

Location Liberty Court 141 Great North Way London NW4 1PR

Reference: 21/5847/FUL Received: 3rd November 2021
Accepted: 5th November 2021

Ward: Finchley Church End Expiry 31st December 2021

Case Officer: Wilf Foster

Applicant: Avon Grounds Rents Limited

Proposal: Roof extension to provide an additional storey comprising of 4no. self-contained flats

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:

Drawings: 141LC-A-01-002; 141LC-A-02-101; 141LC-A-02-102; 141LC-A-02-103; 141LC-A-02-104; 141LC-A-03-101; 141LC-A-03-102; 141LC-A-03-103; 141LC-A-05-101; 141LC-A-05-102; 141LC-A-06-101; 141LC-A-06-102; 141LC-A-06-103; 141LC-A-06-104; 141LC-A-07-101.

Daylight and Sunlight Assessment for Planning (ref 4030), T16 Design, August 2021.

Transport Statement, Crosby Transport Planning (ref PC/P2177 TS), September 2021.

Car Stacker Details, Total Lifting Solutions.

Noise Impact Assessment (ref VA3751.210903.NIA), Venta Acoustics, September 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 other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy D4 of the London Plan 2021.

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies D4, D5, D8 and G7 of the London Plan 2021.

- 5 Prior to occupation of the development, Cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason: In the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 6 Prior to occupation of the development the proposed parking spaces within the parking area as shown in drawings no. 141LC-A-01-002 submitted with the planning application and the access to the parking area from public highway shall be provided and the access to the parking spaces shall be maintained at all time. The parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced 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.

- 7 No site works or works on this development including demolition or construction work shall commence until a Demolition and Construction Management and Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in full accordance with the details approved under this plan. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following information:
- 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.

Reason

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13 , CS14, DM01, DM04 and DM17 of the Barnet Local Plan.

- 8 Prior to occupation of the development full details of the electric vehicle charging points to be installed in the development shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include provision for not less than 20% of the approved residential parking spaces to be provided with active electric vehicle charging facilities and 20% passive electrical charging facility. The development shall be implemented in full accordance with the

approved details prior to first occupation and thereafter be maintained as such.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with Policy T6.1 of the London Plan.

- 9 Prior to the occupation of the development, a Maintenance Agreement for the operation of the car lifts [and shutters] must be submitted to and approval by the Local Planning Authority.

Reason: In the interests of highway safety 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.

- 10 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.
Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reasons: In the interest of good air quality in accordance with London Plan policy SI 1.

- 11 a) No development 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).

- 12 The level of noise emitted from the car stackers hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss,

screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and Policies D13 and D14 of the London Plan.

- 13 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the car stacker, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016) and Policies D13 and D14 of the London Plan 2021.

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

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy SI5 of the London Plan 2021

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

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

thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD, and Policy SI 1 of the London Plan.

- 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 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 London Plan 2021.

- 18 The property shall be used as self-contained units as shown in the hereby approved drawings under Class C3(a) and no other purpose (including any other purpose in Class C3 or C4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

- 19 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012); CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The 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 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 London NW9 4EW.

Refuse collection points should be located within 10 meters of the Public Highway. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the

Cleansing Department.

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.

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.

- 4 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.

- 5 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.

OFFICER'S ASSESSMENT

1. Site Description

The site is located on the northern side of the Great North Way (A1), within the Finchley Church End ward. The site comprises part three-, part four-storey purpose-built block of self-contained flats.

The surrounding area is predominantly residential in character and comprises a variety of building heights ranging from two to four storeys. To the rear of the site is Copthall Playing Fields. The site is not within a conservation area, nor is it a listed building.

2. Site and other Relevant History

Reference: C14890/02

Address: 141 - 151 Great North Way London NW4 1PP

Decision: Approved following legal agreement

Decision date: 24.07.2003

Proposal: Erection of two, two-storey buildings including rooms in the roofspace, comprising 24 flats and parking for 34 cars with access from Great North Way following demolition of existing buildings (outline).

3. Proposal

The application seeks approval for "Roof extension to provide an additional storey comprising of 4no. self-contained flats".

The proposed extension would add an additional storey to the existing building, resulting in a part four-, part five-storey building. The lower part four-storey element is located adjacent to the neighbouring property at Madison Court. The proposed extension would be finished with a dark grey timber composite cladding. The roof material will be a similar zinc finish to the existing roof. The proposal also involves the re-cladding of existing timber cladding with the proposed timber composite cladding.

