and erection of a two storey building adjacent to No.63 Union Street providing 4 No. one bed self contained units with entrance off Coe's Alley.

#### Reasons

- The proposed development, by reason of its size, design, siting, mass and bulk would result in a visually obtrusive, overly dominant and unsympathetic form of development which would fail to harmonise with the existing adjacent development and fail to preserve or enhance this part of the Wood Street Conservation Areas.
- The proposed roof forms of the new building would be out of keeping with the prevalent roof forms in the immediate locality and therefore would result in a visually obtrusive form of development which would fail to preserve or enhance the character and appearance of this part of Union Street and Wood Street Conservation Area
- The proposed flat roof by reason of its size, design and siting would be out of keeping with the prevalent roof forms in the immediate locality and therefore would detract from the character and appearance of this part of Union Street and the Wood Street Conservation Area, failing to preserve or enhance the Conservation Area.
- The proposed development, by reason of its size, design, mass, bulk and proximity to neighbouring properties along Coes Alley would result a visually obtrusive and overbearing form of development which would result in a significant loss of outlook and a sense of enclosure as perceived from the ground and first floor windows of properties in Coes Alley to the detriment of the residential and visual amenities of the occupiers of these properties.
- The proposed development does not include private amenity space which would be detrimental to the residential amenities of the future occupiers of these units.
- The development does not include a formal undertaking to meet the extra health, education and libraries services costs together with associated monitoring costs arising as a result of the development.
- The development does not include a formal undertaking to amend the Traffic Regulation Order that covers the Controlled Parking Zone.

Application Number: 03989/10  
Application Type: Conservation Area Consent  
Decision: Refuse  
Decision Date: 22/11/2010  
Proposal: Demolition of single storey shop units.

Application Number: B/05050/11  
Application Type: Full Application  
Decision: Refuse  
Decision Date: 06.08.2012  
Appeal: Dismissed  
Proposal: Demolition of existing shop and construction of two storey new dwelling.

#### Reasons

- The proposed development, by reason of its size, design, siting, mass and bulk would result in a visually obtrusive, discordant, overly dominant and unsympathetic form of development which would fail to harmonise with existing and neighbouring development and would fail to preserve or enhance this part of the Wood Street Conservation Area
- The proposed development, by reason of its size, design, mass, bulk and proximity to neighbouring properties along Coes Alley would result in a visually intrusive and overbearing form of development which would result in a significant loss of outlook and a sense of enclosure as perceived from the ground and first floor windows of properties in Coes Alley to the detriment of the residential and visual amenities of the occupiers of these properties
- The proposed new dwelling, by reason of its design and siting would restrict outlook and light to and from the new dwelling as well as resulting in a perceived sense of enclosure from the ground floor windows and a significant amount of overlooking and resultant loss of privacy to the proposed amenity space from the first floor windows in No.65 and 67 Union Street detrimental to the residential and visual amenities of the future occupiers of this dwelling.
- The proposed development fails to provide sufficient quality usable private amenity space which would be detrimental to the residential amenities of the future occupiers of these units.
- The development does not include a formal undertaking to meet the extra education, health and libraries services costs together with associated monitoring costs arising as a result of the development.

Application Number: B/05078/11  
 Application Type: Conservation Area Consent  
 Decision: Refuse  
 Decision Date: 06.08.2012  
 Proposal: Demolition of existing shop and construction of two storey new dwelling. (CONSERVATION AREA CONSENT)

#### Reason

The proposed demolition of the existing shop building in the absence of a suitable scheme for the redevelopment of the site would be harmful to the character and appearance of the Wood Street Conservation Area, thus failing to preserve or enhance this part of the Conservation Area.

### 3. Proposal

This application seeks consent for the demolition of existing shop and construction of two storey building to provide 2no. self-contained flats and one parking space adjacent to No.63 Union Street.

