

Location **1 Holly Park London N3 3JA**

Reference: **19/5098/FUL** Received: 18th September 2019

Accepted: 20th September 2019

Ward: Finchley Church End Expiry 15th November 2019

Applicant: n/a

Proposal: Extension to roof to create 1no additional self-contained residential unit and 1no balustrade balcony to front elevation and 1no rear dormer window. Erection of a two storey rear extension above existing undercroft parking to create 2no self-contained residential units. External alterations to existing building including alterations to windows and balconies and alterations to render. Associated car parking, cycle store, and refuse/recycle store

Recommendation: Approve subject to s106

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 their absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. 1. Greenspace Contributions - £ 60,260, Capital Asset Value for Amenity Trees (CAVAT) is £26,674 for T1 and T2 £33,606 for T2. These moneys would be sought and spent on tree planting elsewhere within the vicinity of the site should the health of the existing two trees be compromised as a result of the proposed development within a period of five years of the completion of the development.

2. Section 106 Monitoring contribution: £1,205.20

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director – Planning and Building Control approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director – Planning and Building Control:

1. 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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Existing drawings

GA/1412/001/A; GA/1412/002/A; GA/1412/010/A; GA/1412/011/A;
GA/1412/012/A; GA/1412/013/A; GA/1412/014/A

Proposed drawings

GA/1412/002/c; GA/1412/021/c; GA/1412/022/e; GA/1412/023/e;
SK/1412/101 rev d; GA/1412/024/c; GA/1412/031/c; GA/1412/033/d;
GA/1412/035/d; GA/1412/037/d' SK/1412/100

- Planning Statement by CMA Planning dated September 2019
- Design and Access Statement by Thinkingspace Architects dated September 2019
- Townscape Assessment by CMA Planning dated September 2019
- Arboricultural Report by David Clarke Consultant Arboriculturist Limited dated July 2018

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).

3. a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard

surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 5.13; 6.3; 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

5. 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); CS14 of the Adopted Barnet Core Strategy DPD (2012), and 5.17 of the London Plan (2016).

6. 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.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of 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, noise 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 5.21, 5.3, 6.3; 5.18, 7.14 and 7.15 of the London Plan (2016).

7. The development hereby approved shall not be occupied until the existing crossover access been moved slightly west and the new crossover constructed in accordance with the plans submitted to and approved by the Local Planning Authority (Drawing no: GA/1412/021/C- proposed ground floor plan). The existing redundant crossover(s) is to be reinstated to footway level in accordance with the approved details by the Highway Authority at the applicant's expense. The applicant will be required to obtain a s184 licence with the council for the works.

Reason: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of general safety on the public highway and in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012

8. The building shall not be occupied until 7 parking space(s) have been laid out within the site in accordance with the approved plans and the spaces shall not be used for any other purpose other than the parking of vehicles in connection with the approved development.

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

9. Prior to occupation of the development full details of the electric vehicle charging points to be installed in the development shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include provision for not less than 20% of the approved residential parking spaces to be provided with active electric vehicle charging facilities and 20% passive electrical charging facility. The development shall be implemented in full accordance with the approved details prior to first occupation and thereafter be maintained as such. This equates to 2 active and 1 passive electric vehicle charging points.

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.

10. Details of cycle parking including the type of stands, gaps between stands, location and type of cycle store proposed shall be submitted to and approved in writing by the Local Authority. Thereafter, before the development hereby permitted is occupied, 9 (long stay) cycle parking spaces in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

11. 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.

12. a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to 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 details approved under this condition.

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

13. 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.

14. a) Prior to commencement of works onsite, details of the results of Tree Root Radar survey of the land shown within the root protection area of T1 & T2 of the submitted Tree Protection Plan drawing number TPP/1HHPFL/010/A shall be submitted to and approved by the Local Planning Authority in writing.

b) Prior to commencement of works onsite, a scheme of foundations based on the results of the tree root radar survey, which minimises harm/loss of tree roots close to the development, shall be submitted to and approved by the Local Planning Authority. The foundation design must be verified by a qualified engineer.

The works shall be carried out in accordance with the details approved.

Reason: To safeguard the health and roots of existing trees within the public highway 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.

15. 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).

