

Location	Rear Of 153 Friern Barnet Lane London N20 0NP	
Reference:	21/2109/FUL	Received: 14th April 2021 Accepted: 22nd April 2021
Ward:	Oakleigh	Expiry 17th June 2021
Case Officer:	Tania Sa Cordeiro	
Applicant:	Mr Bull	
Proposal:	Construction of 3no two storey dwelling houses with rooms in the roofspace. Associated amenity space, landscaping and parking	

OFFICER'S RECOMMENDATION

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in their absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Draft Construction Management Plan, prepared by Stuart Henley and Partners
 Drg.no. GD/210050/R2 Rev.1 (Arboricultural Implications Assessment and Tree protection Plan), prepared by Bartlett Consulting
 Drg.no. GD210050dTPP Rv2 (Tree Protection Plan)
 Drg.no. GD/210050/R3 (Arboricultural Method Statement and Tree Protection Plan Report), prepared by Bartlett Consulting
 Drg.no. 5045_11_Rev.H (Proposed Site Plan)
 Drg.no. 5045_12_Rev. A (House 1 - Proposed Floor Plans)
 Drg.no. 5045_13 (House 2 - Proposed Plans)
 Drg.no. 5045_14 (House 3 - Proposed Plans)
 Drg.no. 5045_15_Rev. A (House 1 - Proposed Elevation)
 Drg.no. 5045_16 (House 2 - Proposed Elevation)
 Drg.no. 5045_17 (House 3 - Proposed Elevation)
 Drg.no. 5045_18_Rev. A (House 1, 2 & 3 - Proposed Elevation)
 Drg.no. 5045_01 (Site Location Plan)
 The above plans were received on the 11th October 2021.

Design and Access Statement
 The above plans were received on the 22nd April 2021.

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

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

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

- 3 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

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

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

- 4 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).

- 5 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place 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, have been 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); the Sustainable Design and Construction SPD (adopted October 2016); and Policies D6 and SI7 of the London Plan 2021

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D, E of Part 1 of Schedule 2 of that Order shall be carried out within the area of Rear Of 153 Friern Barnet Lane, London N20 0NP and the new dwelling's hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 7 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 D4, D5, D8 and G7 of the London Plan 2021.

8 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 treatment of boundaries should be permeable to species such as hedgehogs (*Erinaceus europaeus*) and common toad (*Bufo bufo*), with the introduction of a minimum of 1no 13 x 13cm ground level access 'hedgehog hole' between the application site and each neighbouring piece of land to enable connections and prevent the fragmentation of habitat

c) 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, DM16, 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).

9 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).

10 Before the building hereby permitted is first occupied the proposed window(s) in the side elevations at first floor and roof level shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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 (adopted October 2016).

- 11 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 12 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.

- 13 a) No development shall take place until the implementation of a programme of archaeological evaluation has been secured in accordance with a written scheme which has been submitted by the applicant and approved by the Local Planning Authority in writing and a report on that evaluation has been submitted to the Local Planning Authority.

b) If heritage assets of archaeological interest are identified by the evaluation under a) above, then before development (other than demolition to present ground level) commences the implementation of a programme of archaeological investigation shall be secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

c) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under b).

d) The development shall not be first occupied or brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under b), and the provision for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To enable archaeological investigation of the site in accordance with Policy DM06 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD 2016 and Policy HC1 of the London Plan 2021.

- 14 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.

- 15 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 wholesome 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. Any use of grey water and/or rain water systems needs to be separate from the potable (wholesome) water system and needs to meet the requirements and guidance set out in Part G of the Building Regulations.

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), Policy SI 5 of the London Plan 2021 and Barnet's Sustainable Design and Construction SPD (2016).

- 16 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.

- 17 a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with details approved under this condition.

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

- 18 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.
- b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

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

- 19 a) Before any site works, (including any temporary enabling works, site clearance, removal of existing vegetation, demolition or any investigative works referred in any other conditions, or development) hereby permitted commences, the applicant shall submit for approval an ecological survey incorporating details of measures to secure net biodiversity gain on the site in accordance with guidance set out within BS42040:2013: Biodiversity - Code of practice for planning and development, and guidance documents provided by the Chartered Institute of Ecology and Environmental Management (CIEEM) and the Royal Town Planning Institute (RTPI) for approval.

b) The development shall be implemented in full accordance with details approved under this condition.