This application follows the submission of previous applications for the demolition of the existing building. The most recent application was for a two storey single family dwelling which was refused in August 2012 under reference B/05050/11. A subsequent appeal was dismissed (May 2013), and the Inspector concluded that

- The scheme, including the demolition, would enhance the character and appearance of the CA
- The living conditions of future residents would be unacceptable in view of the poor quality of the external amenity space proposed.
- The proposed scale of the dwelling would have harmful consequences on neighbours, by reason of its oppressive nature, materially affecting outlook.

The existing building is single storey and occupies much of the south eastern part of the site abutting the boundaries with both 63 Union Street and Coes Cottage.

The proposed development would consist of 2 x 1 bed flats arranged over two floors. The proposed building would be L shaped comprising of two and single storeys. Whilst the new building would not be physically linked to No.63 Union Street it would practically abut the flank wall of this dwelling. The proposed building would have a maximum width of 6.4m, fronting Union Street with a depth of approx. 11m. The two storey element would be to a depth of approx. 8.6m and the single storey a depth of approx. 2.9m.

The proposed 2 storey element would have a height of 5m to the eaves and 6.7m to the ridge of the hipped pitched roof. For comparison, the height of No.63 is 5.45m to the eaves and 7.5m to the ridge. The single storey would be 3m high and would have a flat roof.

The new dwelling would be set back from the front boundary by 0.3m and set in from the side boundary (south western boundary) by a maximum of 4.8m.

There would be an enlarged patio door facing Coes Alley. A single roof light is proposed to the single storey element of the proposal.

One parking space would be provided to the side of the new dwelling on the south western part of the site.

The main front wall of the adjoining terrace is some 1.75m back from the back edge of the pavement.

#### **4. Public Consultation**

The application has been referred to the committee by Councillor Prentice.

Site Notice: dated 24/4/2017

Press Notice: dated 27/4/2017

61 consultation letters were sent to neighbouring properties.

62 letters were received, 7 were letters of objections and 55 were support.

##### **Summary of Neighbours Objections**

- Retain the shop. Losing too many shops and the area will soon be accommodation only.
- The first floor is much larger than the substituted drawing which was rejected by the planning authority but was not taken into consideration by the planners.
- Impact on existing outlook from the upper windows of No 65 and 67 Coes Alley.
- Lack of amenity space - small flats is in greater need of external to offset the feeling of being confined.
- The incorporation of large sliding folding doors opening directly onto the 'parking area' will encourage occupants of the ground floor flat to believe the area in front of the these doors is their (overlooked and inadequate) amenity space, and use it to the detriment and disturbance of the neighbouring properties and would have a similar effect to the refused scheme.

- Proposed screening using trees would be inadequate and there is potential for significant harm caused to foundations of the adjacent cottages, damage to footpath and pipes.
- The proposed flat roof to single storey at the rear of the property would be out of keeping with the character of the area.
- The proposed flat roof could be used as a roof terrace
- The proposed roof light would give rise to noise and disturbance due to its location.
- Greater consideration should be given to a design of a building which truly harmonises without having detrimental effect upon neighbours.
- Insufficient parking space.
- The proposed flats would not meet minimum standards
- The drawings fail to show the proposed building in juxtaposition with the surrounding properties so the relationship with these buildings cannot be clearly assessed.
- The drawings are inaccurate, it does not reflect the position of the fenestration of the cottages.
- The drawings provide no information on fencing, screening, walls to the perimeter or heights, landscaping etc.
- Applicant canvassing for support should not influence the granting of approval for any building just to affect change.
- The design is different from the previous scheme considered by the Planning Inspector.
- Provision of f-street parking would require a cross over, and it would have a negative impact on the outlook from the Coe's Alley properties.
- The fumes from the parked car could be directed towards front doors and existing windows of existing properties on Coe's Alley.
- Proposal would block sunlight to number 65 Union Street. The property is just behind the shop at the corner with Coe's Alley.
- Impact on the light and outlook of No 65, 67 and 69 Union Street.

