

Location 1489 High Road London N20 9PJ

Reference: 17/7803/FUL Received: 11th December 2017
Accepted: 29th December 2017

Ward: Totteridge Expiry 23rd February 2018

Applicant: Mr S Douglas

Proposal: Demolition of 2no existing buildings and the erection of a three-storey building comprising of 5no self-contained flats including rooms in the roofspace. Excavation and construction of basement level habitable spaces. Associated alterations to hard and soft landscaping and provision for 5no parking spaces with refuse and recycling storage

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:

6159-PL-101 (Location Plan), 6159-PL-102 (Block Plan), 6159-PL-103A (Site Plan), 6159-PL-104A (Ground Plan), 6159-PL-105A (First Floor Plan), 6159-PL-106 (Second Floor Plan), 6159-PL-107A (Roof Plan), 6159-PL-108 (Front (NE)Elevation), 6159-PL-109 (Rear (SW) Elevation), 6159-PL-110 (Side (SE) Elevation), 6159-PL-111 (Side (NW) Elevation), 6159-PL-112 (Streetscene), 6159-PL-114A (Basement Plan), 6159-PL-115A (Site Plan -Previous Applications), 6159-PL-116 (Bin Store 1), 6159-PL-117 (Bin Store 2), 6159-PL-118 (Cycle Store).

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

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

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

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

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

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

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

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

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

- 6 Before the development hereby permitted is occupied the car parking spaces as shown on Drawing Nos. 6159-PL-103 Rev A 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.

- 7 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be 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 the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport 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 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.

- 9 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.
- b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
- c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely

damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

- 10 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 11 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 6 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

- 12 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the flank elevations facing Hamilton House and 1493 High Road.

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

- 13 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.

- 15 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.

- 16 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

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

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

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

- 18 a) Before the development hereby permitted is first occupied, details of the sub-division of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02

of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 19 Before the building hereby permitted is first occupied the proposed window(s) in the flank elevations facing Hamilton House and 1493 High Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 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. 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 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 payment under Barnet CIL.

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

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the

Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

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

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from: <http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 4 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.
- 5 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.
- 6 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.
- 7 Any highway approval as part of the planning process for the alteration to the existing access/crossovers or new access/crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for access/crossover under Highways Act 1980 and would be carried out at the applicant's expense. Please note, reinstatement of redundant crossovers, any relocation of street furniture, lighting column or amendments to parking bays affected by the proposed works would be carried out under a rechargeable works agreement by the Council's term contractor for Highway Works. An estimate for this

work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ

If the development is carried out it will be necessary for any existing redundant vehicular crossover(s) to be reinstated to footway by the Highway Authority at the applicant's expense. You may obtain an estimate for this work from the Environment, Planning and Regeneration Directorate, Building 4, North London Business Park (NLBP), Oakleigh Road South, London N11 1NP

- 8 The applicant is advised that for construction works adjacent or affecting the public highways, the council's First Contact should be contacted on 0208 359 2000 for any necessary Highways Licenses or any highway approvals deemed necessary

Officer's Assessment

1. Site Description

The application relates to a pair of two-storey, semi-detached, single-family dwellings located on the western side of the High Road.

The existing dwellings each have a 2-storey front gabled feature with a bay window at ground floor level. There is an existing single storey garage to the side of the property at No.1489, which provides a large gap between the flank wall of the property and the neighbouring block of flats at No.1487. There is also an area of hardstanding to the front of each of the dwellings, providing enough parking space for approximately 2 cars per dwelling. There is a dense hedge and a number of mature trees lining the front and side boundaries of the site.

To the south lies a three-storey block of six flats (Hamilton House - No.1487) and to the north lies a pair of 2-storey, semi-detached single-family dwellings (No.s 1493 & 1495).

Properties in the vicinity are predominately residential in character. This part of the High Road consists of a mixture of single-family dwellings and purpose-built blocks of flats. Most dwellings are no more than 2-storeys, however the blocks of flats are generally three stories in height.

The properties along this part of the High Road have strong front building lines which follow the shape of the road.

