

Location	11 Summit Close London N14 7NR	
Reference:	21/3569/FUL	Received: 29th June 2021 Accepted: 29th June 2021
Ward:	Brunswick Park	Expiry 24th August 2021
Case Officer:	Zakera Matin	
Applicant:	Mr Kurt Hidayet	
Proposal:	Erection of a two-storey dwelling to the rear of No.11 Summit Close. Associated refuse/recycling and off-street 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:

Existing Plans

SUMc11_EX 99 A
SUMc11_EX 001 B
SUMc11_EX 002 B
SUMc11_EX 100 B
SUMc11_EX 200 A
SUMc11_EX 201 B
SUMc11_EX 202 A
SUMc11_EX 203 A
SUMc11_EX 300 A

SUMc11_EX 303 A
SUMc11_EX 400 A

Proposed Plans

SUMc11_PL 000 A
SUMc11_PL 001 B
SUMc11_PL 002 A
SUMc11_PL 99 A
SUMc11_PL 100 B
SUMc11_PL 101 A
SUMc11_PL 200 B
SUMc11_PL 201 B
SUMc11_PL 202 B
SUMc11_PL 203 B
SUMc11_PL 300 C
SUMc11_PL 301 D
SUMc11_PL 302 C
SUMc11_PL 303 C
SUMc11_PL 400 A
SUMc11_PL _INF 900 B
SUMc11_PL _INF 901 B

Cover letter dated 29 June 2021

Planning Statement dated 10th June 2021

Arboricultural Report 171020-PD-11b

Air Assessment prepared by RPS.

Design and Access Statement prepared by Douglas and King Architects Part 1 and Part 2.

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) The development shall be implemented in accordance with the materials as approved under this planning application with the materials as submitted with the Design and Access Statement and as detailed on the approved plans. Any variation to these details will need to be approved in writing by the Local Planning Authority.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF

and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies GG1, D1, D5,D6, D8 of the London Plan 2021.

- 4
- a) No further 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 the London Plan 2021.

- 5
- a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.
 - b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

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

- 6
- Prior to occupation of the development the proposed parking spaces within the parking area as shown on Drawings. 000A and 900B 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 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.

- 7
- a) Before the development hereby permitted is first occupied cycle parking spaces

and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in The London Plan (2021) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 8 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 at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) shall meet Building Regulation requirement M4(3) 'wheelchair user dwellings'. All other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) shall meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. 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 policy D7 (Accessible Housing).

- 9 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

- 10 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is further commenced.

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 April 2013).

- 11 a) No further development shall take place until details of the location, extent and depth of all excavations for services as well as upgrades (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 London Plan 2021.

- 12 a) The proposed development shall not commence until the details of the AMS have been carried out in full with trees to be removed and the tree protection fencing erected in accordance with approved plans within the AMS including 171020-P-10a, 171020-P-11b and 171020-P-12b.

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).

- 13 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,and E of Part 1 of Schedule 2 of that Order shall be carried out within the area of new dwellings 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).

- 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 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 London Plan 2021.

- 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 10 % 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), 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. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

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

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

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

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

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

Relief or Exemption from CIL:

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

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

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

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

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

Please visit

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

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

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

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

Further details and the application form can be downloaded from:

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

- 4 The applicant is advised that if any modification is required or proposed to access from the public highway, such works would be subject to a detailed investigation by the Traffic and Development section. Heavy duty access may need to be provided to cater for a heavy duty use and may involve relocation of existing street furniture. The works would be undertaken by the Highway Authority at the applicant's expense. You may obtain an estimate for this and any associated work on the public highway, and further information, from the Traffic and Development Section - Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ, by telephone on 020 8359 3018, or via crossovers@barnet.gov.uk.
- 5 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.
- 6 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."

OFFICER'S ASSESSMENT

The application is forwarded to committee due to number of objections received.

1. Site Description

The application site is located at the rear of 11 Summit Close which is a two-storey detached property located at the southern end of Summit Close within the Brunswick Park Ward. Summit Close is dominated by single family dwellings, with semi-detached properties to the northern and middle section of the street and larger detached properties at the southern end. The detached properties are orientated around the cul-de-sac section of Summit Close, with each of these dwellings benefiting from generous plot sizes.

The site has planning permission for a two storey dwelling following permission 17/7118/FUL. This permission has been partially implemented but a contractor was appointed who made significant modifications to the layout and scale of the building without understanding the implications of deviating from the approved documents. This application has been submitted following Enforcement investigations. This application seeks to regularise the deviations from the approved scheme.

The application site is not located within a conservation area and is neither a statutory or locally listed building. No TPO trees are located within its curtilage although there is a TPO tree proximally located to the rear of the application site within the curtilage of no.35 Mandeville Road.

