

Location 181D Squires Lane And Land Rear Of 172 Long Lane London N3 2QS

Reference: 20/2152/FUL Received: 12th May 2020
Accepted: 14th May 2020

Ward: West Finchley Expiry 9th July 2020

Case Officer: Joe Mari

Applicant: Mr A Rexha

Proposal: Erection of a four storey building including lower ground floor level to provide 4. no self-contained flats with associated amenity space, refuse/recycling store and cycle storage area [ADDITIONAL INFORMATION - DAYLIGHT/SUNLIGHT REPORT]

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 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:

Location Plan - Drawing No. P-000 (Uploaded 12 May 2020)
Existing Site Plan - Drawing No. P-000 (Uploaded 12 May 2020)

Proposed Lower Ground floor plan - Drawing No. P-001B (Uploaded 15 September 2020)

Proposed Ground floor plan - Drawing No. P-002E (Uploaded 29 September 2020)

Proposed first floor plan - Drawing No. P-003C (Uploaded 15 September 2020)

Proposed second floor plan - Drawing No. P-004C (Uploaded 15 September 2020)

Proposed roof plan - Drawing No. P-0010C (Uploaded 15 September 2020)

Proposed front elevation with overlay - Drawing No. P-007D (Uploaded 30 September 2020)

Proposed rear elevation with overlay - Drawing No. P-008C (Uploaded 13 August 2020)

Proposed side elevation with overlay - Drawing No. P-009A (Uploaded 13 August 2020)

Proposed section through staircase - Drawing No. P-0010B (Uploaded 17 November 2020)

Parking Stress Survey for 187 Squires Lane by Alpha Parking dated 16.01.2020

Email from agent dated 07 September 2020

'Geotechnical Investigation' by Your Environment dated May 2002 (report number YE8236)

'Phase 1: Desktop Study and Preliminary Risk Assessment Report' by Your Environment dated January 2020 (report number YE7977)

'Daylight and Sunlight Assessment Report' (produced by Mach Group, revision 03, issue date 13/11/2020) and Comparison Summary document dated 10/12/2020 by Mach Acoustics

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 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 Notwithstanding the details shown in the drawings and documents submitted and otherwise hereby approved the development is not to commence (other than for ground works and site preparation works) unless and until details (necessary details

specified in brackets) of the following features and elements of the scheme have been submitted to the Local Planning Authority and approved in writing:

- Brick bonding and brick detailing (annotated plans at a scale of not less than 1:20 and brick sample).
- External doors, windows, window reveals, balconies and balustrading/privacy screens (manufacturing details and annotated plans at a scale of not less than 1:10).
- Obscure glass for the ground floor front windows (manufacturing details)
- Any necessary rainwater goods and miscellaneous external features or fittings including external lighting (manufacturing details and/or annotated plans at a scale of not less than 1:10)

The development shall thereafter be implemented in accordance with the details as approved under this condition prior to first occupation and retained as such thereafter.

Reason: To safeguard the character and visual amenities of the site and conservation area and to ensure that the development is constructed in accordance with policy DM01 of the Barnet Local Plan and policy 7.4 of the London Plan.

- 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, 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, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 6 A watching brief shall be maintained during the course of the development hereby approved, including the ground works stage, as recommended in Paragraph 9.6 of the submitted 'Geotechnical Investigation' by Your Environment dated May 2002 (report number YE8236). A report that provides verification that the required works have been carried out (including for soils used for the landscaping areas), shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 5.21 of the London Plan 2016.

- 7 a) No development (other than for ground works and site preparation works) shall take place until a scheme of proposed noise mitigation measures against externally generated traffic/mixed use 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/mixed use noise 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 2015.

- 8 a) Before development (other than for ground works and site preparation works) 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 2015.

9 a) No development other than demolition works shall take place until details of the glazing adjacent to the boundary of No. 181 (b and c) Squires Lane and No. 170 Long Lane, and the internal communal staircase 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 in perpetuity for the lifetime of the development. No structures shall be erected or fixed to the glazing approved under this condition for the lifetime of this development.

Reason: To safeguard the amenities of neighbouring occupiers 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 the Residential Design Guidance SPD (2016).

10 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.

11 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).

- 12 a) Notwithstanding the details submitted with the application and otherwise hereby approved, the development hereby permitted shall not be occupied until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, shall be submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 13 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Details shall include the type of stands, gaps between stands, location and type of cycle store proposed.
- b) The development shall thereafter be implemented in accordance with the details as approved under this condition and the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and 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.

- 14 a) Before the development hereby permitted is first occupied, details of the sub-division of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented in accordance with the details approved

under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

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

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

- 16 Before the building hereby permitted is first occupied the front windows at ground floor serving Unit 2 (as shown on Drawing No. P-002D (Proposed ground floor plan)) shall be glazed with obscure glass only and shall be permanently fixed shut or provided with only a fanlight opening and shall be permanently retained as such thereafter.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (October 2016).

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

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

- 18 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.

- 19 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

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.
- 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.

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

rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit

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

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from:

<http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 4 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.
- 5 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>.
- 6 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
 - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
 - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
 - 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
 - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to

buildings;

6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

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.

- 7 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.

- 8 The submitted Construction Method Statement shall include as a minimum details of:
- o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring

receptors. Explain reasoning if not applicable.

- o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
- o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
- o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.

- o For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

The statement shall have regard to the most relevant and up to date guidance including: Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014.

- 9 The Air Quality reports required under the Environment Act 1995 have highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an air quality report; the report should have regard to the air quality predictions and monitoring results from the most recent Review and Assessment report available from the LPA web site and Air Quality England. The report should be written in accordance with the following guidance : 1) Environmental Protection UK and IAQM Guidance: Land-Use Planning and Development Control: Planning for Air Quality, (Jan 2017); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(16); 4) London Councils Air Quality and Planning Guidance (2007); 5) Mayor of London's Supplementary Planning Guidance for Sustainable Design and Construction (2014); 6) Section 6.2 of the Technical Guidance Note D1 (Dispersion) 'Guidelines on Discharge Stack Heights for Polluting Emissions' 7) The control of dust and emissions from construction and demolition, Best Practice Guidance London Councils, 2006; 8) The Control of Dust and Emissions during construction and demolition supplementary planning guidance July 2014; 9) Air Quality Neutral Planning Support Update April 2014 and 10) Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 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.

- 10 Applicants and agents are encouraged to sign up to the Considerate Contractors

Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

- 11 Damage to public highway 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.

OFFICER'S ASSESSMENT

The application was initially heard at Finchley and Golders Green Area Planning Committee on Wednesday 14th October 2020.

Members resolved to defer the application so that a Building Research Establishment (BRE) Daylight and Sunlight Assessment could be carried out in respect of the impact on the adjoining properties and the proposed lower ground floor flat within the development.

The applicant has since produced a 'Daylight and Sunlight Assessment Report' (produced by Mach Group, revision 03, issue date 13/11/2020).

Immediate neighbours were notified by letter of this additional information and provided 14 days to submit comments to the Local Planning Authority.