16. 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.

17. 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 25% 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 (2016) and the 2016 Mayors Housing SPG.

18. a) No development shall take place until a scheme of proposed noise mitigation measures against externally generated traffic noise has been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the amenities of occupiers are not prejudiced by traffic in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013), and 7.15 of The London Plan 2016.

19. a) Before development commences, a scheme of proposed air pollution mitigation measures shall be submitted to and approved in writing by the Local Planning Authority.

b) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD, and Policy 5.3 of the London Plan 2016.

RECOMMENDATION III:

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 1st November 2020 unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to meet the costs of replacement street trees. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Planning Obligations 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. 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.
 1. Your attention is drawn to the need to provide facilities for the disabled, as set out in Building Regulation Part M Access & Facilities for Disabled Persons. A copy of Part M is available via the Planning Portal at <http://www.planningportal.gov.uk/buildingregulations/>.
 2. The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting

a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a payment under Barnet CIL.

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

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

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

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

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

Relief or Exemption from CIL:

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

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

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

3. 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. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk
4. Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
5. 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.
6. 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.
7. 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.

8. 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>.
9. The applicant is required to submit a Street Works Licence application to the Development and Regulatory Services, 2 Bristol Avenue, Colindale NW9 4EW, 4-6 weeks before the start of any works on the public highways.

As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the

surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

11. Surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
12. The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

The details of acoustic consultants can be obtained from the following contacts:

a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

- 13 The applicant is advised to carry out a “before” and “after” condition survey of the footway within in the vicinity of the site (distance to be agreed). The “before” survey should be submitted to and approved in writing by Local Highway Authority prior to the commencement of the development. The “after” survey should be completed three months before the completion of the development and thereafter submitted to and approved in writing by the Local Highway Authority. Any recommended works necessary to reinstate the condition of the agreed section of footway to that identified within the “before” survey shall be implemented as approved following completion of the development.

This is to ensure that the road is maintained in a suitable condition in order to minimise danger, obstruction and inconvenience to users of the highway.

14. Tree and shrub species selected for landscaping/replacement planting provide long term resilience to pest, diseases and climate change. The diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below.

“An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. In the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine.”

Officers Assessment

1.Site Description

The application site forms a four-storey purpose built block of flats (with rear car parking area for 6no. off-street car parking spaces) containing 4no. self-contained flats on the north side of Holly Park at the junction with Regents Park Road within the ward of Finchley Church End. The surrounding area is predominantly residential in character, with Regents Park Road including a mixture of detached houses, semi-detached houses and blocks of flats. The side streets leading off Regents Park Road, including Holly Park, are characterised by detached and semi-detached housing. The site is not located within a CPZ zone. The site is located within an area with a PTAL of 3. The application site is not located within a conservation area, although it lies opposite the College Farm conservation area, nor is it within proximity to any listed structures or historical monuments.

2. Site History

Ref no: 18/7372/FUL

Description: Extension to roof to create 1 no additional self-contained residential unit and 1 no balustrade balcony to front elevation and 1no rear dormer window. Two storey rear extension above existing undercroft parking to create 2 no self-contained residential units. External alterations to existing building including alterations to windows and balconies and alterations to render. Associated car parking, cycle store, refuse/recycle store and garden space

Decision date: 11 February 2019

Decision: Refused

Reasons:

1. The proposed two storey rear extension, by reason of its size, scale, siting, design and close proximity to the boundary with Holly Park would result in an incongruous, discordant and visually intrusive and uncharacteristic form of development, layout and pattern of development detrimental to the character and appearance of the area, contrary to Policy DM01 of the Development Management Policies (2012), Policy CS5 of the Barnet Core Strategy (2012), Policies 7.4 and 7.6 of the London Plan (2016) and the guidance contained within Barnet's Residential Design Guidance Supplementary Planning Document (2016).
2. The proposed two storey rear extension, by reason of its size, scale, design, siting and close proximity to the side and rear elevations no. 116 Regents Park Road would result in an increased sense of enclosure and loss of outlook detrimental to the residential and visual amenities of the occupiers of the residential flats at this property, contrary to Policies CS NPPF, CS1 and CS5 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the

Local Plan Development Management Policies DPD (adopted September 2012), and the Residential Design Guidance SPD (adopted October 2016).

