

Location **Garage Block Rear Of, 3 Normandy Avenue Barnet EN5 2HU**

Reference: **18/2210/FUL**

Received: 11th April 2018

Accepted: 13th April 2018

Ward: Underhill

Expiry 8th June 2018

Applicant: Mr S. Bond

Proposal: Demolition of existing garages and erection of two storey detached building to provide 177sqm of Class B1 office space with associated refuse storage, cycle parking and provision of 1no. parking space

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. PL06
- Drawing No. PL07
- Drawing No. PL04
- Drawing No. PL03
- Drawing No. PL02
- Drawing No. PL05
- Drawing No. PL01

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

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

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

- 3 a) Notwithstanding the details shown on the hereby approved plans, 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 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

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

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

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

5 Prior to occupation of the development the proposed parking spaces within the parking area as shown in PL02 submitted with the planning application and the access to the parking area from public highway shall be provided and the access to the parking spaces shall be maintained at all time. The parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason:

To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced 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 Prior to occupation of the development, Cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason:

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.

- 7 a) A scheme of hard and soft landscaping, including details of green walls, 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 October 2016) and 7.21 of the London Plan 2016.

- 8 No deliveries shall be taken at or dispatched from the site on any Sunday, Bank or Public Holiday or before 8 am or after 8p.m. on any other day.

Reason: To prevent the use causing an undue disturbance to occupiers of adjoining residential properties at unsocial hours of the day

- 9 The premises shall be used for offices and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

- 10 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

- 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 11.43 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

- 12 The number staff occupying the hereby approved application building at any time shall not exceed 8 people.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

- 13 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.

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. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary

during the application process to ensure that the proposed development is in accordance with the Development Plan.

2 Highways Informatives

1. Refuse collection points should be located within 10 metres of the Public Highway. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.

2. The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance towards any damage to the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic related to the proposed development. 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.

Officer's Assessment

1. Site Description

The application site relates to a backland area comprising of a set of sectional garages located to the rear of no.3 Normandy Avenue. Access is gained from Bedford Avenue. The site is bounded on both sides by a service yard entrance and parking area, serving existing commercial uses for office workers and the delivery of goods.

Several houses and their gardens adjoin the application site, however the site itself is located within the vicinity of an existing commercial area which services the rear of shops on the High Street (A1000) but also other commercial uses within this backland site.

The garage buildings are not statutorily listed structures and the site is not located within a designated conservation area. The applicant has stated that the garages are vacant and have not been used for several years.

2. Site History

B/02789/12 – Erection of a two-storey building to provide two self-contained units following demolition of existing garages. – Refused: 11.09.2012

(i) *The proposed development by reason of its size, design, bulk and siting would result in a cramped form of development, which would be out of keeping with the established character and appearance of the surrounding locality, contrary to policies GBEv1, D1, D2 and H16 of the adopted London Borough of Barnet Unitary Development Plan 2006, policies CS NPPF, CS1 and CS5 of the emerging Local Plan Core Strategy (Adoption Version) 2012 and policies DM01 and DM02 of the emerging Local Plan Development Management Policies DPD (Adoption Version) 2012.*

(ii) *The proposal would provide a poor level of amenity and privacy by reason of its siting close to the service road. The use of the service road by pedestrians and vehicles would result in undue noise and disturbance as well as overlooking into the ground floor habitable room windows serving Flat 1, detrimental to the future occupiers of this unit, contrary to policies D5 and H16 of the adopted London Borough of Barnet Unitary Development Plan 2006, policy CS5 of the emerging Local Plan Core Strategy (Adoption Version) 2012 and policy DM01 of the emerging Local Plan Development Management Policies DPD (Adoption Version) 2012.*

(iii) *The proposed development does not include private amenity space which would be detrimental to the residential amenities of the future occupiers of these units contrary to policies H16 and H18 of the adopted London Borough of Barnet Unitary Development Plan 2006 and policies DM01 and DM02 of the emerging Local Plan Development Management Policies DPD (Adoption Version) 2012.*

(iv) *The proposed residential units do not have adequate access to a public highway resulting in inability to access the development and the proposed off-street parking contrary to policies M13, M14 and H16 of the adopted London Borough of Barnet Unitary Development Plan 2006, and policy DM17 of the emerging Local Plan Development Management Policies DPD (Adoption Version) 2012.*

(v) *The proposed parking area by reason of its proximity to ground floor habitable room windows would lead to vehicles causing disturbance by virtue of associated noise and lighting materially impacting upon the living conditions of the future occupiers of Flat 1 in terms of noise and light disturbance, detrimental to the residential and visual amenities of these occupiers, contrary to policies D5 and H16 of the adopted London Borough of Barnet Unitary Development Plan 2006, policy CS5 of the emerging Local Plan Core Strategy (Adoption Version) 2012 and policy DM01 of the emerging Local Plan Development Management Policies DPD (Adoption Version) 2012.*