The findings of the applicant's report and the public comments received are integrated within the main report below.

1. Site Description

The application site is a piece of land sited between the flank elevations of No. 181 (b and c) Squires Lane/170 Long Lane and 183 Squires Lane. It borders properties along Long Lane to the rear. It immediately abuts No. 174 Long Lane to the rear (south).

A workspace previously occupied the site.

The site is not located within a designated conservation area.

It is not a statutory or locally listed building/site and it does not border the curtilage of a statutory or locally listed building.

It is located within the ward of West Finchley.

There are no Tree Preservation Orders on site.

It is not in an Area of Special Archaeological Interest.

It is not a Site of Importance for Nature Conservation.

2. Site History

Reference: 20/3058/CON

Address: Land To Rear Of 172 Long Lane, London, N3 2RA

Decision: Approved

Decision date: 19 August 2020

Description: Submission of details of Condition 8 Part 1 (Contaminated Land) pursuant to planning permission 17/4327/FUL dated 14/04/18 [amended description]

Reference: 20/0313/CON

Address: Land To Rear Of, 172 Long Lane, London, N3 2RA

Decision: Approved

Decision date: 10 March 2020

Description: Submission of details of conditions 7 (Demolition and Construction Management and Logistics Plan), 8 (Desktop Study, Part 1 a) only), 9 (Air Pollution), 10 (Noise Mitigation) pursuant to planning permission 17/4327/FUL dated 14/03/2018

Reference: 19/5706/FUL

Address: 181D Squires Lane And Land Rear Of 172 Long Lane, London, N3 2RA

Decision: Refused

Decision date: 20 December 2019

Description: Demolition of the existing building and construction of a four storey building with lower ground floor level comprising of a B1(a) office use and 4no self-contained flats above, with associated amenity space, refuse/recycling store and cycle storage area

Reasons for refusal:

- "1. The proposed development would, by reason of its size, siting and design, fail to respect the appearance, scale, mass and heights of surrounding buildings. This would be of detriment to the character and appearance of the street scene and surrounding area.

The application is therefore considered unacceptable and contrary to Policy CS5 of Barnet's Core Strategy DPD (2012), Policy DM01 of Barnet's Development Management Policies Document DPD (2012), London Plan Policy 7.4 and the Residential Design Guidance SPD 2016.

2. The proposed development would, by reason of its depth of rearward projection and proximity to the boundary, appear visually obtrusive and overbearing when viewed from the rear garden area of No. 183 Squires Lane, and result in a degree of loss of light, to the detriment of the amenities of these neighbouring occupiers. The orientation of the rear balconies facing No. 183 Squires Lane would result in overlooking and loss of privacy for these occupiers.

The application is therefore found unacceptable and contrary to Policy DM01 of the Development Management Policies DPD (2012), the Residential Design Guidance SPD 2016 and Sustainable Design and Construction SPD 2016.

3. The proposed unit at ground floor would fail to provide adequate outlook in the master bedroom. This would be of detriment to the amenity of future occupiers.

The application is therefore found unacceptable and contrary to Policy DM01 and DM02 of Barnet's Local Plan (Development Management Policies) Development Plan Document (2012) and the guidance set out in Barnet's Sustainable Design and Construction SPD (2016).

4. The application does not include an updated highways survey. Officers therefore cannot be satisfied that the proposed development would not have a detrimental impact on on-street parking and the local highways network.

The application is therefore found unacceptable and contrary to Policy CS9 of Barnet's Core Strategy DPD (2012) and Policy DM17 of Barnet's Development Management Policies Document DPD (2012)."

Appeal reference: APP/N5090/W/20/3245802

Appeal decision: Pending consideration

Appeal decision date: Pending consideration

Reference: 17/4327/FUL

Address: Land To Rear Of 172 Long Lane, London, N3 2RA

Decision: Approved subject to conditions

Decision date: 14 March 2018

Description: Demolition of existing building. Erection of a three storey building with a lower ground floor level comprising of 3no self-contained flats with balconies at first floor and second floor levels to rear elevation. Access steps to side elevation at ground floor level to first floor and associated amenity areas, cycle storage and refuse/recycling storage

Reference: F/02999/09

Address: Land R/O 172 Long Lane, N3 2RA

Decision: Withdrawn

Decision Date: 14 October 2009

Description: Demolition of existing single storey building and erection of a four storey building to provide 4no. 2 bedroom flats.

3. Proposal

The applicant seeks consent for the erection of a four-storey building including a lower ground floor level to provide 4. no self-contained flats with associated amenity space, refuse/recycling store and cycle storage area.

Upon amendments a roof level has been removed from the proposals and the number of flats reduced to four.

Following the most recent set of amendments, the application proposes a three-storey building, when viewed from the front elevation (of Squires Lane).

The building, when viewed from Squires Lane, would measure a total height of 9.6 metres with a flat roof.

At ground and first floor, it would measure a full width of 9 metres. Part of the first floor would be set back from the front pier by 1.6 metres. The set back element at first floor would be 1.7 metres in width.

At second floor, it would step in from the boundary adjacent to No. 183 Squires Lane, sited to the west of the application site, by 0.5 metres. Part of the second floor would be set back from the front pier by 5.5 metres. The set back element at second floor would be 1.3 metres in width. The set back element would be set down from highest part of the building by 0.8 metres.

At the rear, it would appear as a four-storey building (due to the topography of the land) and be a total of 12.15 metres in height. The set back at second floor from the boundary adjacent to No. 183 Squires Lane is followed through to the rear.

Regarding floorplans, the lower ground floor would have a total depth of 11 metres from the back edge of the pavement to the most rearward wall. It would align with the rear building line of No. 183 Squires Lane, and then project 1 metre at a distance of 2.6 metres from the boundary adjacent to No. 183 Squires Lane and project 1 metre at a distance of 2.3 metres from the boundary adjacent to No. 181B-181C.

The ground floor would have a total depth of 10.7 metres. Like the lower ground floor below, it would align with the rear building line of No. 183 Squires Lane, and then project 1 metre at a distance of 2.7 metres from the boundary adjacent to No. 183 Squires Lane and 2.3 metres from the boundary adjacent to No. 181B-181C. With the inclusion of the balcony it would project 1.25 metres in depth.

The first and second floor would follow the same as the ground floor (albeit with the set backs from the front wall and side adjacent to No. 183 Squires Lane detailed above).

The rear yard area at lower ground level would provide, in part a communal amenity space and cycle storage, and a private garden area for Unit 1. Balconies would be provided for the upper floor flats.

The proposed development would include:

- 1 x 1 bedroom 2 person unit at lower ground floor
- 1 x 1 bedroom 2 person unit at ground floor
- 1 x 2 bedroom 3 person unit at first floor
- 1 x 1 bedroom 2 person unit at second floor

4. Public Consultation

A site notice was printed 18 May 2020.

Consultation letters were sent to 92 neighbouring properties.

Neighbours were initially consulted via letter dated 18 May 2020. Following amendments to the proposed development neighbours were reconsulted via letter on 16 June 2020; on 11 August 2020 and again on 15 September 2020.