Ref no: C06342G/03

Description: Demolition of existing building and erection of three-storey plus basement block comprising 4no. self-contained flats, provision of 6no. off-street parking spaces accessed from Holly Park.

Decision Date: 14/11/2003

Decision: Approve with conditions

Ref no: C06342J/05

Description: Submission of details of levels (Condition 4), materials (Condition 5), site enclosure (Condition 6), refuse storage (Condition 7), hard and soft landscaping (Condition 10) and cycle parking (Condition 14) pursuant to planning permission C06342G/03 dated 14.11.03. Variation to condition 2 involving repositioning of car parking and turning spaces.

Decision Date: 21/03/2005

Decision: Approved subject to conditions

Reference: F/03618/11

Description: New roof including dormer windows with Juliet balconies to front elevation to create 1no self-contained flat.

Decision Date 18.10.2011

Decision: Refused

Reason(s)

1. The proposed development would, by reason of its size, bulk, mass, siting and design result in an overdevelopment, visually detrimental to the character and appearance of the existing street scene and general locality, contrary to policies GBEnv1, GBEnv2, D1, D2, D3, D4 and H16 of the Barnet Adopted Unitary Development Plan (2006).
2. No formal undertaking is given to the Council, as a result the proposed development would, by reason of the developer not meeting identified additional education, health and library facilities, and the associated monitoring costs which would be incurred by the community as a result of the development, contrary to Policies CS2, CS8, CS13, IMP1 and IMP2 of the adopted Unitary Development Plan and the adopted Supplementary Planning Documents 'Contributions to Education', 'Contributions to Health Facilities', 'Contributions to Libraries' and "Planning Obligations".

3. Proposal

The proposal is for an extension to roof to create an additional 1no. bed (1 person) self-contained residential unit and 1no balustrade balcony to front elevation and 1no rear dormer window.

The proposal is also for the erection of a two-storey rear extension above existing undercroft parking to create 2 x 1 bedroom (1 person) self-contained residential units).

The proposed would make provision for 7 car parking spaces, cycle store and refuse/recycle store.

The proposed unit sizes are as follows:

Unit 1: 1no bed (1 person): 51sqm

Unit 2: 1no bed (1 person): 51sqm

Unit 3: 1no. bed (1 person): 45sqm

The proposals also include a range of external alterations to the exiting building to enhance its appearance, including up-grading the existing timber balconies with glass balustrades; re-cladding the rendered stair core with standing-seam zinc cladding; new brown brick to match the existing building; and new grey aluminium framed windows.

4. Public Consultation

Consultation letters were sent to 137 neighbouring properties on 26.09.2019. A site notice was published on 03.10.2019.

6no. letters of objections were received on the following grounds:

- The proposed design of the development is visually intrusive and not in keeping with the character of the area.
- Loss of privacy to adjoining neighbouring occupiers, compromise amenity value to existing occupiers onsite;
- Congestion, parking overspill onto Regents Park Road and Holly Park;
- Air pollution;
- Inadequate space for refuse provision;
- Inaccuracies with the submission documents; and
- Overdevelopment of the site

All planning matters raised were considered and addressed as part of the decision-making process. All representations have been summarised in the Officers report.

Statutory Consultees

LBB Highways Officer:

The proposed development is considered acceptable, subject to following conditions:

- Details of cycle parking including the type of stands, gaps between stands, location and type of cycle store (9 long stay cycles);
- Details of a secure location of the bin store for refuse and recycling facilities;
- Demolition and Construction Management plan;
- Relocation of the existing crossover access to be moved slightly west and the new crossover constructed in accordance with the plans;

- The existing redundant crossover(s) is to be reinstated to footway level in accordance with the approved details by the Highway Authority at the applicant's expense;
- 7 car parking space(s) to be laid out within the site in accordance with the approved plans; and
- Details of the electric vehicle charging points to be installed (not less than 20% of the approved residential parking spaces to be provided with active electric vehicle charging facilities and 20% passive electrical charging facility). This equates to 2 active and 1 passive electric vehicle charging points.