2. Site History

Reference: 17/2071/FUL

Address: 1489 High Road London N20 9PJ

Decision: Withdrawn

Decision Date: 21.06.2017

Description: Demolition of 2no existing buildings and the erection of a three-storey building comprising of 5no self-contained flats including rooms in the roofspace. Excavation and construction of basement level habitable spaces. Associated alterations to hard and soft landscaping and provision for 5no parking spaces with refuse and recycling storage

Reference: B/04974/10

Address: 1489-1491 High Road, London, N20 9PJ

Decision: Refused and dismissed on appeal

Decision Date: 28.01.2011

Description: Erection of a two storey residential building plus rooms in roof space to create nine apartments. Formation of vehicular access and parking for 9No. cars.

Reason(s)

1. The proposed development by reason of its size, bulk, mass, design and siting would result in a cramped form of development, detrimental to the character and appearance of the streetscene and general locality, contrary to Planning Policy Statement 1 (PPS1) - Delivering sustainable development; Policy 4B.8 of the Mayor's London Plan; and policies GBEnv1, GBEnv2, D1, D2, D3, D4 and H16 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

2. The proposed development would by reason of its size, mass, bulk, design and siting, be overbearing and visually obtrusive detrimental to the residential and visual amenities of neighbouring occupiers, contrary to policies GBEnv1, GBEnv2, D1, D2, D5 and H16 of the Adopted London Borough of Barnet Unitary Development Plan 2006.

3. The proposal by reason of its size and design would result in an inappropriate form of development, out of character and scale with surrounding development, detrimental to the character and appearance of the streetscene, general locality and visual amenity of neighbouring residential occupiers contrary to policies GBEnv1, D1 and D2 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

4. The proposal by reason of its size, siting, in particular the rearward projection beyond the rear building lines of neighbouring residential properties, and proximity to neighbouring properties would cause an unacceptable loss of outlook, contrary to policy D5 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

5. The proposed development by reason of its design and siting would result in an unacceptable level of overlooking into neighbouring gardens and neighbouring windows, resulting a significant loss of privacy to neighbouring occupiers, harmful to residential amenity and contrary to policy H17 of the London Borough of Barnet Adopted Unitary Development Plan 2006.

6. The proposed development, by reason of the excessive amount of hard surfacing and lack of soft landscaping at the front would result in a form of development which would be detrimental to the character and appearance of the streetscene and would result in an unsatisfactory appearance to the resultant development contrary to policies GBEnv1, D2 and H16 of the Adopted London Borough of Barnet Unitary Development Plan 2006.

7. The development does not include formal undertakings to provide appropriate library services, health facilities and education contributions to meet the demand for library, health and educational needs in the area generated by the development contrary to policies CS2, CS8 and IMP2 of the London Borough of Barnet Adopted Unitary Development Plan 2006 and Supplementary Planning Document: Planning Obligations, Supplementary Planning Document: Contributions to Education; Supplementary Planning Document: Contributions to Health Facilities from Development; and Supplementary Planning Document: Contributions to Libraries.

Reference: N15462/07

Address: 1489 High Road London London N20 9PJ

Decision: Refused

Decision Date: 20.03.2007

Description: Two storey side and single storey rear extensions and alterations to roof to facilitate a loft conversion.

Reference: N15462A/07

Address: 1489-1491 High Road London N20 9PJ

Decision: Approved subject to conditions.

Decision Date: 23.07.2007

Description: Two storey side and single storey rear extensions and alterations to roof to facilitate a loft conversion.

3. Proposal

Demolition of 2no existing buildings and the erection of a three-storey building comprising of 5no self-contained flats including rooms in the roofspace. Excavation and construction of basement level habitable spaces. Associated alterations to hard and soft landscaping and provision for 5no parking spaces with refuse and recycling storage.

The proposed scheme consists of 5 x 3 bedroom flats arranged in a single building of 3-storeys with rooms in the roofspace and a partial basement, together with on-site car parking (5 spaces).

Basement comprising of two playrooms measuring 50sqm each. The basement will be accessed internally and have two lightwells.

Ground Floor Plan would comprise of 2 x 3 bed/ 6persons flats measuring 114sqm (Flat1) and 114sqm (Flat 2) respectively.