At the time of writing this report, there were a total of 11 objections.

An additional 2 objections were received but later withdrawn at the request of the respective resident.

The objections received can be summarised as follows:

- Impact on parking and highways network
- Impact on access to local facilities and infrastructure, and pressure on these facilities (such as doctors and dentists)
- Overdevelopment
- Impact on immediate neighbours' enjoyment of their garden area including No. 183 Squires Lane
- Disruption, noise and pollution arising from building work (noisy machinery etc.)
- Damage from required foundations on neighbouring properties (vibration, subsidence, cracks)
- If the Council approve this development then should only be done after providing me and my neighbours with a legally binding commitment to take full responsibility and liability to cover costs related to subsidence in the future.
- The land at the rear of the Long Lane parade of shops is not a carpark and is a children's leisure/play area in trust by Barnet Council. Issues with heavy building machinery constantly moving in this playground
- Impact on privacy of the garden area of No. 183 Squires Lane

- Risk to emergency services access to the flats above the Long Lane shopping parade which could be closed off by a building site
- Access to the veterinary practice on Long Lane
- Issues with address naming and numbering
- The proposed building would overshadow surrounding buildings
- Works already commenced on site
- There is no current basement at this site to justify going down a floor
- Query whether any structure on this site has ever had planning permission. Resident claims it was historically a garden area/open space
- Querying that the owners of the neighbouring buildings have not been consulted, including reference to the consultation of previous applications
- Impact on sewerage and drainage of neighbouring properties
- Proposed development would obstruct natural light to neighbouring property at No. 170 Long Lane, with specific reference to the side windows at lower ground level and first floor in the flank facing the site (181B-C Squires Lane and 170B Long Lane)
- We don't want another property attached to our house, making it terraced
- Impact on the light to our garden
- We do however think the design from the road looks better and very tidy we have concerns and would like to be consulted on this property

Upon receipt of the applicant's daylight and sunlight assessment report, immediate neighbours were consulted by letter dated 17 November 2020, and given 14 days to provide any comments to the Local Planning Authority.

3 residents submitted comments, which results in a total of 12 objectors (some of whom have commented more than once), and these comments are summarised as follows:

- Objectors states that they, nor other residents, were consulted for the previously approved planning application (reference: 17/4327/FUL, decision dated 14 March 2018) and that the address of that application was not clear/was misleading. Objector finds it hard to understand how the previous planning application was approved with no objections and no comments made by any residents
- Disagreement with the findings of the parking survey relied upon by the applicant.
- On the previously approved scheme there is an atrium which gave some distance between the flank wall of 181B & C Squires Lane and the proposed building, which would give better light and air flow between the buildings.

This application will butt up to our building. Will result in substantial loss of light and view in my lounge (Flat 181 B&C) which at present gets sunlight for residents of the flat, which is needed in a flat with no outside space. I suggest the original planning is kept with the atrium as the most sympathetic solution of the options available.

- In regard to the daylight and sunlight assessment report - the report demonstrates that the proposed development has a serious impact on the levels of light at the two first-floor windows at my property (170B Long Lane), and those of the property below (181 Squires Lane).

The two windows most affected (W46 and W47 in the report) are the only ones in my property that catch direct full sunshine at any time of the day and will be blocked as the result of the development. The sun never reaches the front of the property.

The remaining light levels in my property will be lower than they are now and no part of the property will receive direct sunshine. This is not limited to the financial impact through the devaluation of my property, but also severe wellbeing and health impacts (including seasonal affective disorder and risk of vitamin D deficiency).

The developer could consider mitigating the impact on the views and light levels in my property, setting back the new development from the street, in line with the terraced houses on Squires Lane. However, this change would still mean my kitchen window would be fully occluded unless further mitigation was implemented to the rear of the development.

- Impact on views from these windows too- views of green space, the sky and surrounding trees will be gone, and replaced with a brick wall.

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 revised National Planning Policy Framework (NPPF) was published on 19th 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, 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 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 -Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's emerging Local Plan. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

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, CS8, CS9.
- Relevant Development Management Policies: DM01, DM02, DM04, DM14, 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 (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. 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.

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 the principle of development is acceptable
- Whether harm would be caused to the character and appearance of the street scene and the wider area;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to the living conditions of future residents;
- Whether harm would be caused to highways and parking;
- Whether appropriate refuse and recycling facilities are provided;
- Any other material considerations

5.3 Background

Application reference 17/4327/FUL, decision dated 14 March 2018, granted approval subject to conditions at the application site for:

"Demolition of existing building. Erection of a three storey building with a lower ground floor level comprising of 3no self-contained flats with balconies at first floor and second floor levels to rear elevation. Access steps to side elevation at ground floor level to first floor and associated amenity areas, cycle storage and refuse/recycling storage"

The consent remains extant and therefore holds material weight. The agent has provided proposed floor plans with a red overlay/outline of the previously approved scheme (reference 17/4327/FUL, decision dated: 14 March 2018).

At lower ground floor, the rear building is the same (i.e. in line with the rear building lines of both adjoining properties) and projects a depth of 1 metre further than the approved scheme. This would be set 2.7 metres from the boundary adjacent to No. 183 Squires Lane and 2.3 metres from the boundary adjacent to No. 181 (b and c) Squires Lane/170 Long Lane.

At ground and first floor, the front building lines follow the respective red outlines of the previously approved scheme. To the rear, like the lower ground floor, the ground and first floor would be in line with the rear building lines of both adjoining properties and project a depth of 1.2 metre further than the approved scheme. Like the lower ground floor, this depth of rear ward projection would be set 2.7 metres from the boundary adjacent to No. 183 Squires Lane and 2.3 metres from the boundary adjacent to No. 181 (b and c) Squires Lane/170 Long Lane.

At second floor, the front building line remains the same as the approved scheme. The second floor would extend 1.2 metres in width towards the boundary of No.183 Squires Lane. It would project 4 metres in depth to the rear. This would align with the rear building line of No.183 Squires Lane. It would project 1.6 metres in depth beyond the rear building line of No. 170 Long Lane. Overall, the rear building line at second floor would project 1.6 metres beyond the approved rear building line, then extent a further 1.2 metres rearwards to accommodate the balcony (totalling approximately 2.8 metres greater in depth).

A second application, reference 19/5706/FUL, decision dated 20 December 2019, was refused for:

"Demolition of the existing building and construction of a four storey building with lower ground floor level comprising of a B1(a) office use and 4no self-contained flats above, with associated amenity space, refuse/recycling store and cycle storage area".

The reasons for refusal were:

- "1. The proposed development would, by reason of its size, siting and design, fail to respect the appearance, scale, mass and heights of surrounding buildings. This would be of detriment to the character and appearance of the street scene and surrounding area.

The application is therefore considered unacceptable and contrary to Policy CS5 of Barnet's Core Strategy DPD (2012), Policy DM01 of Barnet's Development Management Policies Document DPD (2012), London Plan Policy 7.4 and the Residential Design Guidance SPD 2016.