(vi) *The proposed parking area by reason of its proximity to ground floor habitable room windows would lead to vehicles causing disturbance by virtue of associated noise and lighting materially impacting upon the living conditions of the future occupiers of Flat 1 in terms of noise and light disturbance, detrimental to the residential and visual amenities of these occupiers, contrary to policies D5 and H16 of the adopted London Borough of Barnet Unitary Development Plan 2006, policy CS5 of the emerging Local Plan Core Strategy (Adoption Version) 2012 and policy DM01 of the emerging Local Plan Development Management Policies DPD (Adoption Version) 2012.*

(vii) *Insufficient information has been submitted in respect of the impact of the proposed development on trees on adjacent sites which provide important screening. In the absence of any information relating to the trees, the development is likely to cause damage to these trees which would then result in the proposed development being overbearing to the occupiers of No.3 and No.5 Normandy Avenue, resulting in a sense of enclosure to the rear gardens of these properties, detrimental to the amenities of the occupiers of these neighbouring properties, contrary to policies D5, D11 and H16 of the adopted London Borough of Barnet Unitary Development Plan 2006, policy CS5 of the emerging Local Plan Core Strategy (Adoption Version) 2012 and policy DM01 of the emerging Local Plan Development Management Policies DPD (Adoption Version) 2012.*

(viii) *The proposed development fails to provide adequate refuse facilities to the detriment of the residential and visual amenities of neighbouring residents and future occupiers of the units, contrary to policy H16 of the adopted London Borough of Barnet Unitary Development Plan 2006.*

(ix) *The development does not include a formal undertaking to meet the extra education, health and libraries services costs together with associated monitoring costs arising as a result of the development, contrary to policies CS2, CS8, IMP1 and IMP2 of the Adopted Barnet Unitary Development Plan 2006, Supplementary Planning Document- Planning Obligations, Supplementary Planning Document - Contributions to Education, Supplementary Planning Document - Contributions to Libraries and Supplementary Planning Document- Contributions to Health Facilities and policies CS10 and CS15 of the emerging Local Plan Core Strategy (Adoption Version) 2012 and policy DM13 of the emerging Local Plan Development Management Policies DPD (Adoption Version) 2012.*
Appeal Dismissed.

N01996H/07 – Demolition of existing garages and erection of new 2 storey office development. – Refused: 27.06.2007

(i) *The proposed development by reason of its size, bulk, siting, design and inappropriate location would be a cramped form of development of the site that would be overbearing and visually obtrusive, detrimental to the residential and visual amenities of neighbouring residents and would be detrimental to the established character and appearance of the area contrary to Policies GBEnv1, GBEnv2, D1, D2 D3, D4, D5, D7 and D13 of the London Borough of Barnet Adopted Unitary Development Plan 2006.*

Appeal Allowed.

N01996F/04 – Demolition of existing garages and erection of 2no. two-storey dwellings with two off-street parking spaces. – Refused: 17.02.2005

(i) *The proposed development by reason of its size, bulk, siting, design and inappropriate location would be a cramped over-development of the site that would be detrimental to the established character and appearance of the area and appear unduly obtrusive to the detriment of the visual and residential amenities of future occupiers and occupiers of surrounding properties contrary to Policies G1, G18, T1.1. H1.2. H3.2. and H3.3 of the Barnet Adopted Unitary Development Plan (Adopted 1991) and Policies GBEEnv1, GBEEnv2, D1, D2 D3, D4, D5, D7 and H16 and H18 of the of the Barnet Revised Unitary Development Plan (Revised 2001).*

Appeal Dismissed.

3. Proposal

This application proposes to demolish the existing garages and replace them with a two-storey building to be used for B1 (office) Use. The scheme makes provision for one parking space, integral to the design of the building (open car port).

It would have a footprint of 114.5 sqm - comprising of a width of 16m, a depth of 7.3m, a min. height of 5.4m and a max. height of 6.2m, supporting a mono-pitch roof. It would feature rooflights and photovoltaic panels which would sit 5.8m and 6.4m in height.

The scheme is not dissimilar in design, bulk, mass and layout to the Office scheme that was allowed on appeal under Planning application reference: N01996H/07.

4. Public Consultation

Consultation letters were sent to 109 neighbouring properties and a site notice was displayed on 19.04.2018)

10 responses have been received, comprising XX letters of objection.