#### Support

- The application addresses all the previous concerns
- The application is in keeping with the unique character of the conservation area and can only enhance the surroundings
- The proposal if made from same bricks as 61 and 63 would appear as natural additions.
- The site remains an eyesore
- It will enhance the area besides the safety factor
- It would be a great improvement
- There is a need for more housing
- Two small flats appear an ideal solution
- Parking would not affect emissions and the parking would not affect road and pedestrian safety.

#### Internal / other consultations:

A letter of support was received from the local MP Rt Hon Theresa Villiers. She stated that she is keen to see the site improved and supports the applicants plan to demolish and construct a two storey building which would provide 2 self contained flats.



Keith West, Chairman of the Union Street Residents Association wrote on behalf of the USRA to support the proposal subject to the use of appropriate materials that would be sympathetic to the conservation area with matching brick or rendered, slate roof and four pane sash style windows.

Monken Hadley & Wood Street CAAC: Details of fencing, paving etc. required. Windows to be in painted timber.

Urban Design and Heritage - Objection: It is still felt that the proposed parking space and the proposed flat roof single storey are not characteristic of the areas and would introduce an alien development that would not preserve or enhance the character or appearance of the Conservation Area and would be detrimental to the character and appearance of the streetscene.

Highways: To comply with DM17, 1 parking space must be provided. 1 parking space is being proposed which is acceptable on highway grounds.

- There are no details in relation to the size of the off street parking space. The applicant will be required to provide a parking layout plan.
- There is currently a crossover at the site; however it is not in the location of the proposed parking space. The applicant will be required to provide an appropriate access.
- To comply with the London plan 2 cycle spaces must be provided. No cycle parking has been provided with this application.
- No detail on the refuse storage location or collection arrangements have been provided.

## **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 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, CS5.
- Relevant Development Management Policies: DM01, DM02, DM06, DM17.

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

### Supplementary Planning Documents

Residential Design Guidance SPD (adopted 2016)

Sustainable Design and Construction SPD (adopted 2016)

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

Wood Street Conservation Area Character Appraisal.

## **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the Conservation Area;
- 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 and future occupiers.

## **5.3 Assessment of proposals**

### Impact on the character of the area

This application seeks permission to demolish the existing shop unit and erect a part two storey, part single storey building. The application follows a recent refusal for proposed development on the site. The proposed development differs from previous development which was for a two storey dwelling and included private amenity area and car parking space.

Whilst the existing building holds no designation and therefore the principle of demolishing the building is accepted, the site is located within the Wood Street Conservation Area which is a designated heritage asset; any replacement dwelling house should be of a high quality design that makes a positive contribution to the conservation area.

Union Street is predominantly residential in character with some retail and office use. The buildings are mainly Victorian, modest in scale and appearance and were laid out in a tight grain with a strong building line characteristic of 18th and early 19th century street layouts. Although the appeal inspector found the development proposed as part of the previous application to be acceptable purely in design terms (para 13 of appeal reference APP/N5090/A/12/2189785); this proposal is different as it is for a part two storey and part single storey development. The single storey would have a flat roof. The proposed single storey with a flat roof would be out of keeping as it is not a characteristic found in this part of the Conservation Area. In addition, the proposed building would be visually obtrusive and overly dominant when viewed as part of the street scene due to the prominent position of the site. It would fail to harmonise with the existing development around it. The design also differs to the appeal scheme in that the eaves to ridge height has reduced giving a smaller roof which is at odds with the neighbouring property. The fenestration is also different and modern glazed doors are proposed to the side elevation.

The new dwelling would still sit forward of the building line of the terraces to which it abuts. It is noted within the Wood Street Conservation Area that there is a strong building line along Union Street evidenced by the rows of Victorian terraces. By sitting forward of this, the new dwelling disrupts the building line resulting in a discordant and unsympathetic form of development.

