

**Location**                      **128 Nether Street London N3 1NS**

**Reference:**                      **18/5160/FUL**

Received: 21st August 2018

Accepted: 3rd September 2018

Ward:                              West Finchley

Expiry 29th October 2018

Applicant:                      Mr D Malatto

Proposal:                      Conversion of existing dwelling into 7no self-contained flats following part single, part two storey side and rear extension. Demolition of existing garage and shed. Associated parking, amenity space, refuse and cycling store and landscaping

**Recommendation:** Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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:

- 4561-20 (Existing Ground Floor Plan)
- 4561-21 (Existing First and Second Floor Plans)
- 4561-22 (Existing Front and Side Elevations)
- 4561-23 (Existing Rear and Side Elevations)
- 4561-24 (Existing Block Plan)
- 4561-25 A (Proposed Ground Floor Plan)
- 4561-26 (Proposed First Floor Plan)
- 4561-27 (Proposed Second Floor Plan)
- 4561-28 (Proposed Roof Plan)
- 4561-29 (Proposed Front Elevation)
- 4561-30 (Proposed Rear Elevation)
- 4561-31 (Proposed Side Elevation)
- 4561-32 (Proposed Side Elevation)
- 4561-33 A (Proposed Block Plan)

Design and Access Statement

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 existing attractive period property 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) 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).

- 6 a) No development other than demolition works shall take place on site until a noise assessment, carried out by an approved acoustic consultant, which assesses the likely impacts of noise on the development, including the London Underground Line, and measures to be implemented to address its findings 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 amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016) and 7.15 of the London Plan 2016.

- 7 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).

- 8 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 prior to the occupation of the hereby approved development.

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.

- 9 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

- 10 Before the development hereby permitted is first occupied or the use first commences the parking spaces shown on Drawing No. 4561-33 A shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2016.

- 11 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.

- 12 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).

- 13 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).

- 14 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

- 15 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.

- 16 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).

- 17 a) Before the development hereby permitted is first occupied, the amenity area(s) shall be provided in accordance with the details shown on the approved plans.
- 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).

#### **Informative(s):**

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The 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](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 4500.

- 3 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](http://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](mailto:cil@barnet.gov.uk).

Relief or Exemption from CIL:

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

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

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6314/19021101.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

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

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

- 4 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.
- 5 The applicant is advised that proposed gates should not open outwards onto the public footway/highway as this could cause health and safety issues for pedestrians/road users.



## **Officer's Assessment**

### **1. Site Description**

The application site is located on the north-western side of Nether Street, within the ward of West Finchley. The site consists of a large two-storey, semi-detached dwelling house with a large rear garden. There is an existing vehicular access leading to a single parking space and small single-storey garage.

The area surrounding is predominately residential with a variety of building types and forms and a range of single-family dwellings, flats conversions and purpose-built flatted developments. On the opposite side of Nether Street to the east there is a Nursery and Infant School and the northern line underground tracks run along the north-west (rear) of the site.

The existing building is not locally or statutory listed and the site does not lie within a conservation area.

### **2. Site History**

No previous planning history.

### **3. Proposal**

The application seeks permission for the erection of part-single, part two-storey side and rear extensions in order to facilitate the conversion of the existing property into 7no. self-contained flats. The proposal consists of the demolition of the existing shed and garage to create a new vehicular driveway in the site, providing access to 9 parking spaces at the rear of the site. The scheme also includes the provision of associated private and communal amenity space, refuse and recycling store and cycle spaces.

The proposal has been amended during the application process. The changes are as follows:

- Alteration to proposed rear parking area so that it is moved off the immediate rear boundary, allowing for the existing trees to be retained;
- Removal of 2no. side windows of proposed ground floor flats 1 and 2; and
- Submission of revised block plan to accurately reflect proposed layout.

### **4. Public Consultation**

Consultation letters were sent to 63 neighbouring properties.  
5 responses have been received, comprising 5 letters of objection.

The objections received can be summarised as follows:

- Concern about the finished exterior of this Arts and Crafts property and that potential proposed new external materials will compromise this extremely attractive period property;
- Impact on light and overview view from The Laurels;
- Disruption during construction phase;
- Loss of trees;
- Increase in traffic;

- impact from proposed construction works; demolition of existing load bearing walls and rebuilding of new; digging of deeper foundations and interference with shared chimney.

## **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 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.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. 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

#### 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, CS9, CS14, CS15
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM17

## Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

Sustainable Design and Construction SPD (adopted October 2016)

### **5.2 Main issues for consideration**

The main issues for consideration in this case are:

- Principle of flatted development;
- 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;
- Provision of adequate accommodation for future occupiers;
- Access and parking;
- Any other material considerations.

### **5.3 Assessment of proposals**

#### Principle of development

In assessing whether flats are appropriate in this location, Barnet policy DM01 states that consideration should be given to the character of the road and where proposals involve the loss of houses in roads characterised by houses, this will not normally be appropriate.

From conducting a site visit, it is evident that there is a mixture of residential properties consisting of family dwellings, flats conversions and purpose built flatted developments. In particular, to the south-west there is a flatted building (The Laurels) and adjacent to the adjoining site to the north, there is a large modern flatted development (Westleigh Court).

As such, Officers consider that the loss of the family dwelling and conversion of the property into flats would not have a significant impact on the character of the surrounding area. The principle of development is therefore considered to be acceptable subject to compliance with all other material considerations.

#### Impact on character and appearance

Barnet policy DM01 expects that development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

It is acknowledged that the existing dwelling is an attractive period property. The proposed extensions would be stepped back, recessed and lowered at many points in order to maintain the prominence of the main building. It is considered that the proposed extensions appear visually subordinate to the existing property and do not detract from its overall character. At the rear, it is acknowledged that there is a large gable on the rear elevation as a result of the proposed development. However, taking into account that the rear elevation has limited public views, facing onto the underground tracks, its overall scale, bulk and appearance is considered, on balance, to be acceptable.