The objections received can be summarised as follows:

- Loss of privacy and overlooking.
- Loss of sunlight / daylight due to size of the development.
- Increased noise, disturbance and pollution from Office workers / Office use.
- Impact on parking in the area.
- Nuisance and disturbance during the construction phase.
- Does not benefit the local community.
- The development is not in keeping with the character and appearance of the area.
- Loss of trees.
- Adverse impact on nature conservation interests and biodiversity.
- The proposals are an overdevelopment of the site.
- The proposals would result in a loss of a view from the neighbouring residential properties.
- The site is not suitable for another business as it is already overcrowded.
- Loss of property value as a result of the development.
- The refuse arrangements are not appropriate.
- Loss of security in the area.

- Children exposed to foul language, smoking and other anti-social behaviour.
- Illegal operation of businesses outside of controlled hours.
- Unlikely to meet its energy and sustainability requirements.
- Increased noise and air pollution.
- Does not consider or accord with London Plan Policy D8 (Tall Buildings).
- The planning appeal process is not fair.
- The proposals are larger / taller than the previous scheme.
- No controls over how the building would be used.
- No detail on the number of Office workers to use the building.
- Increased traffic congestion generated by the proposed Office use.

4.1 Internal/Other Consultation

Highways Officer:

Raises no objections, subject to conditions.

Arboricultural Office:

Raises no objections, subject to conditions.

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.

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

London Plan Policies: 2.7, 4.2, 5.7, 7.6

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, CS6, CS8, CS9, CS12, CS13, CS14 and CS15
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM11, DM14 and 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 in the assessment of this application are considered to be the:

- Principle of providing office (use class B1) floorspace at the site.
- Impact on the amenities of neighbouring occupiers.
- Impact of the proposal on the character and appearance of the existing site and wider area.
- Refuse and recycling, parking facilities and the impact on highway and pedestrian safety
- Impact on trees

5.3 Assessment of proposals

i) Principle of providing office (use class B1) floorspace at the site

As noted in the site history section of this report, an application under reference: N01996H/07 was previously made in 2007 for the *"demolition of existing garages and erection of new 2 storey office development"* which was subsequently refused by the Local Planning Authority on 27.06.2007. An appeal was made by the applicant to the Planning Inspector, which was allowed on 01.04.2008 under the planning inspectorate appeal

reference: A/07/2057228/NWF. Officers consider that this decision, albeit determined under a superseded Local Plan policy set (Barnet Unitary Development Plan), bears significant weight in respect of the Local Planning Authority's assessment of the principle of Office development in this location.

Since the appeal decision, the National Planning Policy Framework (NPPF, 2012) has been introduced promoting the principles of sustainable development - outlining the National commitment to securing economic growth in order to create jobs and prosperity. It places significant weight on the need to support economic growth through the planning system. Section 2 is clear in stating that *it is important that needs for retail, leisure, office, and other main town centre uses are met in full and are not compromised by limited site availability*. At present in Barnet, it is recognised that there is a declining Office availability (LB Barnet Employment Land Review - October 2017), and that reducing stock, leading to rising rents, together with a lack of new investment, could encourage businesses to move away. Such is the situation that the Local Planning Authority has opted to propose an Article 4 direction on Prior Approval Office to Residential conversions in a bid to prevent the further diminishment of strategically important office space.

The applicant has suggested that the building would be suitable for 6-8 staff, although final occupancy cannot be determined at this stage. Given the size and floor space of the development, Officers consider it unlikely to provide capacity for a larger number of employees. Officers therefore make the recommendation that a condition be applied in the event of the application's approved limiting staffing numbers of the proposed building to 8 people.

It is considered that this Office (B1 Use) development would be sustainable development in accordance with the NPPF and would therefore provide a valuable employment space for a small-to-medium enterprise, located within the Chipping Barnet Town Centre - an appropriate strategic location that is well served by Public Transport (close High Barnet London Underground Station 0.1 mile / High Street-Barnet Hill main bus route). The development is complicit with the principles of policy DM14 of the Barnet's Local Plan Development Management policies, which seeks to ensure that development of this type is located in within strategically appropriate locations.

ii) Impact on the amenities of neighbouring occupiers

Similar to the previously allowed scheme the development would be 6.2m maximum in height (0.2m taller than the previously allowed scheme), with the ground floor being 16m in length (0.7m less than the previously allowed scheme) and the first floor the same, adjacent to no. 3 & 5's Normandy Avenue's boundaries.

Dimensionally, the proposed building would be marginally larger than the allowed scheme. This results from a 0.2m height increase in the tallest part of the mono-pitch roof (front facing edge); a first floor length that matches the ground floor - a 1.6m increase in length over the first floor of the approved scheme; and, a change in the roof form from the mansard to a mono-pitch roof, resulting in an infill on the rear side edge, as indicated by the dotted line in the plans. It is considered that these dimensional increases are not demonstrable to the extent that it would have a significant impact on the appearance of the development to the extent that the amenities of the neighbouring residents would be affected over and above the previously allowed scheme.