LBB Arboricultural Officer:

The two existing mature trees on the highway by the site are not protected by Tree Preservation Orders (TPOs). Notwithstanding, the proposal could have an impact on the health of on both trees respectively. In order to ensure that the roots and overall health of the trees are adequately protected, the following conditions are recommended:

- Details of Levels changes onsite;
- Hard and soft landscaping;
- Details of excavation for services to prevent harm to trees growing close to the development;
- Tree protection and method statement to prevent harm to the trees close to the development; and
- Details of foundation works to protect the roots growing within the public highway

LBB Greenspaces Team

Whilst every effort would be made to protect the trees in situ, it is necessary to consider all eventualities. Should the proposal result in substantial root damage to the point where the tree(s) would require removal, the applicant would be required to make a payment of the Tree Amenity Values for the respective trees to the Local Planning Authority. The indicative Capital Asset Value for Amenity Trees (CAVAT) is £26,674 for Tree 1 (T1) and T2 £33,606 for Tree 2 (T2). These moneys would be spent on tree planting within the immediate vicinity of the site.

A clause would be included within a Section 106 Agreement to secure the above CAVAT financial obligation, if the health of the trees are compromised as a result of this development. This clause and financial obligation would be applicable for five years post completion of all construction works onsite.

5. 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 revised National Planning Policy Framework (NPPF) was published on 19th February 2019. This is a key part of the Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth. This is a key part of the Government's 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 2031. 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 relevant planning policies are: Policies 3.3; 3.5; 3.8; 5.1; 5.2; 5.3; 5.22; 5.17; 5.18; 5.13; 6.3; 6.9; 6.13; 7.4; 7.6; 7.14; 7.15; 7.21

The draft New London Plan is at an advanced stage. In December 2019, the Mayor issued the "Intend to Publish" version of the emerging New London Plan. After considering that Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor making a series of eleven Directions to the Plan. The Mayor cannot publish the New London Plan until the Directions have been incorporated, or until alternative changes to policy to address identified concerns have been agreed. Those policies affected by the Directions carry moderate weight, whilst those with no modifications can carry significant weight.

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, DM04, DM08, DM17.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01

states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Residential Design Guidance SPD (2016)

- Sets out information for applicants to help them design developments which would receive favourable consideration by the Local Planning Authority. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States developments should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity it states that developments should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan and sets out how sustainable development will be delivered in Barnet.

6. Planning Considerations

The main issues for consideration in this case are:

- The impact on the character and appearance of the existing building, the street scene and the wider locality;
- Whether the proposal would have an acceptable impact on surrounding residential amenity;
- The impact on the amenities of neighbouring occupiers;
- The proposed quality of accommodation;
- Transport matters and the proposals impact on the local highway; and
- Impacts on two mature trees on the highway near the site

Impact on the character and appearance of the existing building, the street scene and the wider locality

Any scheme for the site is required to respect the character and appearance of the local area, relate appropriately to the site's context and comply with development plan policies in these respects.

The existing property onsite forms a four-storey purpose-built block of flats on Holly Park at the junction with Regents Park Road containing 4no. self-contained flats and includes dedicated car parking area for residents to the rear of the site, which supports the provision of 6no. off-street parking spaces. There is a ramped access into the application property and refuse storage provision for the occupiers to the rear of the site.

The property is set back approx. 6.30m from the boundary with the pedestrian footpath on Regents Park Road and set in approx. 1.30m from the boundary with the pedestrian footpath on Holly Park. The overall height of the building, including the proposed roof extension would be approximately 13.09m. The proposed roof extension would be 4.24m in width and approximately 8m in depth. The overall floor area of both the proposed roof and rear extension would be 183sq.m GIA area. The proposed two storey rear extension would be set above the existing ground floor car park level, the width of the rear extension would be 11.87 sqm and the depth would be 6.13sqm.

When assessing the overall acceptability of the scale of development, it is necessary to consider it against the scale of development for the previous planning application for a roof top extension to the existing building and a two-storey rear extension, which was refused planning permission in February 2019 (Ref no: 18/7372/FUL).