In terms of the proposed car parking arrangement in the rear garden, there is a similar arrangement on the site adjacent to the adjoining property. The proposed parking at the rear of the site, adjacent to the underground tracks is considered to be an appropriate location

which still results in a significant level of soft landscaping at the rear of the site. The use of appropriate hardstanding materials could be used to mitigate or reduce its overall impact.

Overall, the proposal is considered to be appropriate in terms of scale, massing, bulk, height and external finish and would not have a harmful impact on the character and appearance of the existing property or street scene.

#### Impact on amenity of neighbouring occupiers

New development should have due regard to the amenity of existing occupiers in neighbouring buildings.

There are residential occupiers on either side of the application site: The Laurels (flats) is located to the south and No.126 (single dwelling) to the north.

In terms of the potential impact on No.126, the proposed rear extension begins to project approximately 6m away from the shared boundary and as such, the proposal is not considered to have a detrimental overbearing impact or result in the loss of light. There are no proposed directly facing windows onto this site. Concerns were raised about the potential demolition and construction impacts on the adjoining property. However, the structural integrity of the building would be a matter dealt with by Building Control and the Party Wall Act.

With regards to the impact on the units to the south at The Laurels, the proposed side extension element would project closer by approximately 5m. However, this would only reflect the ground floor impact, as the first floor is set back another 3m from the proposed ground floor extension. The proposed separation distances would be 12.5m to the side elevation of No.130 at ground floor level and 15.5m at first floor level. Taking into account the proposed separation distances and the proposed pitched roofed elements of the proposed extensions, it is not considered that the proposal would detrimentally affect the daylight or sunlight of the windows facing the application site. There is a small balcony area proposed at first floor built into the side pitched roof. Given its size and design, it is not considered to result in significant levels of overlooking.

Overall, the proposed development is not considered to have a harmful impact on the residential amenities of neighbouring occupiers.

#### Provision of adequate accommodation for future occupiers

All residential development is expected to comply with the minimum space standards as advocated within the Sustainable Design and Construction SPD and the London Plan.

All of the proposed units would comply with or exceed the minimum internal space standards. Six of the seven proposed would benefit from dual aspect outlooks, with each flat having large windows. It is considered that every flat would receive a good level of daylight and sunlight.

In terms of stacking, the proposal has in most instances, rooms with similar uses sited on top of each other. There are a few instances where bedrooms are located over living/ kitchen rooms but this is not considered to be a significant noise issue. There is only 1 potential conflict where a first floor living / kitchen is located over a ground floor bedroom. However, these rooms are located within the new build section of the proposal. It is considered that

any potential noise can be mitigated and insulated more efficiently as part of the new build construction.

With regards to outdoor amenity space, all new residential development is expected to provide suitable and useable outdoor amenity space for future occupiers. For flats, the provision is calculated at 5sqm per habitable room as set out in the SPD. The three proposed ground floor flats would be provided with private amenity spaces with the upper level flats having access to a large communal garden of 316sqm. The level of outdoor amenity provision is considered to be acceptable.

Overall, the proposed level of accommodation for future occupiers is considered to be acceptable.

### Highways

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, requiring that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 sets out the parking standards that the Council will apply when assessing new development.

Policy DM17 sets out the parking standards as follows for residential use:

For 1 bedroom units	0.0 - 1.0 space per unit
For 2 and 3 bedroom units	1.0 - 1.5 spaces per unit

The scheme proposes 9 car parking spaces to serve 7 units, comprising of 4 x 1-bed, 2 x 2-bed and 1 x 3-bed. The Council's Traffic and Development service has reviewed the proposed development and comments that the proposed number of spaces is in accordance with the requirements set out in Barnet policy DM17.

The proposed new driveway will be accessed via the existing cross-over.

Overall, the proposal is acceptable on highways grounds.

### Other material considerations

Concerns have been raised in relation to the loss of existing trees and landscaping. Whilst none of the existing trees are safeguarded under Tree Protection Orders, their loss could be mitigated or enhanced through new landscaping planting. A condition will be inserted to ensure that a landscaping scheme is submitted and approved by the Local Planning Authority. The proposal has been amended to ensure the retention of the trees along the rear of the site as they provide a buffer between the site and the underground tracks.

## **5.4 Response to Public Consultation**

**Concern about the finished exterior of this Arts and Crafts property and that potential proposed new external materials will compromise this extremely attractive period property** - Considering that the property is an attractive period property, it is considered reasonable that the applicant submits details of the proposed materials for approval.

**Impact on light and overview view from The Laurels** - This has been assessed in the report and not found to have a detrimental impact on these properties.

**Disruption during construction phase** - A condition seeking the submission of a 'construction management plan' will be attached, requiring the submission of details relating to construction vehicles and noise and dust mitigation. This will be reviewed by the Council's Environmental Health and Highways Officers.

**Loss of trees** - None of the existing trees are statutory protected, however, the loss of any trees will be expected to be appropriately compensated within the proposed landscaping measures for the site.

**Increase in traffic** - The proposal retains the site in residential use and while there is an intensification of the site, the proposed levels of associated vehicles is not considered to be significant.

**Impact from proposed construction works; demolition of existing load bearing walls and rebuilding of new; digging of deeper foundations and interference with shared chimney** - This will be covered by Building Control and the Party Wall Act.

## **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 or future occupiers. The proposal is considered to comply with the relevant highways requirements. This application is therefore recommended for approval.