2. The proposed development would, by reason of its depth of rearward projection and proximity to the boundary, appear visually obtrusive and overbearing when viewed from the rear garden area of No. 183 Squires Lane, and result in a degree of loss of light, to the detriment of the amenities of these neighbouring occupiers. The orientation of the rear balconies facing No. 183 Squires Lane would result in overlooking and loss of privacy for these occupiers.

The application is therefore found unacceptable and contrary to Policy DM01 of the Development Management Policies DPD (2012), the Residential Design Guidance SPD 2016 and Sustainable Design and Construction SPD 2016.

3. The proposed unit at ground floor would fail to provide adequate outlook in the master bedroom. This would be of detriment to the amenity of future occupiers.

The application is therefore found unacceptable and contrary to Policy DM01 and DM02 of Barnet's Local Plan (Development Management Policies) Development Plan Document (2012) and the guidance set out in Barnet's Sustainable Design and Construction SPD (2016).

4. The application does not include an updated highways survey. Officers therefore cannot be satisfied that the proposed development would not have a detrimental impact on on-street parking and the local highways network.

The application is therefore found unacceptable and contrary to Policy CS9 of Barnet's Core Strategy DPD (2012) and Policy DM17 of Barnet's Development Management Policies Document DPD (2012)."

This application has been appealed by the applicant to the Planning Inspectorate. At the time of writing this report, the appeal decision remains pending and no decision has been reached.

For the benefit of clarity, the current application will be assessed on its own merits with reference to the planning history where appropriate and relevant.

5.4 Assessment of proposals

Principle of development

The site was previously occupied by a warehouse/workspace building.

The site is not located in a designated Locally Significant Industrial Site, Industrial Business Park or Business Location. It is not within a designated Town Centre. It is in a

predominantly residential area.

The previous consent (application reference: 17/4327/FUL, decision dated 14 March 2018) permitted the loss of employment space at the site for the reasons set out in the Officer's delegated report.

For thoroughness, the delegated report stated the following:

"Policy DM14 of Barnet's Development Management Policies Document DPD (2012) states that loss of a B Class use will only be permitted where it can be demonstrated to the council's satisfaction that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of effective marketing has been undertaken. Where this can be demonstrated the priority for re-use will be a mixture of small business units with residential use.

The applicant has submitted an 'Employment Land Review Statement' dated 16 June 2017, which includes an assessment of the site against Industrial Site retention/release criteria set out in the London Plan. No evidence has been provided to demonstrate that an effective marketing period has been undertaken. Furthermore the proposed re-use will only be for residential use. No small business units will be provided.

The existing building on the site is a stand-alone unit. The applicant argues that the site is compromised by its residential location and lack of vehicular access and parking. The site currently does not generate any employment. One member of staff is employed by the applicant off-site, whom occasionally visits the site for use and stock-take. The applicant does not foresee the building will not continue to generate employment under the current use/owner. The applicant has also argued that the building is not of sufficient quality and is not capable of a viable conversion to accommodate a B1a use or other such 'light' employment use which is not so vehicle dependant. Many alternative employment/storage options are not suitable for the sensitive residential context of the site and lack of parking/vehicle access. In this way, Officers are satisfied there is little prospect of continued use as a B1 use class.

It is noted that Paragraph 51 of the National Planning Policy Framework (2012) states that LPA's should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate. For the abovementioned reasons Officers concur that the economic reasons are not significant or strong enough to resist redevelopment of the land into residential use. The proposal would boost the supply of housing in the borough and use previously developed land.

In summary, considering the specific circumstances and restraints of the site and its context, the loss of employment space is deemed acceptable in this particular instance. The proposed use to housing is considered acceptable in this location and there do not appear to be any strong economic reasons why such re-development would be inappropriate."

This permission remains extant and thus holds material weight. Local development plan policy has not changed or updated since this decision.

The proposed use for housing is considered acceptable in this location due to its residential character.

For the reasons stated above, the principle of development is deemed acceptable.

Impact on character and appearance

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

To the north-east of the site (181B-181C Squires Lane and 170 Long Lane) is a substantial three-storey early twentieth century, building which occupies a prominent corner position at the junction of Long Lane and Squires Lane. The building has a brick frontage, with a hipped-roof design.

To the south-west of the site (183 Squires Lane) is a two-storey gable end terrace house. It features a bay window at first floor and ground floor front porch projection which abuts the back edge of highway. It has a white pebble dash/render finish with brick detailing and tiled roof.

When viewed from the front elevation, the proposed building will be three storeys in height and will be no greater than the eaves of No. 181B-181C Squires Lane/170 Long Lane.

The 'main' part of the front building would then step down by 0.8 metres and would be set back by 0.5 metres from the boundary adjacent to No. 183 Squires Lane at second floor, which achieves a transition in heights between the two properties. As shown from the red outline/overlay on the plans and elevations submitted, this additional built form at second floor is the main difference with the previously approved scheme 17/4327/FUL. However, as explained, this part of the building would step down and be set back from the boundary adjacent to No. 183 Squires Lane, and thus deemed acceptable even though it represents additional built form compared to the approved scheme.

The front wall of the proposed building will be set back from the front wall of No. 181B-181C Squires Lane/170 Long Lane at all levels.

No. 183 Squires Lane has undertaken a front extension at ground floor. The proposed ground floor would be in line with this.

At first floor, the proposed building would sit forward of the front building line of No. 183 Squires Lane by 1.6 metres, but part of the first floor would be set back, in line of the front building line of No. 183 Squires Lane, immediately adjacent to the boundary, at a width of 1.7 metres.

At second floor, again the proposed building would sit forward of the front building line of No. 183 Squires Lane by 1.6 metres, but part of the second floor would be set back from the proposed buildings front wall by 5.5 metres, at a width of 1.3 metres and set off the boundary adjacent to No. 183 Squires Lane by 0.5 metres.

Therefore, although at first and second floor the proposed building will be sited forward of the front building line of No. 183 Squires Lane, the building will retain a sufficient separating distance and setbacks in its design to aid this.

The building will have a brick façade, which is considered in keeping with the general

character and materiality of the street scene and neighbouring buildings.

Regarding the previously refused application (application reference 19/5706/FUL, decision dated 20 December 2019), the development proposed under that application included an additional floor (in the form of a mansard roof) and a second floor which immediately abutted the boundary adjacent to No. 183 Squires Lane and would sit further forward than that proposed under this application. For these reasons, the application was refused.

As detailed in this report, the roof level has been removed in this application, and the second floor has been set back at a greater distance from the front wall (the second floor of the refused application was set back 2.8 metres increasing to 5 metres; in this application the second floor is set back 5.5 metres). The second floor is also now set off the boundary adjacent to No.183 Squires Lane by 0.5 metres.

In summary, for the reasons discussed above it is not considered that the proposed building would detrimentally impact the character and appearance of the street scene and surrounding area.

It is considered that, upon amendments, the application has addressed the reason for refusal (regarding impact on character) of application reference 19/5706/FUL, decision dated 20 December 2019.