The area of the previously refused rear extension (ref no: 18/7372/FUL) was approximately 230sq.m GIA. The rear extension currently proposed measures approximately 127sqm, which is a substantial reduction when compared against the scale of the previous scheme. Furthermore, the overall floor area of the previously refused roof and rear extension (ref no: 18/7373/FUL) was 294sq.m GIA. The combined floor area of this subject proposal (proposed roof and rear extension) would be 183 sqm. This further demonstrates the reduction in the scale of the development, when compared to the previous planning application.

Officers have pro-actively engaged with the applicant throughout the planning process and there have been various amendments made to the proposal following the submitted of the planning application in September 2019. The height, mass and the bulk of the rear extension has been reduced since the original submission, as part of this planning application. Whilst the prevailing heights of buildings on Holly Park are two storeys in height, there are also examples of building which range from 2-5 storeys in height on, and close to Holly Park. When establishing the acceptability of height, each case is assessed on its own merits, and Officers considered the height of the proposal to be acceptable, particularly given its close proximity to the junction with Regents Park Road.

The proposed depth would be similar to the building at 114 Regents Park Road. The rear extension, when viewed from Holly Park, would be partly recessed, which would reduce the impacts associated with bulk and massing, whilst also respecting the existing building line. Further, the proposed roof and fenestration detailing are considered to relate to the rest of the building in a complementary way and would respect the proportions of the existing structure.

With reference to building materials, the existing building materials onsite comprise of brown brick; black painted steel balcony structure; painted timber balcony surround; white framed windows and white render. The proposal includes new brown brick to match existing and introduces new materials which include grey aluminium framed windows; frameless glass Juliette balcony; balcony steel structure painted grey; new standing seam zinc and galvanised steel gate. These materials are broadly in keeping with the character of the area, and therefore considered acceptable. Further, the proposed external alterations to the existing building including the replacement of existing timber balconies with glass balustrades; recladding the rendered stair core with standing-seam zinc cladding; new grey aluminium framed windows; and new brown bricks to match existing, would enhance the overall appearance of the existing building.

Overall, it is considered that, the proposed design, height, bulk and massing would respect the relationship between itself and nearby buildings; and would have a positive impact on the character and appearance of the streetscene.

Whether the proposal would have an acceptable impact on surrounding residential amenity.

Policies DM01 and DM02 of the Barnet Local Plan (2012) and policy 7.6 of the London Plan (2016) seek to protect the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites. These policies seek to manage the impact of new developments and ensure that there is not an excessive loss of amenity in terms daylight/sunlight, outlook and privacy for existing residential occupiers or gardens.

The two storey rear extension would extend over most of the rear car parking area and thereby abuts the common boundary with the existing garages at 1a Holly Park (to the east of the application site). The proposal is approximately 12.57m² distance away from the building at no 3 Holly Park, located to the east of the site. There are side windows in 3 Holly Park, but no windows in the proposed elevation facing this property. As such, there would be no direct inter-visibility of windows between the new proposal and no 3 Holly Park.

No. 114 Regents Park Road is located directly south of the site. The proposed rear extension would be located between 17- 19.8 meters from habitable windows at no. 114 Regents Park Road. As such, given this separation distance, the proposal would not have undue impact on the residential amenity of occupiers of this building.

No. 116 Regents Park Road adjoins the application site to the north and serves a vet's practice at ground level with residential self-contained units on upper floors. The distance between the proposed roof extension to the existing building and no 116

Regents Park road is approximately 7 metres. However, there are no habitable rooms facing 116 Regents Park Road, and siting of the extension at roof level, the proposal would not result in the loss of privacy to no 116 Regents Park Road. Whilst Officers acknowledge that the proposal could result in the loss of outlook to some residents at no 116 Regents Park Road, given the urban context of this site, a reason for refusal could not be sustained on this ground.

On balance, the proposed development is considered acceptable on amenity grounds.

The proposed quality of residential accommodation

Room size standards and layouts

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough. Where appropriate, development will be expected to demonstrate compliance with national and London wide standards supported by the guidance set out in the council's suite of Supplementary Planning Documents. This includes minimum floorspace standards for units and minimum internal standards for rooms.