As noted by the Appeal Inspector, *both No. 3 and 5 Normandy Avenue are located some 18m away on elevated land due to the areas topography... the development would be*

situated on a lower level to these properties. I am unconvinced that the development would have an overbearing effect on no. 3 and 5's rear elevations, due to its distance and location. Furthermore, the Inspector went on to acknowledge that the development would be visible from both no. 3 and 5's private amenity space, but its impact would be at the lower end of the gardens. I saw the existing garage block from within no. 5's garden due to differences in ground levels. The garden is reasonably wide and deep, enclosed by a 2m high close-boarded fence and there is a garden shed. There is existing vegetation and trees which heavily screen the view of the appeal site. Thus, despite the application site being visible from No. 5's garden, it is considered that its impact would not be dissimilar to other solid enclosures.

It is therefore considered that the proposals would not amount to an overbearing form of development to the adjacent neighbours. Whilst the building and its siting would be more prominent than the existing garage buildings, as per the Appeal Inspector's conclusion, its location would not accentuate a sense of enclosure or appear unduly oppressive to the neighbouring residents as a result of its shape, size, bulk scale and form. As such, none of its dimensional aspects would give rise to loss of light and overshadowing to an extent that would warrant the application to be refused on these grounds.

iii) Impact of the proposal on the character and appearance of the existing property and wider area

The proposed building is of contemporary design, much like the appeal scheme which neither the Local Planning Authority or the Appeal Inspector raised any objection to. The development would only be visible to the existing commercial premises and neighbouring residential occupiers who currently overlook the site. The development would therefore have no notable impact on the main street scene of the High Street, Normandy Road or Bedford Avenue; and, due to the ground levels of the site, would not be overly prominent where it is sited. As per the Appeal Inspector's conclusion, the site would be read in close association with the adjoining commercial units rather than the wider residential area. Being similar to the allowed appeal scheme, it is considered that the development would not appear unduly cramped or overdeveloped within its plot. The siting, position, size and shape are all reasonably modest - relative to the appeal scheme - and it is also lower in height than the other commercial buildings nearby. As such, it is considered that the proposed scheme does not detract from the character and appearance of the site and its vicinity.

iv) Refuse and recycling, parking facilities and the impact on highway and pedestrian safety

The Council's Highways department was consulted on the proposed scheme in respect of refuse provisions, vehicle and cycle parking, and the impact on the local highway network. No objections were raised on the basis that the site lies within a PTAL 5 zone, which means that there is very good public transport accessibility to and from the site. The site also lies within a Controlled Parking zone (D) in operation Monday-Friday between the hours of 2-3pm.

Taking into account the proposed level of staffing in conjunction with good access to public transport and local amenities in the town, it is not considered that the development would result in unsafe highway conditions or an unacceptable level of congestion to the local Highway network.

iv) Impact on Trees

The Council's Arboricultural Officer was consulted on the application in respect of trees on site and around the site and raised no objections. Advice was offered that the loss of trees could be offset with replacement planting around the site resulting in minimal impact on visual tree amenity. A condition was recommended for the submission of a landscape plan showing ways to help 'green' the building' to add significant visual amenity value to the building in the longer term. Officers are in agreement with the Arboricultural Officer's advice and will recommend a condition accordingly, to ensure the development maintains a satisfactory appearance and accords with Policy DM01.

5.4 Response to Public Consultation

Officers have reviewed and considered all of the comments received through public consultation and have addressed these where possible in the above Officer assessment of the scheme. Other concerns can be addressed as follows:

- The capacity of the Office, determined by its reasonable size, is unlikely to result in a large number of workers going to and from the site and causing disturbance. It will provide local benefit by providing additional employment opportunities to the local area, which the current garages do not achieve.
- Loss of property value is not a material planning consideration and therefore outside the scope of consideration.
- The development is not considered to demonstrably increase the level of anti-social activity and crime within the area - but rather increase the level of natural security.
- Policy D8 (Tall Buildings) of the Mayor's London Plan is not intended for sites of this height and is therefore not applicable.
- Noise, pollution and general disturbance during the construction phase are not material planning considerations and are therefore outside the scope of consideration for this assessment.
- The planning appeal process is undertaken independent of the Local Planning Authority by the Planning Inspectorate. The Local Planning Authority therefore cannot comment on the on the processes and practices of this Government body.
- Anti-social behaviour and crime was not identified as a material planning issue previously in the approved scheme and therefore is not likely to be a materially significant matter in this scheme.

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 be sustainable development in accordance with the NPPF; and, 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.

Site Location Plan