Impact on amenity of neighbouring occupiers

Policy DM01 states that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

Impact on No. 181 (b and c) Squires Lane/No. 170 Long Lane and No. 183 Squires Lane:

No.181 (b and c) Squires Lane and 170 Long Lane are within the same three storey building (to the east of the application site). No. 183 Squires Lane is a terraced property to the west.

The main building would align with the respective rear building lines of 181 (b and c) Squires Lane/170 Long Lane and 183 Squires Lane.

There would be rear projection of a depth of approximately 1 metre at the rear (1.25 metres including the balconies), but this would be set at a distance of 2.7 metres from the boundary adjacent to No. 183 Squires Lane and 2.3 metres from the boundary adjacent to No. 181 (b and c) Squires Lane. Considering these distances and modest depth, the impact on these neighbouring occupiers is considered acceptable.

The balconies would be formed of solid brick walls either side, to protect the privacy of neighbouring occupiers at No. 181 (b and c) Squires Lane and No. 183 Squires Lane.

It is noted that comparative to the previously approved scheme, the second floor would project 1.6 metres greater in depth at the rear along the boundary adjacent to No. 181 (b and c) Squires Lane, however as observed, at this level, a glazed access door from the stairwell is sited closest to the boundary, located 1.4 metres from the boundary.

The second floor, comparative to the previously approved scheme would project greater in depth and come close to the boundary of No. 183 Squires Lane. However, at this level it is adjacent to the pitched roof of No. 183 Squires Lane and it would project no greater in

depth than the rear building line of No. 183 Squires Lane.

Application reference 19/5706/FUL, decision dated 20 December 2019, was refused on grounds of the impact on the amenities of the neighbours of No. 183 Squires Lane, regarding the depth of rearward projection and orientation of the rear balconies which would have faced the garden of No. 183 Squires Lane.

Under this application the rear building line has been brought back now in line with that previously approved scheme, which is in line with the rear wall of No. 183 Squires Lane. As explained above, there would be projection of a depth of approximately 1.25 metres at the rear (to accommodate the balconies), but this would be set at a distance of 2.7 metres from the boundary adjacent to No. 183 Squires Lane. Considering these distances and modest depth, it is considered acceptable.

The side wall of the balcony facing No.183 Squires Lane would be brick, and thus not result in overlooking or loss of privacy, as the balconies are orientated towards the south, unlike the previously refused scheme where they faced No. 183 Squires Lane. Furthermore, the boundary line of the garden of No. 183 Squires Lane angles gradually away from the proposed development.

There are no flank windows in the side elevation of No. 183 Squires Lane facing the application site.

There are flank windows in the side elevation of No. 181B-181C Squires Lane/170 Squires Lane facing the application site.

From site observations and information available to the Planning Officer there are the following:

- Two lower ground side windows
- One ground floor side window
- Two first floor side windows

It is the understanding of the planning officer that the two lower ground side windows and the one ground floor side window facing the application site serve the flat at No. 181 (b and c) Squires Lane.

Information provided by the owner of this neighbouring property shows the two lower ground windows serve a) a bedroom and b) the staircase providing access to this lower ground level.

However, reviewing archive plans for the conversion of the flat at No. 181 (b and C) Squires Lane (application reference: C02396H/00, decision dated 21 November 2000, for: "Change of use of shop to a two bedroom flat involving alterations to front elevation") no habitable space in the basement was ever consented.

It appears the use of the lower ground level as habitable space was done so without express planning permission.

Furthermore, when the warehouse building existed on the application site, these neighbouring lower ground floor windows faced the side wall of the warehouse building, thus blocking the outlook and light to these windows. Photographs have been sent by the owner of No. 181 (b and c) Squires Lane showing this (when the industrial building existed

on site).

From the information provided, the ground floor side window facing the application site which serves No. 181 (b and c) Squires Lane appears to be obscure glazed and is a secondary window, serving a living room, which also benefits from two rear facing windows.

There are two first floor side windows which serve a flat within No. 170 Long Lane. Based on the information submitted under application reference 17/4327/FUL, decision dated 14 March 2018, these windows appear to be secondary windows with light and outlook received from the front window.

Planning Officers recognise that the proposal would represent a taller building than what previously existed on site, which would have impact on the light received to these neighbouring windows.

The previously approved scheme (reference 17/4327/FUL, decision dated 14 March 2018) included what was termed an 'atrium'; which was essentially a triple height void adjacent to the flank wall of No. 181b and c Squires Lane/170 Long Lane. This acted as a break and buffer between the two buildings whilst allowing a continuous façade to the streetscape. The purpose of this 'atrium' was to ensure a degree of light reached these neighbouring windows by not constructing a wall along this boundary.

Under this application, the agent has advised in an email dated 07 September 2020:

"The approved permission assumed the building could be tied into the neighbouring building but agreement on this is not possible, hence the need to build a separate wall.

The approved permission also allows for the absurd position of a neighbouring window opening into the internal parts of the proposed building which is an obvious big security issue."

The proposed scheme (as amended) addresses this by providing a gap between the buildings and proposes a void.

There would at lower ground be a gap of 0.4 metres between the two buildings. There would be a gap of between 0.2 and 0.4 metres at ground floor and a gap of 0.3 metres at first and second floor.

At ground, first and second floor triple height glazing in the form of a void is proposed in the position of the first floor windows, as demonstrated on the section submitted (drawing no. P-0010A). At ground floor glazing would extend to include the ground floor window.

Skylights would be placed in the flat roof above the voids to allow light to come in (proposed roof plan - Drawing No. P-0010C).

The agent advises that the staircase would have railing balustrades to ensure light is not impeded to the side window at the rear (email dated 07 September 2020).

Following all the matters discussed above, it is considered that the proposed development would, on balance, have an acceptable impact on the amenities of neighbouring occupiers at No. 181 (b and c) Squires Lane and 170 Long Lane.

Impact on properties to the south-east (rear) along Lane Lane:

There are railings proposed to the rear (south face) of the balconies at a height of 1.1 metre at ground, first and second floor level.

There would be oblique views of the rear of the properties fronting Long Lane. However, this is no different to the current relationship with No. 181(b and c) Squires Lane and No. 170 Long Lane, as observed on site.

No. 172 Long Lane is a single storey building and appears to be currently used a fitness studio, or similar. It is not in residential use.

The immediate neighbour of No. 174 Long Lane which abuts the application site appears to have commercial use at ground floor. The closest first floor rear windows (which appears to be residential) are west facing, one of which appears to be obscure glazed, and the second window (which is an angled bay window) is partially obscured by a flue. There is an access door to a small balcony, but this door appears to be obscure glazed, as observed on site.

The rear yards of No. 176 and No. 178 Long Lane are occupied by structures and/or rear extensions serving the commercial uses at ground floor. The upper floor windows of these properties are west-facing and would not have immediate views of the proposed development.

The proposed development is sited north of these properties.

As such, it is considered that no harm arises to the neighbouring amenities and living conditions of the immediate properties to the rear which front Long Lane.