The following sets out the proposed floorspace for each unit against the minimum policy requirement for these respective units:

Unit 1: 1 no bed (1 person) Policy minimum requirement: 39sqm; Proposed 51sqm
Unit 2: 1 no bed (1 person) Policy minimum requirement: 39sqm; Proposed 51sqm
Unit 3: 1 no bed (1 person) Policy (minimum requirement 39 sqm; ; Proposed 45sqm

All proposed habitable rooms and unit sizes exceed minimum unit and room size standards. Further, all units would be dual aspect which is welcomed by Officers.

Private amenity space:

Para. 2.3 of Barnet's SPD Sustainable Design and Construction 2016 states 5sqm of private amenity space should be provided for each habitable rooms. Each of the proposed units contained 2 habitable room and should therefore make provision for 10sqm of private space respectively. The proposed two units at first and second floor do not benefit from any private amenity space. The third floor roof top extension would have a terrace area of 5.5sqm of private amenity space, and therefore falls below the minimum standards.

The Mayor's Housing SPG states that where possible one bed units should have 5sqm of private external amenity space. However, as set out at paragraph 2.3.32 of the Housing SPG states that where site constraints mean it is not possible to provide private amenity space the dwellings may instead be provided with additional internal living space equivalent to the open space requirement in area terms. Accordingly, as the proposed 1 no bed (1 person) on the first and second floor rear extension would exceed minimum unit size standards by 11sqm respectively, the lack of private amenity space to these units can be offset by the additional internal living space.

The proposed self contained no. 1 bedroom unit to the floor top of the existing building

exceeds minimum unit size standards by 6sqm and provides 5.5sqm of terrace amenity space. The combined provision of amenity space and internal room size standards would also satisfy the London Mayors Housing SPG standards.

Stacking

Paragraph 9.6 of the Residential Design Guidance SPD (October 2016) advises that the vertical stacking of rooms between flats should as much as possible ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. There is no overlap between units and therefore the stacking between flats would be considered acceptable in this instance.

Daylight, Sunlight, Outlook and privacy

Table 2.4 of the Sustainable Design and Construction SPD (2013) states that bedroom and living rooms/kitchens should normally have a reasonable outlook with clear glazed windows. All habitable rooms would receive good levels of daylight, sunlight and acceptable outlook.

Noise

Policy DM04 of the Development Management Document (2012) part d. states that proposals would be refused if it leads to an unacceptable level of noise and disturbance unless the scheme can demonstrate any mitigation measures. As such, the applicant will be required to submit a scheme of proposed noise mitigation measures against externally generated traffic has been submitted to and approved to and approved in writing by the Local Planning Authority. This would be secured by way of a condition to ensure the amenities of future occupiers are not prejudiced by traffic in the immediate area.

Air pollution

Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD, and policy 5.3 of the London Plan 2016 stipulates that amenities of occupiers are protected from poor air quality in the vicinity of the site. Prior to the commencement of works onsite, the applicant would be required to submit a scheme of air pollution mitigation measures to and approved in writing by the Local Planning Authority. This would be secured by way of condition.

Transport matters and the proposals impact on the local highway

The London Plan 2016 states that all developments in areas of good public transport accessibility (in all parts of London) should aim for significantly less than 1 space per unit. In outer London areas with low PTAL (generally PTALs 0-1), boroughs should consider higher levels of provision, especially to address 'overspill' parking pressures.

As noted previously within the report, the site is not located within a in a Controlled Parking Zone (CPZ) and has a PTAL rating of 3 which indicates a moderate level of public transport accessibility. 7 bus routes can be accessed from stops on Regents Park Road within a 1-6 minutes walking distance of the site providing a direct

connection from Finchley Central to Golders Green and Central London.

Car Parking

The maximum parking standards set out in policy DM17 expect development to provide parking as follows:

- 1- 2 bed unit - Less than 1no. parking space
- 2- 3 bed unit - 1.5no. to 1no. parking space

According to the Parking Standards as set out in Barnet Council's Local Plan Development Management Policy DM17, the range of vehicular parking spaces which would need to be provided as part of the proposed development is between 0 and 3 spaces.

Based on the PTAL rating, approximately 2 off-street parking spaces be required to meet the parking standards of DM17 policy.

The existing site contains 6 car parking spaces for 4 no self-contained, although 5 spaces for the existing site would still be policy compliant. As such, the total provision of 7 off-street car parking spaces for both existing and future occupiers would comply DM17 policy's residential parking requirements. LBB Highways team have confirmed they are satisfied with the proposed car parking arrangements onsite.