Reason: To ensure that nature conservation interests are not prejudiced by the development in accordance with Section 197 of the Town and Country Planning Act 1990 in accordance with Policy DM16 of the Local Plan Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy G6 of the London Plan (2021)

- 20 Notwithstanding the parking layout submitted with the planning application, prior to construction of the development; swept path drawing showing vehicles entering, turning around and exiting the 8 parking spaces within the curtilage of the development shall be submitted to and approved in writing by the Local Planning Authority.

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

- 21 Details of cycle parking including the type of stands, gaps between stands, location and type of cycle store proposed shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, before the development hereby permitted is occupied, 6 (long stay) cycle parking spaces in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided and shall not be used for any purpose other than parking of cycles in connection with the approved development.

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

Informative(s):

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

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

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

- 3 If the development is carried out it will be necessary to provide a habitual crossover access to facilitate construction access to the development site including any associated works to the public highway. Following completion of the development, the footway including any associated works on public highway, will be reinstated by the Highway Authority at the applicant's expense. An estimate for this cost of works and the Application Forms can be obtained from the Highway Development Control Team, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW.
- 4 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.
- 5 The applicant must submit an application under Section 184 of the Highways Act (1980) for the proposed vehicular access. The proposed access design details, construction and location will be reviewed by the Development Team as part of the application. Any related costs for alterations to the public highway layout that may become necessary, due to the design of the onsite development, will be borne by the applicant.

To receive a copy of our Guidelines for Developers and an application form please contact: Traffic & Development Section - Development and Regulatory Services, London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW.

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 nrsua@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.

- 6 If a concrete pump lorry is operated from the public highway, the surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
- 7 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licences please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licences or email highwayscorrespondence@barnet.gov.uk.

Informative: The applicant should apply for a Habitual Crossing License for construction vehicles

- 8 The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW.
- 9 The applicant is advised that Highways Licensing Team must be contacted to apply for a temporary crossover license. An estimate for this license can be obtained from the Highways Licensing Team, London Borough of Barnet, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW.

- 10 The applicant is advised that due to the large number of schools and school children in the area that site deliveries during the construction period should not take place between 0800 hrs to 0900hrs and 1500 hrs to 1600 hrs. Careful consideration must also be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.
- 11 The applicant is advised that any removal or relocation of the existing street furniture including lamp columns as a result of the proposed development would be subject to the Highway Authorities approval and undertaken at the applicant's expense by the Council's term contractor for Highway Works. An estimate for the works can be obtained from Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW.
- 12 The applicant is advised that Friern Barnet Lane (the whole length) is Traffic Sensitive Road; deliveries during the construction period should not take place between 8.00 am-9.30 am and 4.30 pm-6.30 pm Monday to Friday. Careful consideration must also be given to the optimum route(s) for construction traffic and the Crossover Team in Development and Regulatory Services should be consulted in this respect.
- 13 The applicant shall carry out a "before" and "after" condition survey of the agreed route to be utilised by all construction traffic. The "before" survey shall taken prior to the commencement of the development. The "after" survey shall be completed three months before the completion of the development. Any recommended works necessary to reinstate the condition of the agreed route to that identified within the "before" survey shall be implemented as approved following completion of the development.
- 14 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a payment under Barnet CIL.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

For further details on exemption and relief, please visit:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

OFFICER'S ASSESSMENT

1. Site Description

The application site relates to a vacant L shaped site, located close to the junction with Friern Barnet Lane. To the rear, the site wraps around the rear gardens of Temple Lodge and Westwards House which are located on St. James Avenue. Access to the site is proposed from St. James Avenue.

The site is located on the south western side of St. James Avenue, within Oakleigh ward.

The site is located within an established residential area in a tight knit suburban area, comprising of a mixture of detached and semidetached dwellings with fairly large private rear gardens. It sits within spacious surroundings with mature landscaping and thick established tree belts. The green, suburban character of the site and wider area is emphasised further with the mature hedges running along the rear of the properties of the dwellings.

The application site does not lie within a conservation area, nor is it adjacent to a listed building. However, the site benefits from very mature trees, some of which are protected by TPOs.

In addition, the site lies within an Archaeological Priority Area.

2. Site History

Reference: N01216K/07

Address: 155 Friern Barnet Lane, London, N20 0NP

Decision: Approved subject to conditions

Decision Date: 27 June 2007

Description: Erection of a two storey detached house (OUTLINE APPLICATION)

Reference: N01216J/02

Address: 155 Friern Barnet Lane, London, N20 0NP

Decision: Approved subject to conditions

Decision Date: 24/04/2002

Description: Erection of two-storey detached house (Outline).