Additional information on the amenity of neighbouring occupiers:

Following from FGG Area Planning Committee's resolution to defer, the applicant produced a 'Daylight and Sunlight Assessment Report' (produced by Mach Group, revision 03, issue date 13/11/2020).

This assessed the impact on light to the immediate surrounding properties.

It assessed the:

- Vertical Sky Component (VSC), which is the amount of available daylight from the sky, received at a particular window;
- Annual Probable Sunlight Hours (APSH), which is the sunlight that a given window may expect over a year period and Winter Probable Sunlight Hours (WPSH);
- No sky line (NSL), which is a measure of the distribution of diffuse daylight within a room.

The findings are summarised on Page 1 of the 'Daylight and Sunlight Assessment Report'.

The findings of the assessment on the impact on neighbouring occupiers has been summarised by the Planning Officer as follows:

- For 174 Long Lane, which is to the rear of the application site:

One window (identified as window 21 within the report) fails to meet BRE targets for VSC and ASPH but this window is located above an entrance door and is therefore considered to be a non-daylight sensitive corridor space.

- For No. 130 Squires Lane on the opposite side of Squires Lane:

One first floor window (identified as window 13 within the report) fails to meet BRE targets for WPSH but this window is located above an entrance door, serving a staircase, and is therefore considered to be a non-sensitive space.

- For the first floor flat of No. 170 Long Lane which borders the application site to the north-east:

Two first floor windows (identified as windows 46 and 47 within the report) fail to meet BRE targets for VSC, APSH and WPSH.

Although the level of daylight and sunlight will be diminished, a No Sky Line assessment has been carried out for the adjacent room of the first floor flat of No. 170 Long Lane (identified as R8 within the report), in which it determined that BRE criteria is still achieved.

This demonstrates that the adjacent room (a kitchen/living/dining room) will still achieve good daylight levels. This is because there is a window to the front serving this room which will not be affected.

- For the ground floor/lower ground floor flat of No. 181 (b and c) Squires Lane which borders the application site to the north-east:

One ground floor window (identified as window 48 within the report) fails to meet BRE targets for VSC, APSH and WPSH.

Although the level of daylight and sunlight will be diminished, a No Sky Line assessment has been carried out for the adjacent room on the ground floor of No. 181 (b and c) Squires Lane (identified as R9 within the report), in which it determined that BRE criteria is still achieved.

This demonstrates that the adjacent ground floor room (which is shown to serve a living room) will still achieve good daylight levels. This is because there are windows to the rear serving this room.

- Regarding the adjacent room on the lower ground floor of No. 181 (b and c) Squires Lane (identified as R11 within the report), it was shown to have little to no daylight or sunlight with the (pre)existing structure on site. For this reason, it complies with BRE guidance.
- All other windows of immediately neighbouring properties meet BRE targets. In addition, the adjacent outdoor amenity spaces south of the proposed development will meet BRE targets.

An assessment was also carried out to compare the previously approved development (application reference 17/4327/FUL, decision dated 14 March 2018) and the currently proposed development (under this application).

It demonstrated that the current proposal slightly improves the daylight and sunlight impact on the three windows, compared to the previously approved development (Windows 46 and 47 at the first floor flat of No. 170 Long Lane and Window 48 at 181(b and c) Squires Lane). Thus, this also results in a slight improvement on the impact on the daylight levels of adjacent first floor and ground floor rooms (R8 and R9).

An additional document produced by the applicant's light consultant explains why these changes represent a slight improvement to the previously approved development (document dated 10/12/2020), and states:

"From comparing the previous and proposed building envelope, they are largely similar with small differences to balcony size as well as to the massing of the second floor. However, there is a noticeable change to the internal layout and choice of materials around the windows at 170 Long Lane and 181C Squires Lane, facing directly on to the development. While the proposed design now includes a separating element in front of the existing windows (for security reasons), the large glazing areas and additional roof lights above compensate for any shading that may occur...

Therefore, to summarise, the difference of the daylight and sunlight impact of the development on the majority of surrounding windows is negligible/minor when comparing the previous and new drawings. However, when comparing the internal and external changes to the design around the windows facing onto the development at 170 Long Lane and 181C Squire Lane, the new proposed rooflights will provide slightly higher levels of daylight than the previous design."

Impact on amenity of future occupiers

Policy DM01 states that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

Policy DM02 of Barnet's Development Management Policies Document PD (2012) states that where appropriate, development will be expected to demonstrate compliance with the following national and Londonwide standards supported by the guidance set out in the council's suite of Supplementary Planning Documents including minimum floorspace standards as set out in London Plan Policy 3.5 and outdoor amenity space requirements as set out in Barnet's Sustainable Design and Construction SPD (2016).

Officers are satisfied that the proposed units would meet minimum floorspace standards.

Officers are satisfied that the minimum ceiling heights would be met, and that the bedroom room dimensions and floor areas would be met.

Table 2.4 of the Barnet's Sustainable Design and Construction SPD (2016) states that bedrooms and living rooms /kitchens should have a reasonable outlook with clear glazed windows.

Application reference 19/5706/FUL, decision dated 20 December 2019, was refused as the proposed master bedroom at ground floor facing the pavement of Squires Lane would be required to have obscure glazed windows (to preserve the privacy of occupants) and thus would fail to provide acceptable outlook.

Under this application, the ground floor front windows facing the public pavement of

Squires Lane would be obscure glazed up to a height of 1.7 metres above the finished floor level and would serve a kitchen/dining area and bathroom of Unit 02.

Outlook for the sitting area of that open plan living/kitchen/dining room would be received from the rear, as would the bedroom serving that flat. Considering the area with obscure glazed windows would be for cooking purposes, and the open plan room would receive reasonable outlook with clear glazed windows to the rear, this is deemed acceptable and would address the previous reason for refusal.

Officers are satisfied that the proposed units would receive adequate levels of privacy, outlook and light.

Although the lower ground floor unit (Unit 01) would be single aspect, it would be south-east facing and would be served by glazing along its rear elevation. The glazing to the habitable rooms of the lower ground floor unit would be greater than 20% of the internal floor area of those rooms, as advised by Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016).

As abovementioned, following from FGG Area Planning Committee's resolution to defer, the applicant produced a 'Daylight and Sunlight Assessment Report' (produced by Mach Group, revision 03, issue date 13/11/2020).

An internal daylight assessment has been carried out in this report for the proposed lower ground floor flat within the development, in which it is shown that an average daylight factor (which measures the overall amount of daylight in a space) of 1.5% can be achieved within the living/kitchen area and 2.4% within the bedroom.

This is in full compliance with BRE guidelines, which sets a criterion of 1.5% for living rooms/kitchens and 1.0% for bedrooms. It is therefore acceptable in terms of daylight.

Regarding outdoor amenity space, Table 2.3 of Barnet's Sustainable Design and Construction SPD (2016) states that 5 sqm of outdoor space per habitable room should be provided.

The lower ground unit would be served by a private outdoor amenity space which exceeds the requirement for that unit.