Vehicular Crossover

The site is located on the northern side of the junction between Regents Park Road (A598) which is part of the Strategic Road Network (SRN) and Holly Park, N3. It is occupied by a four-storey building consisting of 4x2 bedroom residential flats. There is an existing vehicular crossover of approximately 3.6 metre width on Holly Park providing access to the rear car parking area including 6 car parking spaces. All Day Waiting restrictions have been implemented in front of the site on Regents Park Road (A598).

The existing vehicular crossover on Holly Park, N3 is proposed to be extended to approximately 5.1 metres. The existing crossover on Holly Park is proposed to be moved slightly west, which in turn would require working on the public highway. The redundant part of the crossover would need to be reinstated to footway. This would be secured by way of a planning condition.

The current Council Policy allows a maximum of 4.8 metres wide crossover per property with a minimum upstand of 1.8 metres between crossovers if required. The applicant is advised that a separate application would need to be submitted to the Local Highway Authority in association with the proposed alterations to the existing vehicular access.

Cycle Parking

Based on London Plan standards a minimum of 9 cycle parking spaces is required for the proposed development. The proposed ground floor plan shows 9 cycle parking spaces in a secure, covered and enclosed compound. The location of the cycle store

is acceptable. However, the type of stands used must allow both wheels and the frame of the bicycle to be locked. The dimensions of the cycle store, gap between stands and aisle width have not been submitted to the Local Planning Authority. As such, the applicant would be required to submit further details on cycle storage, which would be secured way of a condition.

Refuse Storage and collection

Para 15.18 of the Residential Design Guidance seeks to ensure that bin and refuse storage provision is provided within the curtilage of the building.

The proposals include the provision of a dedicated bin store for the entire building (for both the existing residents and the proposed additional residents). The bin store would be located on the south elevation of the building and would be accessed directly from the public highway on Holly Park, for ease of collection. However, whilst the location of the bin store is acceptable, further details are required to ensure that the bin store area is secure, and to ensure doors must not open onto the footway. This would be secured by way of a condition.

Impacts on two mature trees on the highway near the site

Policy DM01 of the adopted Barnet Development Management advises that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. Where trees are located on or adjacent to a site the council will require the submission of a tree survey with planning applications indicating the location, species, size and condition of trees. Trees should be retained wherever possible and any removal will need to be justified in the survey. Where removal of trees and other habitat can be justified appropriate replacement should consider both habitat creation and amenity value.

The two existing mature trees on the highway by the site are not protected by Tree Preservation Orders (TPOs). Notwithstanding, the proposal could have an impact on the health of on both trees respectively. As set out earlier within this report, the LPA's Arboricultural Consultant has reviewed the submission and recommends that conditions be attached to a planning permission to ensure that the roofs and overall health of the trees are protected.

Notwithstanding, should the proposal result in substantial root damage to the point where the tree(s) would require removal in the worst case scenario, the applicant would be required to make a payment of the Tree Amenity Values for the respective trees to the Local Planning Authority. The indicative Capital Asset Value for Amenity Trees (CAVAT) is £26,674 for T1 and T2 £33,606 for T2. These moneys would be spent on tree planting elsewhere within the vicinity of the site.

Officers recommend that a clause would be included within a Section 106 Agreement to secure the above CAVAT financial obligations, if required to mitigate against the impacts associated with the proposed development. This clause and financial obligation would be applicable for up to five years from the construction date of the proposed development.

7. Response to Public Consultation

It is not considered that the additional flats would result in an over intensification of the use over and above the existing use of the site. On balance, it is also considered that the proposal would have an acceptable impact on the character and appearance of the local area; would not unduly compromise amenity of local residential properties; and would not have a detrimental impact on highway safety. Further, given that the proposal is only for 3 x 1-bedroom units, it is not considered that the additional population would put undue pressure on resources and social infrastructure, including schools and health care facilities.

Concerns were raised that details submitted with the application were inaccurate. Several amendments to the proposal were issued to the Local Planning Authority for careful consideration during the assessment of this application, since the application was submitted to the Local Planning Authority in September 2019. Officers were able to assess the proposal based on its planning merits.