3. Proposal

The proposal is for the 'Construction of 3no two storey detached dwelling houses with rooms within the roof space. Associated amenity space, landscaping and parking'.

The plot is L shaped and wraps around the rear gardens of Temple Lodge and Westwards House which are located and fronts onto St. James Avenue. Access to the site is proposed from St. James Avenue.

Each detached house is two storey's with provision for 2no. car parking spaces and private amenity space to the rear of each individual plot.

House 1

House 1 is sited to the front of the site fronting St. James Avenue. It has a hipped roof with an eaves height of 5.4m and maximum height of 10m. It has a width of 8.5m and a depth of 9.8m. In addition, to the front, a two storey gabled feature measuring 3m in depth accommodates the front porch and entrance to the dwelling and a single storey rear projection from the rear wall measures 2m in depth.

1no. small dormer with a flat roof is centrally located on the rear roof. In addition, 1no. side dormer with a pitched roof sits flush with the flank wall and project into the side roof slope measuring 2.8m in width, 2.7m in height and 1.1m in depth.

It is 5b10p dwelling with a GIA of 220.67m². Private amenity space of 70m² is allocated to the rear of the property. In addition, 2no.off-street parking is provided to the rear of the site.

House 2 and 3

House 2 and House 3 are sited to the rear of the site adjacent to the rear gardens of Temple Lodge and Westwards House. This pair of detached dwellings are identical in design and scale. They comprise of 4b7p with a GIA of 162sq.m, each. Private amenity space is provide to the both these dwelling to the rear. House 2 will have a space of 147m² and House 3 will have a space of 135m², allocated to them.

They have a hipped roof with an eaves height of 5.4m and maximum height of 9m. It has a width of 6.6m and a depth of 11m. In addition, a single storey projection from the rear wall measures 2m in depth. The front elevation features a single bay window and a canopy that extends across the front door and the bay window, at ground floor.

Internally the ground floors will accommodate living spaces with bedroom on the upper floors. Access to the site is provided via St. James avenue which runs perpendicular to Friern Barnet.

4. Public Consultation

Consultation letters were sent to 30 neighbouring properties. 11 responses have been received. Out of which 3no. were neutral and 8 letters of objections

Comments have been summarised below:

- Boundary fence between the site and 155a is replaced by a 2m high one and replace trees
- Impact on privacy due to proximity to the rear gardens
- Access road at the beginning of St James Avenue will create extra traffic and noise
- Additional stress on existing parking issues
- Over development, which will greatly impact the wildlife and green spaces
- Devastate the existing "wildlife corridor" running behind Friern Barnet Lane;
- Loss of protected and mature trees, will have a negative impact on the balance of animal life and could, potentially, decimate the area

- Grossly oversized and no consideration has been given to the neighbourhood privacy and landscape
- Out of keeping with the local pattern of development and the character of this part of Friern Barnet Lane;
- Affect views with the loss of trees and light
- Unnecessary pollution
- Site is in an Archaeological Priority Area, condition to be added

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 20th July 2021. 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 2021

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

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

Barnet's Local Plan (2012)

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

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

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.

Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan -Reg 22 - Submission was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission the Local Plan will now undergo an Examination in Public. The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. It represents Barnet's draft 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 the policies and site proposals in the draft Local Plan and the stage that it has reached.

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.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted 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:

- Principle of development;
- Whether harm would be caused to the character and appearance of the application site, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether adequate amenity would be provided for future occupiers;
- Impact on highways;
- Provision of refuse storage

5.3 Assessment of proposals

Principle of residential development

The area is characterised by residential developments and therefore residential use is the characteristic use in the vicinity. In addition, it is noted that the site received planning consent for a 'two storey detached property' under reference no. N01216K/07. Therefore, the principle of a residential dwelling at this site is considered to be acceptable.

Character and appearance

The site benefits from very verdant surroundings with thick mature trees, especially to the rear of the site. These existing green boundaries are not only an important character of the overall area but also offers a positive protective barrier along with an effective and significant screening. Furthermore, the site is covered with groups of TPO's. Therefore, the proposal was referred to the Authorities Arboricultural officer and a suitable scheme has been secured to ensure that the proposed development will retain a reasonable amount of existing greenery, in addition to the provision of new soft landscaping scheme, which will help to maintain the verdant character of the area. This will be secured by way of a condition.