The ground, first and second floor units would be provided with balconies of area of 4 sqm.

In total, the amenity space shortfall for the development (including the communal area at lower ground floor) would be 26.6 sqm.

The amenity space shortfall of the approved (extant) consent is 22 sqm [application reference: 17/4327/FUL, decision dated 14 March 2018].

The delegated report for this decision stated:

"Although these areas would fail to meet outdoor amenity space standards as set out in Barnet's Sustainable Design and Construction SPD (2016), Officers acknowledge the particular constraints of this site and its ability to deliver outdoor amenity space. It is observed that the neighbouring properties to No. 181 Squires Lane are served by limited outdoor amenity space too and the development would follow this character pattern. The rear balconies, although small, would still give

occupiers the ability to undertake day-to-day functions, such as drying washing and storage. The units meet amenity standards in all other aspects. On balance, the amenity space is deemed acceptable in this particular instance."

The same approach and flexibility would be adopted in this instance also.

In summary, for the reasons discussed above, the application is deemed acceptable in terms of its impact on the amenity of future occupiers and has addressed the previous reason for refusal in regard of outlook from the ground floor front windows.

Impact on parking and highways

Policy DM17 of Barnet's Development Management Policies Document DPD (2012) states that the council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where the maximum standards will be:

- i. 2 to 1.5 spaces per unit for detached and semi detached houses and flats (4 or more bedrooms);
- ii. 1.5 to 1 spaces per unit for terraced houses and flats (2 to 3 bedrooms); and
- iii. 1 to less than 1 space per unit for development consisting mainly of flats (1 bedroom).

2. Residential development may be acceptable:

- i. with limited or no parking outside a Controlled Parking Zone (CPZ) but only where it can be demonstrated through a survey that there is sufficient on street parking capacity.
- ii. with limited or no parking within a CPZ, where it can be demonstrated that there is insufficient capacity on street the applicant will be required to enter into a legal agreement to restrict future occupiers from obtaining on street parking permits. For proposals in close proximity to the edge of a CPZ a survey will also be required to demonstrate that there is sufficient on street parking capacity on streets outside the CPZ.

The application site is not within a controlled parking zone (CPZ). The site has a PTAL rating of 2 (where 6b is the best and 0 is the worst).

Application reference: 17/4327/FUL, decision dated 14 March 2018, granted planning permission for: "Demolition of existing building. Erection of a three storey building with a lower ground floor level comprising of 3no self-contained flats with balconies at first floor and second floor levels to rear elevation. Access steps to side elevation at ground floor level to first floor and associated amenity areas, cycle storage and refuse/recycling storage".

This application was accompanied by a parking beat survey in accordance with the Lambeth Methodology which indicated that there are parking spaces available on street to accommodate the overspill parking from the proposed development to justify car free development.

The refused planning application (reference: application reference 19/5706/FUL, decision dated 20 December 2019) was accompanied by the same parking beat survey, which was dated October 2017. The application was therefore refused in the absence of an updated survey.

Under this application, the applicant has received permission for the parking survey produced for No. 187 Squires Lane to be used in the assessment of this planning proposal (application reference: 19/5712/FUL, decision dated 31 January 2020, which granted consent for: "Conversion of existing dwelling into 2no self contained flats").

The survey for No. 187 Squires Lane was carried out recently (before COVID lockdown) and covers the areas relevant to this application. The conclusion of that survey was that "The day 1 and 2 results at 84.83% reflect an average of 22 unoccupied parking spaces during the survey nights."

Following an assessment by a highways officer, based on the parking survey results, the proposed development is deemed acceptable as a car-free scheme, subject to conditions.

Cycle parking is provided in accordance with the London Plan standard.

Refuse and recycling

Secure refuse and recycling storage is located at ground level with levelled access to the public highways. 2 x 1100 litre bins are provided. This meets the requirements set out in Barnet's document: "Information for developers and architects- Provision of Household Recycling and Waste Service".

Environmental health matters

The environmental health officer has deemed this application acceptable subject to conditions. As part of the discharge of the land contamination condition of the previously approved scheme, Part 1 has already been approved (reference: 20/3058/CON and 20/0313/CON), thus Part 2 has been attached as a condition.

5.5 Response to Public Consultation

- Impact on parking and highways network

Officer response:

As discussed in the assessment above, the application is considered acceptable in terms of impact on highways and parking.

The application site is not within a controlled parking zone (CPZ).

Under this application, the applicant has received permission for the parking survey produced for No. 187 Squires Lane to be used in the assessment of this planning proposal (application reference: 19/5712/FUL, decision dated 31 January 2020, which granted consent for: "Conversion of existing dwelling into 2no self contained flats").

The survey for No. 187 Squires Lane was carried out recently (before COVID lockdown) and covers the areas relevant to this application. The conclusion of that survey was that "The day 1 and 2 results at 84.83% reflect an average of 22 unoccupied parking spaces during the survey nights."

Following an assessment by a highways officer, based on the parking survey results, the proposed development is deemed acceptable as a car-free scheme, subject to conditions.

Cycle parking is provided in accordance with the London Plan standard.

- Impact on access to local facilities and infrastructure, and pressure on these facilities (such as doctors and dentists)

Officer response:

Considering the scale of the development proposed, this is not considered a reason for refusal in this particular instance.

- Overdevelopment

Officer response:

As discussed in the assessment above, the application is considered an acceptable size and scale. The proposed units meet the requirements for living conditions for future occupiers. Considering the assessment above, and the previous consent, this application is deemed acceptable.

- Impact on immediate neighbours' enjoyment of their garden area including No. 183 Squires Lane

Officer response:

As discussed in the assessment above, there would be rear projection of a depth of approximately 1 metre at the rear (1.25 metres including the balconies), but this would be set at a distance of 2.7 metres from the boundary adjacent to No. 183 Squires Lane and 2.3 metres from the boundary adjacent to No. 181 (b and c) Squires Lane. Considering these distances and modest depth, the impact on these neighbouring occupiers is considered acceptable.

The side wall of the balcony facing No.183 Squires Lane would be brick, and thus not result in overlooking or loss of privacy, as the balconies are orientated towards the south, unlike the previously refused scheme where they directly faced No. 183 Squires Lane. Furthermore, the boundary line of the garden of No. 183 Squires Lane angles gradually away from the proposed development.

There are no flank windows in the side elevation of No. 183 Squires Lane facing the application site.

- Disruption, noise and pollution arising from building work (noisy machinery etc.)

Officer response:

Any potential disruption would be over a limited time period and could be managed in a way that minimises disturbance through a Construction and Demolition Method Statement (CDMS) and Logistics Plan, which could be secured by condition.

- Damage from required foundations on neighbouring properties (vibration, subsidence, cracks)

Officer response:

This is not a planning matter and would not constitute a reason for refusal.

- If the Council approve this development then should only be done after providing me and my neighbours with a legally binding commitment to take full responsibility and liability to cover costs related to subsidence in the future.

Officer response:

This is not within the control or remit of planning.