The proposals will provide 4no additional residential units. The proposed units are as follows:

- Unit 1: 2-bedroom/4-person, 71.4 sqm;
- Unit 2: 2-bedroom/4-person, 76.0 sqm;
- Unit 3: 1-bedroom/2-person, 54.2 sqm;
- Unit 4: 1-bedroom/2-person, 54.6 sqm.

The proposal includes balconies for each unit and a new rooftop communal amenity area. The total amenity space provision is approx. 68.5 sqm.

4. Public Consultation

A site notice was posted on 18th November 2021. Consultation letters were sent to 69 neighbouring properties.

A total of 8 objections have been received. Their contents can be summarised as follows:

- Concerns regarding increased parking congestion.
- Concerns regarding highways safety.
- Concerns regarding noise and disturbance during construction.
- The proposal is out of keeping with the local character.
- The proposal will result in loss of light and outlook to neighbouring properties.

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 Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The London Plan (2021)

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous Plan.

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS6, CS8, CS9, CS10, CS15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM09, DM13, 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.

Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. 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

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 existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether adequate living conditions would be provided for future occupiers;
- Whether harm would be caused to the surrounding highways network.

5.3 Assessment of proposals

Principle of development

The existing building contains a purpose-built block of flats. The proposal is to provide an additional 4no residential units by way of an extension to the existing building is consistent with the existing land use and would contribute to housing supply in the borough. As such, there is no objection to the principle of development, subject to the considerations below.

Impact on the character of the area

All proposed developments should be based on an understanding of the local characteristics, preserving or enhancing the local character and respecting the appearance, scale, mass and height of the surrounding buildings, spaces and streets in accordance with DM01 of the Development Management Policies DPD (2012).

The proposal would add an additional 1no storey to the existing building. The resulting building would be a maximum of five storeys on the corner with Greenlands Lane and four storeys adjacent to the neighbouring property Madison Court. Given the asymmetric roof design, the height is at its lowest point adjacent to Madison Court. The difference in height between the host property and the neighbouring property would be approximately one-and-a-half storeys. It is not considered that this increase would result in an unduly overbearing relationship with the neighbouring property, given the spacing between buildings and the host property's corner siting. Additionally, given the presence of a four storey building located on the eastern end of the row of buildings on Great North Way (No.

185-195), the proposed four/five storey building would form a "book-end" to the row that would be in keeping with the streetscene and local character.

The proposed extension would match the form of the existing building, with the existing roof form and proportions replicated. The area of roof to be omitted to facilitate the communal roof garden would have a minimal impact on the external appearance of the building and is not considered to be harmful. The proposed balconies are contained within the envelope of the building and are considered to have an acceptable appearance. Additionally, the proposed re-cladding is considered to be acceptable. It is noted that this is intended to improve the fire safety of the building.

The proposal involves the addition of 4no car stacking units to the rear car park. The proposed stacker units comprise two tiers, with the lower tier stored below ground when not in operation. As such, the principal visual impact would be the metal frames which have a height of approx. 2 metres. This is not considered to have an unacceptable impact on the local character, given their siting within the existing car park and the relatively mixed character of the area.

Overall, it is considered that the proposed development would have an acceptable impact on the character of the area and the streetscene, in accordance with planning policy including Policy DM01.

Impact on the amenities of neighbouring occupiers

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

Policy DM01 in Council's Development Management Policies DPD stipulates that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

The neighbouring property to the east is at Madison Court, a two-and-a-half storey building comprising flats. To the west, the site is bounded by Greenlands Lane, with a motor vehicle repairs garage. Copthall Playing Fields is to the rear.

Regarding the relationship with Madison Court, as noted above, the proposed extension would result in a four storey building adjacent to the shared boundary. There is a generous gap between flank walls that would be retained. Additionally, there are no habitable windows on the flank wall of the neighbouring property facing the site. It is noted that there are rear-facing windows on a protruding side element adjacent to the shared boundary. However, the submitted daylight and sunlight assessment demonstrates that there would be no significant adverse impacts on these or any other windows on the neighbouring property. Overall, officers consider that the proposed extensions would not result in an unacceptable overbearing impact or loss of light or outlook to the neighbouring flats at Madison Court.

