

Location **Colindale Allotments 81 Sheaveshill Avenue London NW9 6RZ**

Reference: **20/4050/FUL** Received: 2nd September 2020
Accepted: 3rd September 2020

Ward: Colindale Expiry 29th October 2020

Applicant: Mr Bambos Charalambous

Proposal: Installation of a waterless and composting toilet

OFFICER'S RECOMMENDATION

Approve subject to conditions

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)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
 - KL2prm
 - Site Location Plan
 - Site Photographs

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.

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

OFFICER'S ASSESSMENT

1. Site Description

The site is a large open area which has been divided into garden allotments. The site is accessed via an access road from Sheaveshill Avenue and has the address Colindale Allotments, 81 Sheaveshill Avenue.

The site is leased by the London Borough of Barnet to the Colindale Allotments Group and is not located on land covered by any form of planning restrictions.

2. Relevant Site History

Reference: 20/1127/192

Address: Colindale Allotments, 81 Sheaveshill Avenue, London, NW9 6RZ

Decision: Withdrawn

Decision Date: 23 April 2020

Description: Installation of a waterless and composting toilet

3. Proposal

The application seeks consent for the erection and use of one waterless composting toilet in the Colindale Allotment. The toilet comprises a circular shaped structure with an attached flue at the rear.

The toilet has a maximum width of 1.77 metres and length of 2.34 metres with a flat roof height of 2.40 metres. The attached flue is approximately 3.00 metres in height and has a base of 1.06 metres and extends 0.94 metres in depth from the rear of the toilet.

The toilet would be located within plot five of the allotments.

The site photos accompanying this application have been submitted by the applicant to assist in the assessment of the proposal.

4. Public Consultation

Consultation letters were sent to 237 neighbouring properties.

6 objections have been received and can be summarised as follows:

- Concerns over the smell the toilet would cause.
- Concerns that the toilet will attract vermin.
- Concerns regarding the maintenance of the toilet.
- Concerns regarding the impact the toilet could have on future house prices and renting costs in the surrounding area.

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 in February 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2016

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM15.

The Council's approach to development 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. Policy DM15 relates to the protection of open spaces and provides for some limited loss of open space where the development proposal is a small scale ancillary use which supports the use of the open space

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the site and the wider locality
- Whether harm would be caused to the living conditions of neighbouring residents
- Environmental considerations

5.3 Assessment of proposals

- Whether harm would be caused to the character and appearance of the site and the wider locality;

The site is a large open area which has been divided into garden allotments for community use.

The toilet will not be visible from Sheaveshill Avenue and will not appear disproportionate due to its modest scale. The design and finish is not considered to be incommensurate with the numerous sheds and other structures dotted throughout the allotment site. The erection of a toilet for the common use of allotment holders is also considered to be an appropriate development within the allotment to support the continued use of the allotment by the community.

The proposal would constitute a small-scale ancillary use which supports the use of the open space and as such, would be consistent with the provisions of Policy DM15. It is also noted that five other allotment sites within LB Barnet have similar toilet systems in place.

- Whether harm would be caused to the living conditions of neighbouring residents.

The toilet would be installed on plot five of the allotment. The closest residential properties are those within Rankin Close which share the eastern boundary. The proposed toilet would be located 21.44 metres from this boundary which is considered an acceptable distance so as not to result in any detrimental impact with regard to outlook from any neighbouring property.

- Environmental considerations

The proposed toilet would be waterless, composting and would not use any chemicals. The toilet uses a collecting basket to collect the waste and relies on evaporation and anaerobic processes to break down the solids and evaporate the liquids. The chimney is designed to support these processes - creates an air flow through the toilet bowl which works to prevent odour from escaping. There is no discharge into the ground or laying of drains such as to create a conduit for vermin.

The proposal was referred to Environmental Health for their consideration. Environmental Health supported the location of the toilets away from neighbouring properties and raise no objection.

However additional information was sought from the applicant regarding the maintenance scheme for the toilets to ensure there is a plan to monitor the toilets regularly. The applicant has stated the waste will be checked regularly and emptied as required and this will be the responsibility of the allotment committee. The toilets are designed to be low maintenance and provided they are checked regularly, are not expected to harm the neighbouring occupiers or public using the site.

5.4 Response to Public Consultation

The matters raised in consultation have been mainly addressed in the main body of the report.

Concerns regarding the impact the toilet could have on future house prices and renting costs in the surrounding area are not a relevant material planning consideration.

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 the proposed development would have an acceptable impact on the character and appearance of the application site and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for APPROVAL