All representations received from residents were fully considered in the assessment of the application.

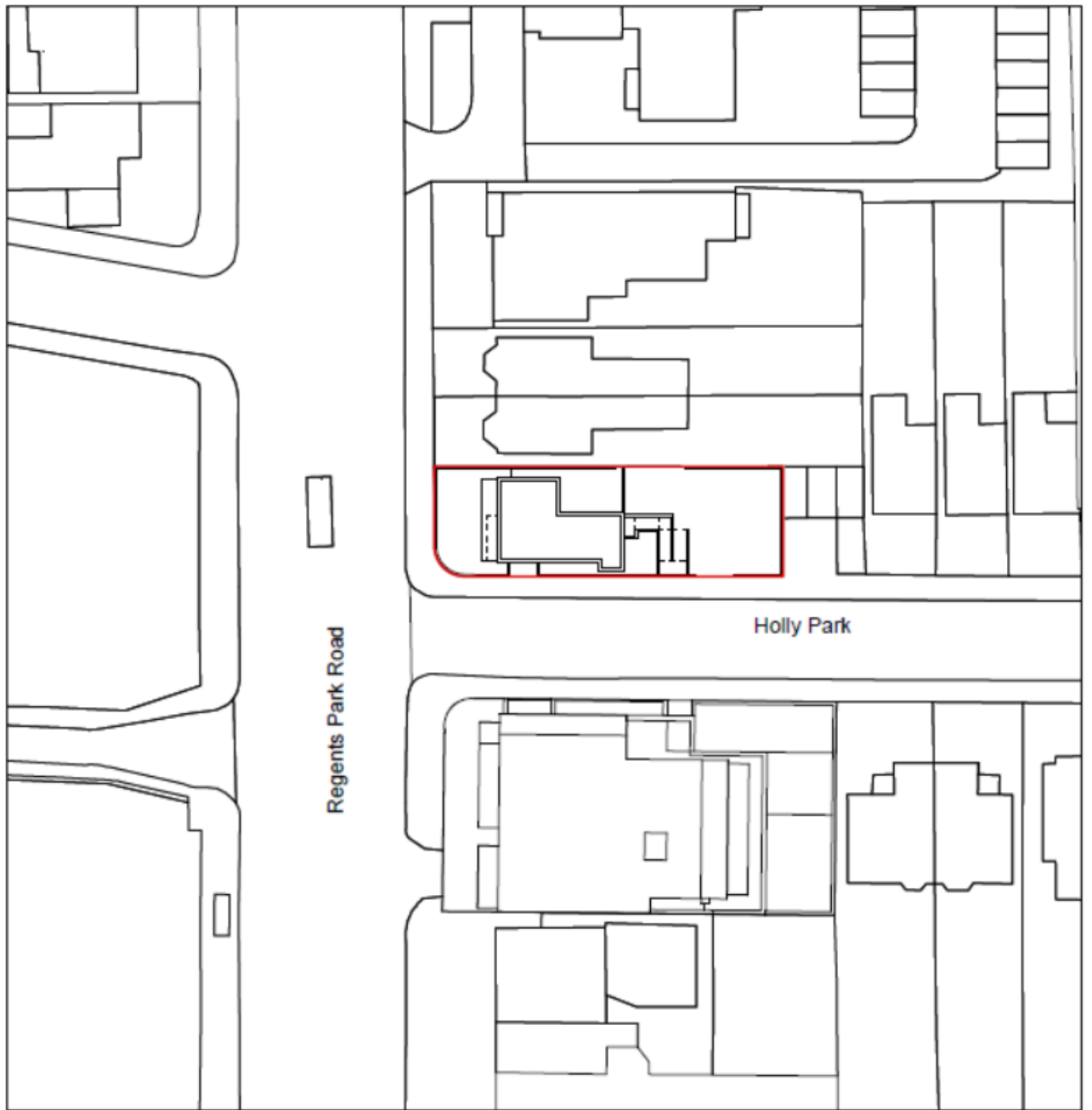
8. Equality and Diversity Issues

The existing development 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.

9. Conclusion

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for conditional approval and legal agreement.

Site Location Plan



Block Plan 1:500@ A3 0 10 20 30 40 50 m