Location: Land Adjacent To Trafalgar House Grenville Place Mill Hill
London NW7

Reference: 17/2914/FUL
Received: 5th May 2017
Accepted: 10th May 2017

Ward: Hale
Expiry 5th July 2017

Applicant:

Proposal: Redevelopment of the site to provide a part three, part four storey building comprising 9no. self-contained flats with associated amenity space, refuse and cycle storage and off-street car parking

Recommendation: Approve subject to conditions

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

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

Drawing No.D1000 Revision 02
Drawing No.D3100 Revision 05
Drawing No.D3101 Revision 05
Drawing No.D3103 Revision 05
Drawing No.D3104 Revision 02
Drawing No.D3200 Revision 01
Drawing No.D3500 Revision 03
Drawing No.D3700 Revision 03
Drawing No.D3701 Revision 03
Drawing No.D3800 Revision 03

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

2 This development must be begun within three years from the date of this permission.
3 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

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

4 Before the development hereby permitted is occupied the car parking spaces as shown on Drawing No. D3100 Rev. 05 submitted with the planning application shall be retained and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

5 Before the development hereby permitted is occupied, cycle parking spaces as per drawing No. D3100 Rev. 05 submitted with the planning application shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

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

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

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

7 Refuse store shall be provided in accordance with the Drawing No. D3100 Rev. 05 submitted with the planning application. Refuse collection points should be located within 10 metres of the Public Highway, at ground floor level on a levelled surface.

Reason: To ensure that the access to the refuse store is satisfactory in terms of highway safety development and to protect the amenity of the area and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

8 a) Before the development hereby permitted is first occupied or the use first commences, details of the privacy screening to the communal roof terrace area shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

11 a) If extraction and ventilation equipment is to be installed, prior to installation all details of all extraction and ventilation equipment to be installed as part of the development 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 DM01 of the Development Management Policies DPD (adopted September 2012) and Policy CS14 of the Local Plan Core Strategy (adopted September 2012).

12 The level of noise emitted from the extraction and ventilation equipment approved pursuant to Condition 9 shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2016.

13 a) Prior to the commencement of landscaping works, the scheme of hard and soft landscaping, including details of size, species, planting heights, densities, positions of any soft landscaping, and details of below hard surface rooting areas (e.g. strata cells), shall be submitted to and agreed in writing by the Local Planning Authority
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.


14 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.

15 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.

16 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

17 a) Prior to occupation of the site 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).

18 Part 1)

a) A site investigation shall be designed for the site using information obtained from the approved desktop study and Conceptual Model under application referenced 14/07542/PNO. 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.

b) 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

c) 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 2016.
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 £29,750 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 £114,750 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.

Any details submitted in respect of the Demolition and Construction Management Plan above shall control the hours, routes taken, means of access and security procedures for construction traffic to and from the site and the methods statement shall provide 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 applicant advised that an application under the Highways Act (1980) will need to be submitted for any works proposed on public highway to facilitate the development. The works on public highway shall either be carried out under S184 or S278 of the Highways Act (1980). As part of the application, the applicant shall submit proposed design and construction details to Development Team for approval. The applicant is also advised that any consequential damage to public highway as a result of the development proposal shall be borne by the applicant.

The applicant is advised that photographic records should be kept of the public highway likely to be affected by the development proposal prior to commencement of any construction or demolition works on site.

To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section - Development and Regulatory Services, London Borough of Barnet, Barnet House, 1255 High Road, Whetstone N20 0EJ

The applicant is advised that Hale Lane is Traffic Sensitive Road between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday and 8.00 am-9.30 am during Saturday. Careful consideration must be given to the optimum route(s) for construction traffic. The Highway Authority should be consulted in this respect.
Officer's Assessment

1. Site Description

The site is currently a car park on the western side of Grenville Place a short distance from the south of Hale Lane. Trafalgar House is situated on land to the immediate south and is subject at presented to construction works for its change of use and conversion from office to residential to form 28 flats by way of a Prior Notification process.

Trafalgar House is three storeys with a subordinate (inset) roof storey. Grosvenor Court is also a three storey building with an inset roof storey, and the new residential development within Grenville Place is predominantly a mix of two storeys, three storeys, and inset fourth storeys.