- The land at the rear of the Long Lane parade of shops is not a carpark and is a children's leisure/play area in trust by Barnet Council. Issues with heavy building machinery constantly moving in this playground

Officer response:

Neighbours appear to be referring to an open yard to the rear of the site.

From a site visit it appeared to be used for car parking. Beyond that, on maps, it appears there are two halls - one for sea cadets, the other a Scout Hut. Beyond that are Allotment Gardens.

Notwithstanding this, as abovementioned, a Construction and Demolition Method Statement (CDMS) and Logistics Plan will be attached as a condition.

- Impact on privacy of the garden area of No. 183 Squires Lane

Officer response:

Addressed above.

- Risk to emergency services access to the flats above the Long Lane shopping parade which could be closed off by a building site

Officer response:

Methods of construction will be secured by way of Construction and Demolition Method Statement (CDMS) and Logistics Plan will be attached as a condition.

- Access to the veterinary practice on Long Lane

Officer response:

As discussed above.

- Issues with address naming and numbering

Officer response:

This appears to be an issue not directly related to the proposed planning application.

However, an informative has been attached regarding street naming and numbering

for this proposed development.

- The proposed building would overshadow surrounding buildings

Officer response:

The proposed building is sited north of the properties along Long Lane.

The proposed building would project 1.25 metre (set at a distance from the respective neighbouring boundaries) beyond the rear walls of No. 181 (b and c) Squires Lane/170 Long Lane and No. 183 Squires Lane.

For these reasons it is not considered the proposed development would detrimentally impact the daylight and sunlight levels received to the surrounding buildings.

- Works already commenced on site

Officer response:

This would not constitute a reason for refusal in this instance.

- There is no current basement at this site to justify going down a floor

Officer response:

There are variations in site levels, as existing on site.

- Query whether any structure on this site has ever had planning permission. Resident claims it was historically a garden area/open space

Officer response:

Even in the event that the previous structure on site never received express planning permission, this would not constitute a reason for refusal. It is being demolished.

- Querying that the owners of the neighbouring buildings have not been consulted, including reference to the consultation of previous applications

Officer response:

Regarding this planning application all neighbouring addresses have been consulted via letter. A site notice was also erected.

- Impact on sewerage and drainage of neighbouring properties

Officer response:

This would not constitute a reason for refusal in this instance.

- Proposed development would obstruct natural light to neighbouring property at No. 170 Long Lane and the side windows at lower ground level and first floor in the

flank facing the site (181B-C Squires Lane and 170B Long Lane)

Officer response:

This has been addressed in some detail in the assessment above.

In light of the amendments made to the proposed plans, with the introduction of a void adjacent to the flank wall of No. 181 (b and c) Squires Lane and No. 170 Long Lane, this is considered acceptable.

- We don't want another property attached to our house, making it terraced; Impact on the light to our garden and we do however think the design from the road looks better and very tidy we have concerns and would like to be consulted on this property

Officer response:

The objector states they are from 181 Squires Lane, neighbouring the site. It appears from the Council's GIS mapping system this particular property is on the opposite side of the junction. In this case, the proposed development would not immediately impact the amenities of these occupiers. In the interest of clarity, the impact on the amenities of neighbouring occupiers has been addressed in the main committee report.

Comments received following the submission of the 'Daylight and Sunlight Assessment Report' (produced by Mach Group, revision 03, issue date 13/11/2020):

- Objectors states that they, nor other residents, were consulted for the previously approved planning application (reference: 17/4327/FUL, decision dated 14 March 2018) and that the address of that application was not clear/was misleading. Objector finds it hard to understand how the previous planning application was approved with no objections and no comments made by any residents

Officer response:

Immediate neighbours were consulted by letter. A site notice was erected. The application was also published on the Council's website.

- Disagreement with the findings of the parking survey relied upon by the applicant.

Officer response:

Addressed above. In summary, the Highways Officer has found the application acceptable subject to conditions.

- "On the previously approved scheme there is an atrium which gave some distance between the flank wall of 181B & C Squires Lane and the proposed building, which would give better light and air flow between the buildings.

This application will butt up to our building. Will result in substantial loss of light and view in my lounge (Flat 181 B&C) which at present gets sunlight for residents of the flat, which is needed in a flat with no outside space. I suggest the original planning is kept with the atrium as the most sympathetic solution of the options available."

Officer response:

As discussed in the main body of this report, the 'Daylight and Sunlight Assessment Report' demonstrates that the current proposal represents a slight improvement on the daylight and sunlight impact on the ground floor window (W48) of No. 181(b & c), compared to the previously approved development.

The ground floor room which this window serves (R9) will continue to receive acceptable day light levels. This room has windows serving it to the rear.

Regarding the lower ground floor window (annotated as W49), with the (pre) existing structure on site, it received little to no daylight or sunlight. It passes BRE criteria for this reason. The same applies for the room it serves (R11).

With the previously approved development, the lower ground floor window (and room) would represent a slight improvement compared to the current scheme, in regard to daylight, but this is marginal (2.6 sqm of the room lit of a 18.9 sqm room).

- "In regard to the daylight and sunlight assessment report - the report demonstrates that the proposed development has a serious impact on the levels of light at the two first-floor windows at my property (170B Long Lane), and those of the property below (181 Squires Lane).

The two windows most affected (W46 and W47 in the report) are the only ones in my property that catch direct full sunshine at any time of the day and will be blocked as the result of the development. The sun never reaches the front of the property.

The remaining light levels in my property will be lower than they are now and no part of the property will receive direct sunshine. This is not limited to the financial impact through the devaluation of my property, but also severe wellbeing and health impacts (including seasonal affective disorder and risk of vitamin D deficiency).

The developer could consider mitigating the impact on the views and light levels in my property, setting back the new development from the street, in line with the terraced houses on Squires Lane. However, this change would still mean my kitchen window would be fully occluded unless further mitigation was implemented to the rear of the development."

Officer response:

The two side windows serving the first floor flat of No. 170 Long Lane are south west facing. These two side windows (W46 and W47) fail to meet BRE targets for VSC, APSH and WPSH. This would mean the levels of daylight and sunlight to these windows will be diminished.

However, compared to the previously approved scheme they will represent marginal improvement. Furthermore, the room they serve (R8, a living/kitchen/dining room) will still achieve good daylight levels. This is because there is a window to the front serving this room (W42) which will not be affected.

This front window is north west facing. Although it receives sunlight, the ASPH and WPSH for this front window is not as high as the two side windows, due to its orientation.

However, the front windows will continue to do so with the implementation proposed development, because it will not be affected.

- Impact on views from these windows too- views of green space, the sky and surrounding trees will be gone, and replaced with a brick wall.

Officer response:

Views are not a material planning consideration. In the benefit of clarity, the adjacent room serving the first floor flat of No.170 Long Lane will continue to have outlook from the front.

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 address the previous reasons for refusal (in reference to application reference 19/5706/FUL, decision dated 20 December 2019) and is considered to be in accordance with the development plan. This application is therefore recommended for approval.