The relationship between the new dwelling and No.63 Union Street is particularly uncomfortable as a result of the differing eaves and ridge heights, worsened by the staggered building line. By not only sitting forward of No.63 Union Street but also being smaller in height, the proposal results in a visually obtrusive form of development which appears to have no relationship with that around it. It would be overly dominant on this part of Union Street, failing to harmonise with what is around it. This scheme has failed to give enough consideration as to the link between the terrace and this site and results in a scheme which will fail to preserve or enhance this part of the Conservation Area.

It is acknowledged that the existing site is run down, worsened over a period of time as a result of graffiti, littering and dumping of rubbish. However any redevelopment scheme must have regard for the established character of this area. The design of the new dwelling is not considered to represent an acceptable or appropriate form of development. Any new development should look to preserve, improve or enhance the Conservation Area which has not been achieved with this scheme. The NPPF states that LPA's should look for opportunities for new development within CA's and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably. The proposal proposes using the same material as adjoining properties, this is a welcome gesture, however the scheme lacks details and does not show the proposed building in relation to the adjoining properties, hence a useful comparison in relation to the positioning of the fenestration and eaves height cannot be made.

In addition the Urban Design and Heritage officer is also concerned that the proposed parking to the side of the proposed house would introduce a form of development that would not be in keeping with the character of the area.

#### Impact on the amenities of neighbours

The proposed new dwelling is considered to result in a visually intrusive and overbearing form of development which would result in a significant loss of outlook and a sense of

enclosure from all front facing windows within the properties in Coes Alley. The previous application was dismissed at appeal for this reason. The appeal decision acknowledged the challenges the rather unusual local layout presents in designing for the appeal site which is also of restricted size. The Inspector states in paras. 15 & 16 that:

"The two-storey cottages to the rear (Nos 65-69 Union Street) face the site at an angle, and are very close, separated only by the width of Coes Alley, a pedestrian walkway. The ground floor windows of Nos 65 & 67 look directly towards the shop. The rooms they serve have a poor outlook, and are open to view by passing pedestrians, thus impairing their privacy. The upper floor windows of the cottages, however, are less constrained, and the occupants are able to see over the flat roof of the shop. The proposed dwelling, by reason of its scale and closeness, would deprive the residents of the cottages of much of the existing outlook from the upper windows, and they would consequently feel increasingly hemmed-in by development. The occupants of the two cottages would perceive the proposed dwelling, in view of its close proximity, as oppressive in its effects".

Although the building has been stepped back to allow approx. 5m set back between the properties on Coes Ally and the application site, due to the proposed height and close proximity of the development the outlook and light afforded to and from No.65 and 67 Coes Cottage would be significantly worsened than existing as a result of this proposal. The proposed development would make those properties less pleasant places in which to live, would allow for little outlook apart from onto a two storey flank wall and would have a significantly harmful impact on the amenities of those living in these properties. In addition it is noted that the plans submitted with the application do not accurately reflect the existing fenestrations of the cottages. Moreover, the style of roof to the rear has changed. whereas the appeal scheme incorporated a sloping roof to reduce bulk at the rear, this has not been carried through to the current scheme.

The proposal to have a patio door on the ground floor flat opening outwards to Coes Ally would lead to loss of privacy, outlook, noise and disturbance as the space could potentially be used as amenity space by the future occupiers.

The proposal would have a material impact on the amenities of the adjoining neighbours contrary to Council's policies.

#### Impact on the amenities of future occupiers

The proposed development is for 2 x 1 bed flats. The ground floor flat would have a gross floor area of approximately 43sqm and the upper flat approx. 37.8sqm. The bedroom sizes are 8m and 7.4m respectively and would be for single persons; however the proposal does not include internal storage space. The proposed flats would comply with the minimum flat space standards for one person accommodation in accordance with the London Plan Minor Alterations 2016 and Barnet's Sustainable Design and Construction SPD.

