

Location **4 Green Lane London NW4 2NN**

Reference: **18/3509/FUL**

Received: 6th June 2018

Accepted: 11th June 2018

Ward: Hendon

Expiry 6th August 2018

Applicant: Dylon Development Ltd

Proposal: Demolition of existing building. Erection of a three storey building with rooms in roofspace and basement level to provide 6no self-contained flats. Provision of 6no off-street car parking spaces in basement area. Associated alterations to landscaping. Provision of refuse, recycling and cycle 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:

7062/ 01; 1804.1.EX.P00, 1804.1.EX.P01, 1804.1.EX.E01, 1804.4.PA.E01, 1804.4.PA.P01, 1804.4.PA.P02, Car Lift Drawing, Car Turntable Drawing, Planning Statement, CIL Document.

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

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

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

- 3 a) No development shall take place until details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) and any other

changes proposed in the levels of the site have been submitted to and approved in writing by the Local Planning Authority.

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

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

4 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.

5 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 October 2016) and 7.21 of the London Plan 2016.

6 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).

- 7 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 8 a) Before the development hereby permitted is first occupied, details of the subdivision 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).

- 9 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed 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).

- 10 The property shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 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.

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

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

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

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy 5.21 of the London Plan (2016).

- 12 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).

- 13 a) No development other than demolition works shall take place until details of all extraction and ventilation equipment to be installed as part of the development, including a technical report have been submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed using anti-vibration mounts. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

- 14 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

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 measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 7.15 of the London Plan 2015.

- 15 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).

- 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 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).

- 17 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.

- 18 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.

- 19 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.

- 20 Prior to the occupation of the development, a Maintenance Agreement for the operation of the car lifts [and shutters] must be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the Agreement thereafter.

Reason: In the interests of highway safety 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.

- 21 Before the development hereby permitted is occupied the car and cycle parking spaces shall be provided in accordance with the approved drawing 1804.4.PA.P02 and that area shall not thereafter be used for any purpose other than for the parking of vehicles and cycles associated with the development.

Reason: To ensure and promote easier access to the approved building 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 which in turn refers to London Plan Parking Standards.

- 22 a) Prior to the first occupation or commencement of the use of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 10% of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a further additional 10% of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

b) The development shall be implemented in full accordance with the details approved by this condition prior to the first occupation of the development or the commencement of the use and thereafter be maintained as such in perpetuity.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy 6.13 of the London Plan 2015.

- 23 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation 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 policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

Informative(s):

- 1 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.

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.

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.

2 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.

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 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.
- 6 The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.
- 7 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.
- 8 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licenses please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email highwayscorrespondence@barnet.gov.uk.
- 9 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.
- 10 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's refuse collection department is consulted to agree a refuse collection arrangement.
- 11 The applicant is 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 survey shall be undertaken 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

Officer's Assessment

Officer's Assessment

1. Site Description

The application site is situated on Green Lane, close to the junction with Brent Street in the Hendon ward of the borough. The site is occupied by a detached dwellinghouse which has been vacant for some time and as such there is hoarding up around the property. The area is predominantly residential, and the application property is situated between a single detached dwellinghouse and a flatted development, which wraps around the junction into Brent Street. The opposite corner on Green Lane/Brent Street also houses a flatted development. The property is served by a relatively generous garden which abuts properties on Danescroft Avenue and garages to a block of flats on that street.

The site is not located in a conservation area and the building on the site is not listed. There is a group of trees on the boundary with the block of flats. These trees are not subject to a Tree Preservation Order.

The neighbouring property at 6 Green Lane has been extended at the ground floor and basement and has a raised terrace to the rear at both ground floor and first floor levels. The block of flats is orientated in line with the road and its rear elevation is therefore orientated away from the property.

2. Site History

Reference: 16/1488/FUL

Address: 4 Green Lane, London, NW4 2NN

Decision: Approved subject to conditions

Decision Date: 27 July 2016

Description: Demolition of existing dwelling and erection of a 3 storey building involving basement, ground and first floor and rooms in roof space to facilitate the creation of 4 no self-contained residential units. Provisions for car parking, bicycle storage, refuse and amenity space.