The proposal includes windows on the flank elevation facing the neighbouring property at Madison Court. However, these would have a similar relationship to the existing windows below and therefore are considered to have an acceptable impact.

The proposed car stackers to the rear, given their modest scale when not in operation, are

not considered to have an unacceptable overbearing impact on the neighbouring property at Madison Court.

Overall, it is considered that the proposed development would have an acceptable impact on the residential amenities of all neighbouring occupiers, in accordance with Policy DM01.

Whether the proposal provides a satisfactory living environment for future occupiers

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) 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 the same document states that where appropriate, development will be expected to demonstrate compliance with the following national and London wide standards supported by the guidance set out in the council's suite of Supplementary Planning Documents. This includes minimum floorspace standards in accordance with outdoor amenity space requirements set out in Barnet's Sustainable Design and Construction SPD (2016).

The proposals would provide the following new residential units:

- Unit 1: 2-bedroom/4-person, 71.4 sqm;
- Unit 2: 2-bedroom/4-person, 76.0 sqm;
- Unit 3: 1-bedroom/2-person, 54.2 sqm;
- Unit 4: 1-bedroom/2-person, 54.6 sqm.

The proposed units would meet minimum internal space standards and would be acceptable in this regard. The proposed units are all dual aspect and would benefit from good levels of light and outlook. The proposed bedrooms would meet minimum room sizes.

Table 2.3 of Barnet's Sustainable Design and Construction SPD (2016) sets out outdoor amenity space requirements.

Paragraph 2.3.1 of the document states: Outdoor amenity space is highly valued and suitable provision will help to protect and improve the living standards of residents as well as contribute to maintaining and enhancing the wider character of the borough. Residential units with insufficient garden or amenity space are unlikely to provide good living conditions for future occupiers. For houses, amenity space should be provided in the form of individual rear gardens. For flats, options include provision communally around buildings or on roofs or as balconies. Whatever option is chosen it must be usable.

Following revisions, the proposals include private amenity areas comprising approx. 3.5 sqm for each unit, and a communal amenity area comprising 54.8 sqm. Weight is given to the proximity of the site to open space to the rear. Additionally, it is noted that the existing units do not benefit from outdoor amenity space and therefore the proposals would benefit the occupiers of the existing units also. Thus, on balance, the provision of outdoor amenity space for the proposed units is considered to be acceptable.

Highways

The site lies within a PTAL 0 zone, which means that it has the lowest public transport accessibility. In line with requirements set out on Policy DM17 of the Barnet Local Plan,

the required off-street car parking provision for this proposal is 5no spaces. Therefore, the proposed provision of 4no spaces is an under-provision of 1no off-street car parking space in relation to standards. However, given that there are visitor parking bays available on site, should there be an over-spill of 1no car parking space from the proposed units, it is expected that it should be safely accommodated there. Therefore, on balance, the provision of 1no space per new unit is deemed not expected to have a significantly detrimental impact on the surrounding public highway. Highways officers have confirmed that they are satisfied with the proposed development on highways grounds based on the above and subject to the attached conditions.

Regarding cycle parking, it is considered sufficient to attach a condition to ensure compliance with London Plan standards, given that there is space within the site to provide this.

Overall, the proposals are not considered to result in an unacceptable impact on the surrounding highways network, subject to the proposed conditions.

Refuse

The proposals include an enlargement of the existing refuse storage area adjacent to Greenlands Lane. It is considered sufficient to attach a condition to ensure compliance with local standards.

Accessibility and Sustainability

The application scheme is required to meet Building Regulation requirement M4(2), in accordance with the London Plan. A condition is attached to ensure compliance with this requirement.

In respect of carbon dioxide emission reduction, a condition is attached to ensure an appropriate level of reduction is achieved in accordance with the requirements of the London Plan.

The proposed development therefore would meet the necessary sustainability and efficiency requirements of the London Plan.

5.4 Response to Public Consultation

- Concerns regarding increased parking congestion.
- Concerns regarding highways safety.

These issues are addressed in the highways section of the report. Highways officer have not raised objection to the proposals in this regard.

- Concerns regarding noise and disturbance during construction.
- This is not considered to warrant a reason to refuse permission.

- The proposal is out of keeping with the local character.
 - The proposal will result in loss of light and outlook to neighbouring properties.
- These issues are addressed in the above report.

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

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