First floor would comprise of 2 x 3 bed/ 6persons flats; the dimensions of the units are 105.6sqm (flat 3) and 106sqm (flat 4).

Second floor 1 x 3 bed/ 6persons flat (Flat 5) measuring 160sqm.

The proposed development would have a roof terrace, one dormer to the front and 2 dormers to the rear with nine rooflights.

A lift has been provided as part of the development.

Two positions at the side of the proposed house have been identified for the bin stores. The bin store would be metal frames with timber panels measuring approx. 2.1m x 4.9m x 1.7m.

5 no. Otis Stainless steel Sheffield cycle stands will be located at the rear of the property.

4. Public Consultation

Consultation letters were sent to 59 neighbouring properties.

5 responses have been received, comprising 4 letters of objections and 1 letter of representation.

The comments received can be summarised as follows:

- Building looks attractive (the representation)
- rear building line projects beyond other buildings
- overlooking
- loss of light to Flats 2, 4 & 6 Hamilton House
- Location of bins would result in noise, smells and flies
- Impact of excavation for basement
- poor outlook for future occupiers
- parking
- construction traffic blocking entrance to Hamilton House

A representation was received from Friern Barnet and Whetstone Residents' Association

The comments are as follows:

1. the proposed location of a refuse bin store adjacent to the neighbouring Hamilton House is likely to be detrimental to the amenity of the occupiers of that property.

It is noted from the Design and Assess Statement that the planning department did not want bin storage in the front area of the building (the design solution adopted for Hamilton House) and thus the applicant has sited bin storage adjacent to the site boundary with Hamilton House. That it is necessary to do this suggests that the applicant is seeking to locate too large a building on the site- i.e. too wide for the width of the double plot. It is suggested that the bin storage adjacent to Hamilton House should not be a free standing store adjacent to the boundary, but instead should be incorporated within the main structure of the proposed building, even if this requires a re-design of the internal

arrangements or even a reduction in the number of units to be constructed. Incorporation within the main structure is the approach adopted on the other side of the proposed building.

2. the proposed basement rooms - which are clearly intended as habitable rooms- are served by lightwells. Thus they will have insufficient outlook. The Council's Residential Design Guidance SPD states at para. 7.5, concerning residential amenity, that " All habitable rooms should contain at least one main window with an adequate outlook where nearby walls or buildings do not appear overbearing or unduly dominant.", whilst para. 12.4, in respect of basements, provides that "Open lightwells....will be resisted". The proposal conflicts with Development Management Policy DM01, para. e, which requires that " Development proposals should be designed to allow for adequate....outlook for...potential occupiers and users."

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 Mayors 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.

The Draft Mayors London Plan 2018

The London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan

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, DM17.

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

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

Sustainable Design and Construction SPD (adopted October 2016)

- Provide 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 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.

5.3 Assessment of proposals

Principle of Development

The principle of having self-contained units in this area is considered to be acceptable. The prevailing character along this part of the High Road would not be compromised by the addition of a purpose built apartment block, as there are existing flatted developments adjacent to and in close proximity to the application site.

Impact on the character of the area

The proposed development involves the demolition of the pair of semi-detached dwellings and the construction of a two storey block (with rooms in the roof space) of 5 apartments, providing 5 3-bedroom flats; parking for 5 cars to the front of the property.

The proposed building has been revised following the previous application and appeal decision. The proposed building would have a maximum width of 16m - sitting approximately 2.9m - 5.1m from the property at No.1493 and approximately 4m - 6.8m from Hamilton House and a maximum depth into the site of approx. 18.6m at ground floor level and 16.5m at first floor level. The proposed building sits in line with the established front building line and extends beyond the established rear building line of adjacent properties along the High Road. At ground floor level this projection is approximately 2m further than the rear building line of No.1493 (to the north), with an outrigger set back approx. 5.1m from the flank wall of No. 1493 and extending beyond the proposed rear building line by approx. 2.9m. At the boundary with Hamilton House (to the south), the proposed building will be the same building line at the rear, with an outrigger set back

approximately 6.8m from the flank wall of Hamilton House, and projecting further by approx. 2.9m. At first floor level, the outrigger is set back approx. 6.8m from the flank wall of Hamilton House and projects further by approx. 1m.