Adjacent buildings to the rear (west) and side (north) consists of two storey semi-detached dwellings. The area is predominantly residential. The site is not located in a conservation area. There are no listed buildings near the site. The proposed development would be located on an area of hardstanding and as a result, there is no landscaping on the site which may be affected.

The site is currently accessed from Grenville Place at its northern perimeter. There is a southern exit from the site back to Grenville Place adjacent to the northern elevation of Trafalgar House. Trafalgar House is being laid out so that there are habitable room windows facing north towards the site on each of the four levels.

2. Site History

15/07747/S73: Removal of condition 7 (Code of sustainable housing) pursuant to planning permission H/03555/14 dated 05/11/2014 for "New third floor to provide 4 x3 bedroom flats. External alterations. Changes to windows to all elevations. New front canopy". Decision: Refused. Decision Date: 29 February 2016

15/03146/CON: Submission of details of Conditions No. 3 (Materials); No.4 (Screened facilities); No.10 (Noise); No.11 (details of balconies _ balustrade); No.12 (Method Statement) pursuant to planning permission Ref: H/03555/14 dated: 21/10/2014. Decision: Approved. Decision Date: 2 February 2016

15/02818/S73: Variation of condition 1(Plans) and condition 10 (Acoustic report) pursuant to planning permission H/03555/14 dated 21/10/14 for "New third floor to provide 4 x3 bedroom flats. External alterations. Changes to windows to all elevations. New front canopy" Amendments include relocation and associated changes of AC units. Decision: Approved subject to conditions. Decision Date: 14 July 2015

16/3930/FUL: Alterations to existing car parking layout, cycle parking, refuse storage and route of public footpath. Decision: Approved subject to conditions. Decision Date: 28 October 2016

14/07542/PNO: Change of use from Class B1 (Office) to Class C3 (Residential) (28 Units). Decision: Prior Approval Required and Approved. Decision Date: 9 January 2015
W03202BM/05: Installation of a radio base station comprising of three antennas, one 300mm diameter dish antenna, one 200mm diameter dish antenna and radio equipment housing.
Decision: Refused. Decision Date: 26 September 2005

W13003/02: Installation of 7.5m stub with 3nb omindirectional antenna and associated equipment cabin on roof of Trafalgar House for Metro Police Radio Network.
Decision: Refused. Decision Date: 12 November 2002

W03202BJ/01: Installation of three pole-mounted telecommunications antennae, two transmission dishes and one equipment cabinet on roof of building.
Decision: Refused. Decision Date: 21 January 2002

W13003C/03: Relocation of existing antennas (telecommunications equipment) on roof of building.
Decision: Exempt. Decision Date: 22 December 2003

W03202BK/04: Installation of telecommunications equipment.
Decision: Exempt. Decision Date: 25 May 2004

A/02: Installation of 3 no. sector antenna and ancillary equipment.
Decision: Exempt. Decision Date: 27 July 2004

W13003B/03: Installation of telecommunications equipment.
Decision: Exempt. Decision Date: 5 November 2003

3. Proposal

This application proposes the redevelopment of the site to provide a part three, part four storey building comprising 9no. self-contained flats with associated amenity space, refuse and cycle storage and off-street car parking.

The footprint of the development predominantly comprises of two adjoining rectangles, one smaller (5.4m x 13.75m), one (larger 9m x 21.1m). The stairwell of the development juts out of the larger element's foot print by 0.85m (for a length of 4m). Having a minimum maximum width of 15.3m and maximum depth of 21.2m, having and overall the development would have a foot print of 270sqm. The 3 storey element would have a height of 9.6m and the four storey element predominantly 12.6m in height, with a lift shaft 13.2m in height.

4. Public Consultation

Consultation letters were sent to 201 neighbouring properties.
16 responses have been received, comprising 16 letters of objection.