The Council's Residential Design Guidance SPD recommends that all developments should protect and enhance the gardens at residential properties as the spaciousness of gardens makes an important contribution to Barnet's distinctiveness. St James Avenue and Friern Barnet Lane are made up of a mixture of housing type, however the pattern of development on this section of road is characterised by large detached and semi-detached houses within very spacious surroundings. They predominantly comprise of buildings with relatively generous, private residential gardens to the rear. Therefore, care has been taken to ensure that the proposed dwellings are designed in a way that it would harmonise with the immediate street scene and does not compromise the established character of this street.

House 1 is set back from the street and sits further back from the front building line of the adjacent properties on St. James Avenue and therefore will retain the mature trees to the front of the site. House 2 and House 3 are sited adjacent to the rear gardens of Temple Lodge and Westwards House within spacious and verdant settings. Furthermore, due to their sitting, they are not visible from the street scene.

With regards to the design and scale and siting of the proposed dwelling's, they are comparable to the houses on St. James Avenue. The proposal has provided an adequate amount of buffering and landscaping between flank walls and boundaries to adjacent properties. Therefore, given the distances afforded between the proposed dwellings and adjacent dwellings, they would not result in a cramped form of development. The proposal would have an acceptable impact on the established pattern of development and character of St James Avenue.

The applicant has not provided details of the materials to be used for the new dwelling's. However these will be secured by way of a condition, to ensure the materials used will be in keeping with the character and appearance of the area.

Impact on Living condition of neighbouring residents

New developments should have due regard to the amenity of existing occupiers in neighbouring buildings. Careful consideration needs to be given to the siting and the scale of development and the impact the proposed development will have on the amenity of neighbouring occupiers.

The Residential Design Guidance SPD advocates that there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking and 10.5 metres to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.

The dwellings are designed to maintain sufficient and adequate distance between the new dwellings and the side / rear elevations of neighbouring properties. There is a buffer of approximately 9m between the flank walls of House 1 and adjacent property at Temple Lodge. To the rear House 2 sits closest to the boundary with Temple Lodge, the rear elevation of this property is set away by approximately 16m from the flank wall of House 2, at first floor level. Therefore, due to the siting of these two walls, no concerns are raised with regards to loss of outlook from the rear windows of Temple Lodge. Furthermore, all windows proposed on the flank walls and side roof slopes serve non habitable rooms and will be conditioned to be obscure glazed, therefore there are no concerns with regards to overlooking and loss of privacy, as well.

The proposed dwellings would introduce some additional views to neighbouring properties from the first floor rear windows, however having regard to the grain of the area and the presence of existing residential windows with similar outlook, it is not considered that the proposal would be detrimental to the privacy of the occupants of any neighbouring property.

Furthermore, adequate boundary treatment will ensure that the windows proposed at ground floor level will not lead to overlooking or loss of privacy to neighbouring occupiers. This will be secured by way of a condition.

Due to the siting of the property, and its relationship with the neighbouring properties, the proposal is unlikely to have a detrimental impact on the amenities of neighbouring occupiers to an unacceptable level.

Provision of adequate accommodation for future occupiers

In terms of the amenity for future occupiers, the Planning Authority expects a high standard of internal design and layout in new residential development to provide an adequate standard of accommodation. The London Plan and Barnet's Sustainable Design and Construction SPD sets out the minimum space requirements for residential units.

All residential developments are expected to comply with the minimum space standards as advocated within the Sustainable Design and Construction SPD (adopted 2016) and the London Plan 2021. The SPD standards for bedrooms require double bedrooms to provide a minimum floor area of 11.5sqm and single bedrooms a minimum floor area of 7.5sqm. All three dwellings comply with these standards.

The required minimum London Plan space standards for 5 bedroom 8 persons over 2 storey is 121sqm. House 1 would accommodate 10 people within 5 bedrooms and is providing a GIA of 220.67m². In addition, space standards for 4bedroom 7person over 2 storey is 115sqm. House 2 and House 3 will accommodate 7 people within 4 bedrooms and is providing a GIA of of 162m². All three dwellings meet and exceeds the internal space requirements.

New residential units are expected to provide suitable outlook and light to all habitable rooms whilst not compromising the amenities of neighbouring occupiers. The Council Sustainable Design and Construction SPD stipulates that "the positioning of doors and windows should also be considered, and single aspect dwellings should be avoided". The units would generally benefit from suitable outlook to habitable rooms.

With regards to outdoor amenity space, all new residential development is expected to provide suitable, private and useable outdoor amenity space for future occupiers. The dwellings would benefit from private garden's which would meet the space standards for each respective dwelling. Officers do not raise any objection in this regard.

The proposal has also provided adequate hard and soft landscaping to the front and rear of the property, which has been approved by the Authority's Arboricultural officer, subject to further details, with regards to the selection of plants and shrubs.