Outdoor amenity space: The proposal does not include amenity space. The outdoor Amenity Space Requirements for Barnet state that 5sqm of amenity space will be required per habitable space for flats. The proposal has approx. 4 habitable rooms; the amenity space requirement would be 20sqm.

Lack of private amenity space is considered to be unacceptable as this site is not considered to be within the Chipping Barnet Town Centre. Given the predominant character of the locality the provision of private amenity space is considered to be required for any new residential development on this site.

The ground floor flat would have a rather large patio door opening to the car parking area with no provision for fencing or boundary treatment. Although the statement submitted with the application suggests the planting of trees, these are not shown on the plan. Furthermore the use of trees for privacy screening would not be deemed appropriate. Furthermore the potential impact of matured trees on the existing properties in Coes Alley is a matter of concern for objectors which is shared by officers. Given the close proximity of the proposal to the cottages in Coes Alley, there is the potential for overlooking and loss of privacy to the occupants of the ground floor flats and neighbouring properties. In deciding the recent appeal, the Inspector noted that

"the ground floor windows of Nos 65 & 67 look directly towards the shop. The rooms they serve have a poor outlook, and are open to view by passing pedestrians, thus impairing their privacy". The lack of appropriate boundary treatment for the proposed development would result in the ground floor living room being open to views from passing pedestrians resulting in loss of privacy. In addition, the first floor window would have windows opening unto Coes Alley, due to the limited setback distance of approx. 5m would create overlooking and loss of privacy. "

The previous application was for a house with habitable rooms at both levels to serve the dwelling. The current proposal is for 2 flats. Outlook particularly for the ground floor flat would be limited, particularly if a fence or similar is proposed to address the mutual overlooking issue. This would further limit outlook for the lower flat.

The lack of amenity space, privacy and outlook to the proposed dwellings is completely unacceptable and contrary to Council policies which aim to safeguard the amenities of existing and future occupiers of not just new developments but existing developments, the development would not be well laid out nor would it represent high quality of design and therefore would be contrary to policy DM01.

#### Impact on the traffic and highways

This proposal includes a parking space on site, the Council's Highways Authority noted in their response that

- there is no detail in relation to the size of the off street parking space
- There is currently a crossover at the site, however it is not in the location of the proposed parking space
- No cycle parking has been provided with this application
- No details on the refuse storage location or collection arrangements have been provided.

If the Council was minded to approve the application, the applicant would be required to provide a parking layout plan and an appropriate access (cross over). In addition they would be required to provide 2 cycle spaces to comply with the London Plan (2016).

#### Refuse Collection Arrangements:

No details on the refuse storage location or collection arrangements have been provided. If the Council was minded to approve the application, the applicant would be required to provide further details relating to refuse storage.

#### Accessibility and Sustainability

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

a condition would be attached in the event planning permission is granted to ensure compliance with these Policies.

In respect of carbon dioxide emission reduction, the applicant has confirmed that the scheme has been designed to achieve at least 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 would be attached in the event planning permission is granted to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy 5.15 of the London Plan (2016 Minor Alterations).

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

#### **5.4 Response to Public Consultation**

All planning related matters are considered to be covered in the above appraisal.

#### **6. Equality and Diversity Issues**

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

#### **7. Conclusion**

Having taken all material considerations into account, it is considered that the proposed development would be unacceptable. It is the LPA's opinion that the proposed two storey development on this site is considered to be unacceptable. The relationship between the site and neighbouring properties in Coes Alley and Union Street and the site's location within the Wood Street Conservation Area are considered to be significant constraints on the redevelopment of this site. It is considered that any significant development, particularly at two storeys would have a considerable impact on the amenities of those living in properties along Coes Alley.

The proposal is considered to be visually obtrusive, overly dominant and subsequently detrimental to the character and appearance of the general locality and this part of the Wood Street Conservation Area. It would also result in a significant loss of amenity to the occupiers of neighbouring residential properties and fails to propose a suitable degree of amenity for the future occupiers of the proposed flats.

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