The objections received can be summarised as follows:
- The development would result in a loss of view of an open space
- The development would be a visually imposing and intrusive form of development
- The neighbouring properties in Deans Drive would be overlooked resulting in a loss of privacy.
- The existing site is overdeveloped changing the character from sub-urban to urban
- The existing and proposed developments at this site have and will exacerbate issues of traffic, parking and noise within the area.
- The development will increase the strain on over-subscribed schools.
- The developer would not have acquired planning permission for overall development of the site of this scale. The piecemeal approach and cumulative impact of all developments on this site should be considered.
- When local residents were consulted on the initial application it is unfair they were not warned about future intentions for the site. How can they be expected to voice our opinions when only the developer has the full information?
- The developer has failed to indicate how any of these developments benefits the local community.
- The Lofts Apartments next door have no received any notification of the planning application.
- The site is too small to house 9 residential flats, private gardens and 9 parking spaces.
- 9 additional car parking spaces for the scheme which will not be sufficient for the number of units proposed.
- The development will overlook and overshadow the Loft apartments, resulting in a loss of light and privacy.
- The plans suggest the off street parking will be shared with the current parking for the Lofts Apartments, of which the residents have not been notified or consent to.
- The plans submitted with the application are out of date and do not show the correct extent of the private property belonging to the Lofts Apartments.
- The development will cause noise and dust pollution during the construction phase.
- There are continuing health and safety concerns with the Loft Apartments constructed by the same developer, these issues are likely to be consistent in the proposed development i.e. poorly built, unfinished, not completed in accordance with regulations and not built to sold specification.
- Increased occupancy will result in increased comings and goings and associated noise and disturbance.
- The development will be overbearing to the residents in Grenville Place.
- The plans do not adequately reflect the Trafalgar House building.
- The development will have an impact on air quality.
- The development will increase the number of vehicles accessing the site and consequently have a degrading effect on the access gate which the residents pay for.
- More vehicles will pose a security issue for the Loft apartments.
- The development is not in keeping with the character and appearance of the surrounding residential properties, would appear cramped with insufficient general storage space.
- The amenity value of the proposed flats look cramped with minimal general storage space.
- Very limited outdoor amenity space and play area.
- The roof terrace will lead to overlooking issues for neighbouring properties and gardens.
- This scheme has an impact on another recent scheme adjacent 14/07542/PNO which had its red boundary line all-round this current application site. The site of this new application seems to have been the possible amenity space of the prior approval scheme. The new scheme also changes the originally proposed traffic route into the site of the prior approval scheme. On this basis the only amenity space available for the previous application disappears and we feel that these issues need investigating.
- There will be a loss of light and loss of privacy for the residents in Deans Drive.
- Bin collection from outside the development will be challenging as already the Loft apartment bin area has been badly designed.
- Access into Grenville place will be very difficult.
- Landscaping - with a development such as this the space for greenery is limited. Townhouses and gardens would therefore be a more suitable alternative. No shrubbery or
plants have been considered in the grounds of the adjacent land (The Lofts) even though I believe the plans showed this and was expected.
- The plans themselves are not accurate - they show open access to the parking spaces at the rear of the new development however The Lofts (not Trafalgar House as shown on the plans) already has a gate at its car park entrance directly off Grenville Place it is therefore unclear how means of access would work (gate and car park currently covered by The Lofts service charge along with recently installed CCTV).
- Since the Loft Apartments opening the amount litter in the area has increased in the public areas dramatically, with bins and waste becoming an obstruction for pedestrians.
- There is a lack of greenery within the vicinity. The Lofts apartments have no gardens or landscaping to enjoy and with another proposed development the space for some greenery becomes impossible.

4.1 Internal / Other Consultation

Highways: No objections - Conditions recommended with respect to ensuring parking, cycle storage and refuse storage are all provided as they are shown on the proposed plans.

Environmental Health: No objections - Conditions recommended with respect to contaminated land to ensure that the site is not contaminated.

Waste & Refuse: No objections (no comments received).

London Fire Brigade: No objections (no comments received).

5. Planning Considerations

5.1 Policy Context

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

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

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

The Mayor's London Plan 2016
The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.
The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

**Barnet's Local Plan (2012)**

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.
- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM17.

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

**Supplementary Planning Documents**

Sustainable Design and Construction SPD (adopted October 2016)
- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

**5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Whether the principle of a residential development at this site is acceptable;
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether the development would provide satisfactory living accommodation for the future occupants;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether the development would have an adverse impact on Highway safety and parking in the surrounding area;
- Sustainability and Other matters;

**5.3 Assessment of proposals**

The design of the scheme has resulted from extensive pre-application and post-submission discussions between the Local Planning Authority and the applicant, addressing the initial concerns regarding its design, form, scale, outlook, privacy concerns, parking layout, landscaping and amenity space. The assessment of these aspects are assessed hereafter.