The proposed development has been amended to take into account the Planning Inspector's decision (APP/N55090/A/11/2146646 dated 30/08/11), widening the gaps between the proposed building and the adjoining properties and balancing the height and scale of the proposed building with Hamilton House. The gap between the proposed building and No 1493 and Hamilton House has been increased significantly.

The design of the proposed building is contemporary with two front gables with rooms in the roof space and a terrace. The materials proposed will be a combination of brick and render, with reconstituted tile for the roof. This part of the High Road consists of a mixture of single-family dwellings and purpose-built blocks of flats. Most dwellings are no more than 2-storeys, however the blocks of flats are generally three storeys in height. The proposed design, scale, bulk and height will be in keeping with the character of the immediate area which has various roof forms and building design.

Impact on the amenities of future occupiers

It is considered that the current application, as amended complies with the space standards for new development outlined in Policy 3.5 (table 3.3) of the London Plan 2016 and is considered to provide adequate internal space for future occupier. The proposal will comprise of 5x 3 bed / 6 persons units. Accordingly, the London Plan and the Councils Sustainable Design and Construction SPD require a minimum gross internal floor area of 95sqm respectively. All the flats would meet the minimum space and room standards requirement. The proposed gross internal floor space for the apartments range from 105.6sqm to 160 sqm

In view of this the flats would meet the minimum space and room standards required by the London Plan.

The outlook from the rooms and accessible daylight to the rooms would comply with Councils Sustainable Design and Construction SPD, and would provide a good level of amenity for the future residents. The units have been designed so rooms are laid out on a 'like above like' basis to ensure that there is no inappropriate stacking between units.

Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats, outdoor amenity space should be 5 m² per habitable room.

It is noted that the existing residential units have access to a communal amenity space. The amenity space requirement is 150m² (30 habitable x 5 m²). The rear garden measuring 363m² would be communal. In addition, the proposed development would include private balconies and terraces. It is considered that the proposed development would provide a satisfactory level of amenity for future occupiers

Sound insulation between units should be incorporated into the scheme which should be in compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission). This is due to its relationship both horizontally and vertically to neighbouring residential units. The applicant should achieve the required sound insulation levels; this will be enforced by an appropriate condition attached to the decision. The proposed internal stacking is considered appropriate and acceptable, helping to ensure a minimum of noise disturbance between the units

An appropriate area for the storage of recycling and refuse bins has been provided at the side of the proposed building, and cycle storage is also provided at the rear. This is considered to be acceptable.

Impact on the amenities of neighbours

In terms of the impact of the proposal on the amenity of neighbouring residents, Policy DM01 of the Development Management Policies 2012 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

The proposal has been designed to reduce the impact of the proposal at the rear by applying a 45 degree splay angle and setting away from the neighbouring buildings to achieve a significant gap between Hamilton House and the proposed building (minimum set back will be 4000mm) and between the proposed building and 1493 High Road (minimum set back will be 2995mm).

The proposal would include balconies to the front and rear; windows to the north east and south- east elevations, the windows would be at the ground and first floors. The windows would not give rise to overlooking or loss of privacy due to the relationship with the adjoining properties and the distance with the buildings at the rear is more than 22m.

highway

According to the Highways Authority, the site is located within PTAL rating of 2a and the parking provision of 5 parking spaces would be sufficient for the proposed residential development.

The proposed 5 Cycle parking spaces would be in accordance with the London Plan Cycle Parking Standards.

There is new vehicular and pedestrian access proposed for the development, any works proposed on public highway to facilitate the development would need to be undertaken under S278 of the Highways Act. A separate application to be made to the Highway Authority for works under S278 of the Highways Act would be required.

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 a 6% CO2 reduction over Part L of the 2013 building regulations. This level of reduction is considered to comply with the requirements of Policy 5.2 of the London Plan (2016 Minor Alterations) and the 2016 Housing SPG's requirements and a condition would be attached in the event planning permission is granted to ensure compliance with the Policy

In terms of water consumption, a condition 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 considerations 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 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.