Reference: 15/05634/FUL

Address: 4 Green Lane, London, NW4 2NN

Decision: Refused

Decision Date: 3 November 2015

Description: Demolition of existing dwelling and erection of new three storey dwelling to facilitate 4 no. self-contained flats, including car parking, cycle storage, refuse store and landscaping

Reference: W04887G/05

Address: 4 Green Lane, London, NW4 2NN

Decision: Approved subject to conditions

Decision Date: 17 January 2006

Description: Infill extension between both houses to link the two properties. Use of no.4 and 6 Green Lane as one single family dwelling-house.

Reference: W01130B/08

Address: 4 Green Lane, London, NW4 2NN

Decision: Approved subject to conditions

Decision Date: 14 April 2008

Description: Part single, part two storey rear extension, including enlargement of internal swimming pool and rear balcony. Side and rear dormer windows. Conversion of integral garage to habitable room and bay window to front.

Reference: W04887F/05

Address: 4 Green Lane, London, NW4 2NN

Decision: Refused

Decision Date: 17 November 2005

Description: Infill extension between both houses to link the two properties. Use of no's 4 and 6 Green Lane as one single family dwellinghouse.

3. Proposal

The application relates to the demolition of the existing dwelling and erection of a 3 storey building involving basement, ground and first floor and rooms in roof space to facilitate the creation of 6 no self-contained residential units. Provisions for car parking, bicycle storage, refuse and amenity space is also included.

The building would have a mansard style roof with 3 No. dormer windows in the roof on the front elevation and two balconies at first (x1) and second floor (x1) on the rear elevation. The accommodation provided would be as follows;

1 x 3-bed 5 person
2 x 2-bed 4 person
2 x 2-bed 3 person
1 x 1-bed 2 person

Units 1 and 2 would be provided between the basement and ground floor with 2 units at first floor level and another 2 in the roofspace of the building.

6 car parking spaces and cycle parking facilities would be provided in the basement area. Communal amenity space would be provided to the rear. A gated entrance would provide access/egress onto Green Lane.

As the planning history details, there is an extant permission for a 4 unit scheme (16/1488/FUL). The main differences with this scheme, as recorded in the supporting Planning Statement are;

Increase in number of dwellings from four to six.

Alterations to rear elevation to increase size of balcony areas at first floor level and introduction of rear inset balcony area at second floor level.

Alterations to rear windows at second floor level.

Additional roof light on north elevation.

Alteration to siting of roof lights on south elevation.

Changes to internal layouts.

Changes to private amenity space areas.

Change to siting of car lift - allows increase in soft landscaping at the front.

Increase in number of basement car parking spaces from 4 to 6 spaces.

Provision of 11 cycle spaces in the basement.

Introduction of bedrooms at basement level.

Removal of walk on glass planks - allows for more light and outlook from basement accommodation.

The main changes are the increase in units and the reconfiguration of internal space to accommodate this. The overall design of the building and the general concept would not significantly alter.

4. Public Consultation

Consultation letters were sent to 186 neighbouring properties.

9 responses have been received

The comments received can be summarised as follows:

- Insufficient parking.
- Concern about highway safety and potential traffic problems from the increased vehicles.
- Concern about potential impacts on neighbouring properties from a basement development, a Basement Impact Assessment is necessary.
- Overdevelopment of the site.
- The tree in the rear garden should be protected.
- Potential overlooking of garden areas on adjoining properties.
- Increased congestion and air pollution.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance 2018

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.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The revised National Planning Policy Framework (NPPF) was published on 24th July 2018. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth. It is a material consideration in planning decisions.

Existing policies in Barnet's Local Plan (2012) and the London Plan (2016) should not be considered out-of-date simply because they were adopted prior to the publication of the revised NPPF. Due weight should be given to them, according to their degree of consistency with the revised NPPF.

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.

Draft London Plan

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 2016 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.

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

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)
Residential Design Guidance SPD (Adopted 2013)

- 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:

- The principle of the proposed development
- The impact on the character and appearance of the application site and surrounding area
- The impact on the amenity of future and neighbouring residents

- The impact on highway safety and whether the proposal would provide a sufficient parking allocation
- Other material planning considerations

5.3 Assessment of Proposals

The principle of the proposed development

A material consideration of significant material weight is the planning history of the site. Application 16/1488/FUL granted consent for the redevelopment of the site for a residential block of flats, 3 storeys in height with a basement area and communal amenity space to the rear. This approval has settled the principle of redevelopment for flats.