**Principle of the Development**
Through a sequence of applications for Prior Approval, Trafalgar House has changed from office use (B1) to residential (C3). In conjunction with an extension to the building, the construction and internal conversion work has been substantially completed within the building in order to implement the permissions. As such, the employment use within the site has been extinguished and the car park has reverted to a nil use from employment use in the B1 use class. It has not since been utilised in connection with any current residential use on the site either.

On this basis, it is considered that it would not be necessary to consider the loss of employment use and the scheme is not contrary to policy DM14 of the Local Plan Development Management Policies DPD.

The proposal for nine units equates to a density of 150 units per ha, which is within the recommended range set out in Table 3.2 of the London Plan for locations in an urban setting with a PTAL rating of 2-3, which is 45-170 units per ha. It will provide a mix of flats comprising 3 x 1 bedroom units and 6 x 2 bedroom units. This mix of dwellings is considered to align with Policy DM08, ensuring a variety of sizes of new homes to meet Borough's housing need, and is considered appropriate relative to the mixed dwelling character of the immediate vicinity of the site.

As such, the redevelopment of this site for further residential units would be an effective use of an under-utilised brownfield site, and therefore, in land use terms would represent sustainable development, as per Paragraph 17 of the National Planning Policy Framework.

Impact on Character and Appearance of the Existing Building, the Street Scene and the Wider Locality

The proposals comprise of a part 3, part 4 storey building to the Grenville Place frontage, accommodating 9 self-contained flats. There is a mixed character within the area in respect of building heights and types. The junction around Grenville Place and Hale Lane features buildings arranged over four storeys either through their original construction or by way of an upper level extension to these buildings. Within Grenville Place there has been a comprehensive residential redevelopment which has created a range of two storey, three storey and four storey buildings with flats and dwellings. Given the extended height of Trafalgar House and Grosvenor Court, both immediately adjacent to the site, the application site can reasonably be taken to respond to that character rather than that expressed within Hale Lane and adjoining streets to the north which are principally semi-detached and detached dwellings.

Immediately to the north it is acknowledged that a smaller, two storey, semi-detached pairing of dwellings which houses numbers 1, 1A, 2 and 2A Grenville Place exists. The applicant has taken note of this and carefully designed the size, height and mass of the development to ensure that the relationship between the proposals and this neighbouring building are sympathetic to its context. This has been achieved through the placement of smaller, subordinate 3 storey element on the northern side which sits approximately 2m higher than the pitch ridgeline of the neighbouring building, and a 5.6m spacing between flank walls. The graduation in height between these two buildings, combined with the spacing is considered to present an acceptable relationship within the streetscape.

On the south side, the development would be a minimum of 10.8m (measured from the stair well), and a max. of 11.8m between the proposed development and the Loft Apartments. The heights between the proposals and the Loft Apartments are similar
Proposed development: 13.25m; Loft Apartments: 14.5m) with a height difference of approximately 1.25m. Both the spacing between the buildings and height relationships are considered to have an acceptable relationship.

To the west, the development will be served by a parking, and private and communal amenity space, having 20.3m distance from the rear elevation of the proposal to the flank boundary of 12 Deans Drive. Whilst the stepping down from the neighbouring properties in Deans Drive is not as sympathetic, the Local Planning Authority consider that there is sufficient buffer distance (21.1m) to justify the height difference, and that contextually, Deans Drive is clearly separate from the application site and is therefore not “read” together as part of the same immediate streetscape. Similarly, the dwellings at Grosvenor Court on the opposite side of the road have an approximate 20m separation distance.

Overall it is considered that the development will realign and improve the frontage onto Grenville Place, having an acceptable relationship to its surrounding context.

Quality of Living Accommodation for Future Occupiers

The development proposes 9no. self-contained units in the following unit configuration:

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
<th>Gross Internal Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 x 1 bedroom flats - 2 person</td>
<td>60sqm (50sqm required)</td>
<td></td>
</tr>
<tr>
<td>2 x 2 bedroom flats - 3 person</td>
<td>66sqm (61 sqm required)</td>
<td></td>
</tr>
<tr>
<td>4 x 2 bedroom flats - 4 person</td>
<td>77sqm (70 sqm required)</td>
<td></td>
</tr>
</tbody>
</table>