Highways and parking provision

Barnet policy DM17 states that the Council will expect development to provide parking in accordance with the London Plan standards.

The site is located on the south-western side of St James Avenue, N20 and forms a back land plot that is the extension of the rear gardens associated with the properties facing Friern Barnet Lane (B550) and St James Avenue, N20. Access is provided by an existing vehicular crossover off St James Avenue, N20 situated 1.8 metres away from an existing lamp column.

The surrounding area is predominantly residential comprising two-storey detached, semi-detached and terraced residential properties. The site lies within walking distance from Whetstone Town Centre including a primary shopping area and a wide range of local facilities. There are also places of worship in the vicinity, such as the Parish of Friern Barnet to the north as well as St James the Great and St Katherines Church to the south of B550.

The nearby roads are not subject to any formal on-street parking controls, however, the nearest crossroad junction with St James Close, N20 and Queens Well Avenue, N20 is restricted by a way of double yellow lines that do not allow any either vehicular parking or waiting at any time.

The Public Transport Accessibility Level (PTAL) for the site is assessed as 1b which is regarded as very poor accessibility.

The proposal is for the construction of three detached dwelling houses (Use Class C3) consisting of 4+ bedrooms each. 2 off-street parking spaces will be provided per dwelling and 2 additional visitors' parking spaces will be accommodated within the curtilage of the site. The properties and the off-street parking spaces will be facilitated by a private driveway to be accessed via a new vehicular crossover off St James Avenue, N20. Apart from that, 2 pedestrian gates will enable pedestrian to get into the site from St James Avenue, N20, one of which will serve the bin store of House 1 on collection days. The second one further north along the frontage will serve all the residential units via walkways to be constructed in front of them.

According to the Parking Standards as set out in Barnet Council's Local Plan Development Management Policy DM17, the range of vehicular parking spaces which would need to be provided as part of the proposed development is between 4.5 and 6 parking spaces.

Based on the PTAL rating for the site as 1b (moderate accessibility), 6 off-street parking spaces would be required to meet the parking standards of DM17 policy. Therefore, the provision of 6 car parking spaces (2 per dwelling) on site and 2 car parking spaces for visitors complies with the requirements of DM17 policy.

Cycle storage

The proposed development will need to provide 2 long stay cycle parking spaces per dwelling in accordance with the London Plan Cycle Parking standards. The cycle parking spaces will need to be secured in enclosed storage facilities that are well-lit, overlooked and accessible by the residents only. The type of stands will need to allow both the frame and at least one wheel of the bicycle to be locked. Design details for the cycle parking spaces and the storage facilities will also need to be provided in accordance with the London Cycle Design Standards (LCDS). This information will be secured by a way of a condition.

Refuse

The proposed development is required to comply with Barnet's Waste and Recycling Strategy (2020).

As per the proposed Site Plan one bin store will be provided to the side of each one of the proposed residential units. The bin store of House 1 will benefit from a pedestrian gate off St James Avenue, N20 to provide clear and levelled access to collect the waste on collection days. Additionally, a hard standing will be put in place within proximity to the driveway entry where the dustbins will be taken to be emptied by the refuse crews. The proposed arrangements are acceptable on highway grounds. Further details will be required with regards to bin enclosures which will be secured by way of a condition.

5.4 Response to Public Consultation

- Boundary fence between the site and 155a is replaced by a 2m high one and replace trees
- Impact on privacy due to proximity to the rear gardens
- Access road at the beginning of St James Avenue will create extra traffic and noise
- Additional stress on existing parking issues
- Over development, which will greatly impact the wildlife and green spaces
- Devastate the existing "wildlife corridor" running behind Friern Barnet Lane;
- Loss of protected and mature trees, will have a negative impact on the balance of animal life and could, potentially, decimate the area
- Grossly oversized and no consideration has been given to the neighbourhood privacy and landscape
- Out of keeping with the local pattern of development and the character of this part of Friern Barnet Lane;
- Affect views with the loss of trees and light
- Unnecessary pollution

Concerns have been mainly addressed within the body of the report.

- Site is in an Archaeological Priority Area, condition to be added

A condition has been attached requiring an assessment to be carried out to determine whether the site is known or is likely to contain archaeological remains, prior to development.

Where there is good reason to believe that there are remains of archaeological importance on a site, the Council will consider directing applicants to supply further details of proposed developments, including the results of an archaeological desk-based assessment and field evaluation.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval subject to conditions.