There are a number of other properties in the immediate area that are purpose built flatted developments including the adjacent property Holmbush Court and the property opposite Hendon House, Danescroft sits behind the site and is a large flatted development. As such it is considered that flats are acceptable in this location. This part of the street is considered to be situated in a transitional position with the rest of Green Lane being a more single family dwellinghouse orientated area. Given the site specific circumstances it is considered that flats on this site is acceptable.

The principle of the demolition of the existing dwellinghouse is accepted; the property is not within a Conservation Area and is not of particular architectural merit to warrant its retention subject to an appropriate replacement.

The main consideration will be the increase to a 6 unit scheme and the incumbent policy and standard requirements from national, regional and local policy which will be engaged. These issues will be discussed below.

The impact on the character and appearance of the application site and surrounding area

The National Planning Policy Framework 2018 reiterates the original guidance from the 2012 version stating 'the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'.

In addition to the NPPF, Policy CS5 of the Core Strategy states that the Council 'will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design'. In addition to this, Policy DM01 of the Council's Development Management Policies 2012 states that 'development proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets' development (should) demonstrate a good understanding of the local characteristics of an area. Proposals which are out of keeping with the character of an area will be refused'.

Design

The proposed design does not significantly alter from the extant permission. Balcony areas would be increased on the rear elevation, but this would play no part in influencing the appearance of the building or the character of the area. The proposed roof configuration references the adjoining building to the west and the eaves level continues at the same level of this building. The bulky roof served by front dormer windows is part of the locally established character. The adjoining flats, Holmbush Court, introduces local variation which

allows greater scope for differing designs. The proposed building would not appear out of place and would assimilate successfully into the local established character of the area. As the predominant material on site will be brick, this is considered to suitably allow the proposal to integrate successfully within the streetscene.

Density

With regards to density, Barnet's approach is to optimise housing density in order to achieve appropriate development. This is set within the context of the Sustainable Residential Quality Density Matrix in Table 3.2 of the London Plan. The proposal will see an increase on the site from 4 to 6 units. Given the local context and the fact that multiple unit sites are commonplace, the increase in density is generally acceptable, subject to individual unit sizes being acceptable and that there are no amenity concerns for either future or existing residents. Appropriate density is also expressed through acceptable and effective layout, parking, amenity and design and this scheme is considered to provide an appropriate compliance with these requirements.

Layout

The layout of the proposed scheme is considered to broadly follow the layout of the existing building, with in this case communal amenity space to the rear. The layout is relatively conventional for a flat development and in keeping with the established character of the area. The proposed front building line would follow the existing layout and the step up in height to Holmbush Court is considered to provide an appropriate transition within the streetscene. There is scope for some soft landscaping to the front which will soften the impact of the development.

Scale and Massing

The proposal consists of a three storey building, with the third storey the habitable roofspace. This is not out of character with the neighbouring sites and would result in an appropriate replacement for the existing building.

The impact on the amenity of future residents

The proposed works would now result in the creation of 6 new flats. 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. In terms of the amenity for future occupiers, the Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. Table 3.3 within Policy 3.5 of the London Plan 2016 provides minimum space standards for new dwellings. Each of the proposed flats would meet the minimum space requirements.

Daylight/Sunlight

All habitable rooms will receive adequate daylight/sunlight. The replication of layouts over the residential floors would largely avoid inappropriate stacking and would help reduce potential noise disturbance by avoiding bedrooms overlapping living rooms.

Outdoor Amenity Space

The Supplementary Planning Document: Sustainable Design and Construction states that for each habitable room 5 square metres of amenity space should be provided. With a large, sufficiently private, and useable rear amenity area the proposed development is considered to address this policy requirement. It is also considered that the proposed flats would have access to sufficient amenity space with access to the rear garden from the side passage which will be communal for each of the flats. In addition there will be private balconies/terraces/patio areas for each unit.

Internal Space Standards

Once again it is considered the proposed flats meet the minimum space standards as set out in the London Plan and would provide sufficient outlook and access to light for habitable rooms. One of the key changes with this proposal is that habitable rooms are now proposed in the basement. However the bedrooms would be served by lightwells and at 14/15 sq. m are spacious. Furthermore direct access is provided to a sunken patio area. It is considered that the amenity level of these rooms is to a suitable standard.