All of the dwellings are considered to provide satisfactory Gross Internal Floor areas in accordance with the Mayor's London Plan Housing SPG (2016) and the LPA's adopted Sustainable Design and Construction SPD (2016). The ceiling heights are 2.3m which is 0.2m of the optimum standard set out in the Mayor's London Plan Housing SPG (2016), however it is considered that 2.3m meets the minimum requirement and will still provide a satisfactory living space for the future occupier, as there will be sufficient light and ventilation access, as well above minimum standard gross internal floor areas. The windows in the flank elevations of the development have been carefully designed to ensure that there is sufficient outlook which is not comprised by a lack of privacy given the proximity of other nearby residential units at the Loft Apartments and numbers 1 & 2 Grenville Place. The windows have been angled to mitigate against these issues, and none of the units are single aspect, thus providing a good standard of outlook. The stacking and layout of the developments is considered to be appropriate to ensure that each of the units will be in receipt of adequate daylight and sunlight.

Both ground floor units have access to some private outdoor amenity space (Unit G.1 - 21sqm / Unit G.2 - 41sqm), although its layout is not typical like other neighbouring private amenity space, it remains functional and will provide a private space for the future occupiers to utilise for their needs. Notwithstanding this, the occupiers will also have access to the communal amenity space at ground level to the rear of the site (88sqm), and also the communal roof terrace (58sqm), which all provide adequate amenity space for the future occupiers of the development. In summary, the total provision of communal amenity space is 146sqm, which exceeds the minimum requirement of 121sqm set out in the adopted Sustainable Design and Construction SPD (2016).

Initially there were concerns regarding the impact of the car parking of the development on the proposed dwellings. However, following constructive post-submission discussions about how this could be addressed, the applicant has devised a solution through a combination of landscaping and introduction of trellising to the rear car parking area.
Officers are now satisfied that the development will now provide a satisfactory degree of separation of the car parking area and amenity spaces as well as provide reasonable outlook for the proposed residential units. The parking adjacent to the southern elevation, belonging to the Loft Apartments will be separated from the building by landscaping. Furthermore, vehicle movements are anticipated to be limited in relation to these spaces (likely to be no more than 2 movements per day per space) and windows on this elevation would not openable. As such there will be no adverse noise or air quality impacts to the future occupiers.

Impact on the Residential Amenities of the Neighbouring Occupiers

As noted in the character and appearance section of this report, the development is considered to be appropriately scaled in size, massing and spacing relative to context of the surrounding streetscape to ensure that it is not a visually obtrusive and overbearing form of development. In order to avoid the matter of overlooking and privacy for the surrounding neighbours, the applicant proposes projecting bays which feature windows that are angle towards views that have a minimum of 21m to the garden or elevation of the nearest built form that they are directed at. This accords with the adopted Sustainable Design and Construction SPD’s (2016) standards which state that in new residential development there should be a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 m to a neighbouring garden. In the normal flank windows the ones facing west (towards Deans Drive) have sufficient distance to ensure that there is no demonstrable loss of privacy or overlooking. The normal windows in the southern flank at first floor level and above, facing the Loft Apartments have been obscure glazing to protect the amenities of these residents whilst ensuring the proposed dwellings receiving natural light. In order to ensure privacy of the adjacent residential properties at The Loft Apartments a condition will be recommended requiring details of screen for the communal roof terrace. A screen made from obscured glass would ensure that light can permeate, and ensure that this structure would not manifest itself as a bulky, material built form.

The development could provide occupancy for between 23 and 27 people, both small families and professions, which combined with 9no. parking spaces relative to the size and spacing of the site, would not generate a demonstrably harmful level of comings and goings (resulting from noise and activity) from its occupants.

The applicant has also provided a Daylight and Sunlight report which concludes that there will be no demonstrable adverse impacts on neighbouring residential properties to an extent that would warrant the application's refusal on these grounds. The Average Daylight Factors and Annual Probable Sunlight Hours for neighbouring properties calculated in the report demonstrate that the development would not result in the neighbouring properties failing the target levels established in the BRE's *Site layout planning for daylight and sunlight: a guide to good practice*.

Highway Safety and Parking

The Highways & Development Team were consulted on the proposals and raised no objections - identifying that the development would provide satisfactory parking provisions, providing 9 spaces (2 of which are disabled spaces) of the in accordance with Policy DM17. The proposal includes the provision of 16 secure cycle spaces, including one short-stay space, therefore exceeds the minimum standards set out in the London Plan. An
enclosed refuse store will be located adjacent to the northern side of the building, within 16m of Grenville Place, where a refuse truck is able to load.