Noise Impacts

In terms of noise it is not considered that the proposal will give rise to significant comings and goings in close proximity to surrounding residential occupiers to an unacceptable degree. The proposal to provide 6 self-contained flats is considered to be acceptable given the site context and the busy nature of Green Lane and the adjacent Brent Street.

Details of noise from ventilation and extraction equipment for kitchens, bathrooms etc. can be secured by way of condition.

Impact on the amenity of neighbouring residents

The proposed depth of the building will increase from the existing position. Under application 16/1488/FUL amendments were sought which reduced the depth to what was considered an appropriate level. As this application involves an internal reconfiguration of the approved building, the overall depth does not alter and remains acceptable.

The distance of the closest windows in the development will be 10.4m from the common boundary with 20 Danescroft Avenue, this is considered a satisfactory distance to ensure there is no overlooking between the sites. Also to the rear is the car parking area serving the flatted development at Danescroft which would therefore result in no material impact.

An inset dormer would replace the previously approved 2 rear dormer windows. Whilst a balcony area is now accessible, given the separation distance and boundary screening, there should be no significant impact on the amenity of residents of No.20, or other adjoining properties.

There is considered to be a satisfactory relationship between the proposal and surrounding buildings.

The overall form and massing does not significantly change and the original analysis of application 16/1488/FUL, below, is still relevant;

"By virtue of its scale, siting and design it is considered that the development would not impact adversely on any neighbouring properties access to light or have an overbearing impact on neighbouring properties to an extent that would warrant the refusal of the

application on these grounds. Furthermore, it is considered that the proposed fenestration would not result in any direct overlooking to the neighbouring properties to an extent that would warrant the refusal of the application on these grounds".

The impact on highway safety and whether the proposal would provide a sufficient parking allocation

The Highways Authority advise;

"The proposal is for the demolition of the existing building with rooms in the roof space and basement to provide 6x self-contained units comprising of 1x1bed unit, 4x2beds and 1x3bed, with the provision of 6x off-street car parking spaces.

The site lies within a PTAL 3 zone, which means that there is good public transport accessibility to and from the site. There is no Controlled Parking in operation on the roads surrounding the site.

Taking into consideration the following;

- It is located within a town centre location
- It is within walking distance of local amenities
- The site lies within a PTAL 3 site, which is considered to be good public transport accessibility

Also taking into consideration the comments made for a similar application on the same site (ref. 16/1488/FUL), the proposed is not expected to have a significantly detrimental impact on the surrounding public highway and is therefore acceptable on highways grounds. Cycle parking provision is acceptable."

In response, officers conclude that the proposed car parking would satisfactorily accommodate the parking demand for the development while the cycle parking would also accord with London Plan standards. The car parking is accessible via a parking lift at the forecourt which has access and clearance off the highway to prevent waiting on the highway. There is a condition on the permission requiring a maintenance agreement for the lift. Access from the car lift at basement level to the dwellings would be through a lobby, lift and staircase at basement level.

There are no highway objections to the proposal subject to conditions and informatives.

The provision of refuse storage, sustainability and access.

Refuse storage provision for the proposed development will be kept at the front of the property on the boundary and would therefore be easily accessible for those collecting the refuse and waste.

The development is accessible at all levels by lift and is therefore M4(2) compliant. Conditions are imposed to that effect. In addition, the proposed development would also be required to reduce Co2 emissions by at least 6% and provide for limitations for water consumption.

5.4 Response to Public Consultation

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

The traffic and development team have reviewed the application and consider that the proposal is acceptable from a highway/parking perspective. Under the submission, it has been demonstrated that 6 units could be accommodated and in that respect the proposal represents a more efficient use of a previously developed site and is not considered an overdevelopment.

A basement impact assessment is not considered wholly necessary in this case and any works close to a common boundary will be bound by the Party Wall Act 1996 and require suitable conformity with building control regulations.

A hard and soft landscaping scheme will be requested by condition, the option of retaining the tree can be considered, but given the desire to achieve useable amenity space an open expanse of grass is often the most suitable arrangement.

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

In light of the above appraisal, it is considered that a case for the amended scheme has been made and 6 units could be successfully accommodated on site. It is therefore recommended that this application is approved subject to conditions.