Pedestrian access is proposed off Grenville Place. Vehicular access is proposed between the building and the adjacent Trafalgar House/The Lofts building, which is to be shared by both buildings. No additional vehicular or pedestrian access points are proposed. Highways and Development are satisfied with that this will not have a demonstrable impact on highway safety or accessibility.

**Sustainability, Accessibility and Other matters**

Of the proposed Units 10% will be wheelchair adaptable (Part M (3)) and 90% will meet Part M (2) in accordance with Policy 3.8 of the London Plan, Policy DM03 of the Development Management Policies and Part M of Building Regulations. The development also provides a lift, facilitating access to all floors in accordance with the Part M4(2) standard (Building Regulations) required by the London Plan.

The proposed development is a minor development and therefore not subject to LBB's carbon reduction targets for major developments. The development will comply with Part L of the current 2013 Building Regulations through energy efficiency measures including a heating and hot water system.

The development will meet the requirements of Part G of Building Regulations in relation the efficient use of water and comply with the Council's water consumption target for minor residential development of 105 litres per person per day.

The landscaping of the site is considered to be appropriate, softening the appearance of the development and assuring that it has an appropriate impact on the visual amenity of the site.

**5.4 Response to Public Consultation**

Officers have reviewed and considered the comments received through the public consultation process and have addressed these, where possible, in the above assessment of the scheme. The following issues that were raised but not addressed in the assessment of the scheme are considered below:

- The loss of a view is not a material planning consideration and the schemes scale and mass has been considered as appropriate.
- Deans Drive residents would not be unduly overlooked resulting in an unacceptable loss of privacy, given that the development has been designed to adhere to the minimum distances for privacy set out in the adopted Sustainable Design and Construction SPD (2016).
- The development is considered appropriate for the size and scale of the site and therefore is not considered overdevelopment.
- Traffic, parking and associated noise and disturbance effects have been considered by Officers, the Highways team and Environmental Health and are not considered be demonstrably adverse.
- The increased strain on over-subscribed schools is noted. The Council will receive a Community Infrastructure Levy (CIL) contribution for the proposed development which will
be used within the Borough to address the community infrastructure burden. Details of CIL contribution can be found in the attached CIL informative.
- Each application is judged on its own individual merits in accordance with adopting Planning Policies, and the developer is entitled to make applications for proposals as they see fit. These will be assessed in accordance with said policies.
- The development will provide much needed housing within the Borough.
- The LPA acknowledge that the Loft Apartments were not consulted initially however, have since met its duty by consulting these neighbours directly as well as the display of a site notice close to the application site.
- The applicant has identified and confirmed ownership of the land in which the development is proposed, falsification of this information would render the planning permission invalid.
- Noise and dust pollution during the construction phase will be managed through Demolition, Construction Management plan condition. If nuisance arises, a service request for investigation by Environmental Health can be logged with the Council.
- Health and safety is not a material planning consideration and will be managed by the Health and Safety Executive and relevant Building Regulations.
- The impact on air quality from the occupancy of the development is not considered to be demonstrably adverse to an extent that would warrant the applications refusal on these grounds.
- Matters regarding access through the existing residential gates are a civil matter between the landowner and the applicant.
- The security of the site is not considered to be demonstrably worse as result of the proposed development, given that the new dwellings will be occupied by residents, subsequently increasing the amount of natural surveillance.
- Prior Notification applications are not required to provide amenity space as part of their proposals and therefore, this is not material to the consideration of this scheme.
- The refuse and recycling storage is considered to be adequate for the purposes of the development.
- The amount of litter within the area is not a material planning consideration and concerns potential offences that are governed and enforced by other Statutory bodies (e.g. Environmental Health).
- The level of daylight and sunlight at neighbouring properties are not considered to be adversely affected to an extent that would warrant the scheme’s reason for refusal.
- The number of parking spaces has been assessed in line with the Council's parking standards contained in DM17 and is considered to be appropriate for the development.
- The landscaping of the site is considered to be suitable to soften the appearance of the development.

6. Equality and Diversity Issues

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

7. Conclusion

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