2. Site History

Reference: 17/7118/FUL

Address: 11 Summit Close, London, N14 7NR

Decision: Approved following legal agreement

Decision Date: 9 February 2018

Description: Erection of a part one storey, part two-storey dwelling house (comprising of lower ground and ground floor level) following demolition of the existing garage. Associated parking, refuse and cycle storage

Reference: 19/4590/CON

Address: 11 Summit Close, London, N14 7NR

Decision: Approved

Decision Date: 22 November 2019

Description: Submission of details of conditions 4 (Refuse collection) 6 (Demolition and Construction Management and Logistics Plan) 8 (Landscaping) 9 (Service excavations) 10 (Levels) 11 (External materials) 12 (Enclosure/boundary treatment) pursuant to planning permission 17/7118/FUL dated 09/02/18

Reference: 20/3666/CON

Address: 11 Summit Close, London, N14 7NR

Decision: Approved

Decision Date: 21 August 2020

Description: Submission of details of condition 11 (Materials) pursuant to planning permission 17/7118/FUL dated 09/02/18

3. Proposal

It is noted that the site has begun construction to implement the scheme approved under planning permission 17/7118/FUL involving the Erection of a part one storey, part two-storey dwelling house (comprising of lower ground and ground floor level) following demolition of the existing garage. Associated parking, refuse and cycle storage.

The proposal under this application seeks to regularise the deviations made to the approved scheme 17/7118/FUL. The lower ground and ground floor slabs have been built but not set at the correct levels and the building is located in a slightly different location on the site in plan. A proposed flat roof, previously with a shallow pitch, sets the roof level at a similar height to the ridge of the previously approved scheme. The upper volume has been shifted to be more central on the site, moving the volume away from the boundaries and creating a similar impact on neighbouring amenity.

The building footprint is 172sqm with 65sqm of private sunken amenity space. The dwelling will provide a GIA of 231sqm with a dedicated refuse and bike store. 2 car parking spaces are proposed on site.

4. Public Consultation

Consultation letters were sent to 44 neighbouring properties and 22 letters of objection have been received. These objections can be summarised as follows:

- Impact character and appearance of area
- Out of character with the area
- Boundary treatment
- Increased overlooking and distance to neighbour boundaries
- Loss of privacy
- Increase in traffic

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 Mayor's London Plan 2021

The London Plan 2021 was adopted on 02 March 2021 and is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth.

The Plan is part of the statutory development plan for London, meaning that the policies in the Plan should inform decisions on planning applications across the capital. Borough's Local Plans must be in 'general conformity' with the London Plan, ensuring that the planning system for London operates in a joined-up way and reflects the overall strategy for how London can develop sustainably, which the London Plan sets out.

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.

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, CS10, CS11,
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM17.

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

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 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 the 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.
- Quality of amenity for the future occupier
- Impact on highways
- Refuse

5.3 Assessment of proposals

Principle

This application seeks planning permission for a new two-storey dwelling (over lower ground and ground floor levels) within the back garden of no.11 Summit Close. The development proposed would constitute a form of back land development that would result in the loss of a portion of private residential garden. This form of development often raises a number of fundamental character and amenity concerns, particularly around discordant development patterns, overdevelopment of a site and the loss of residential gardens. Policy DM01, Core Strategy 5 and the Residential Design Guidance SPD (2016) all reinforce the intrinsic importance of gardens to local character. DM01 states that 'Development that impacts the character created by gardens can include large extensions and infill development. Development which is considered to be detrimental to local character will be refused.'

The principle of backland development at this site is considered to be acceptable following the granting of planning permission 17/7118/FUL for Erection of a part one storey, part two-storey dwelling house (comprising of lower ground and ground floor level) following demolition of the existing garage.

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

All new development is expected to preserve and respect the established character and appearance of the surrounding area. Policy DM01 states that:

b. Development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

Planning permission 17/7118/FUL approved a dwelling with a basement size of 16.04m x 8.5m. The proposed basement size is 18.74m x 10m. At ground floor level, the approved scheme measured 7.14m x 13.5m, with the proposed scheme measuring 7.14m x 11.765m. This shows the basement area will be enlarged but the ground floor element will be reduced. This will reduce the overall visual bulk of the proposal when viewed from the surrounding area. The garage adjoined onto the west flank wall of 11 Summit Close would be demolished to allow for a vehicular pathway down to lower ground level to the rear of the property, where 2- parking spaces would be provided.

A proposed flat roof, previously with a shallow pitch, sets the roof level at a similar height to the ridge of the previously approved scheme. The upper volume has been shifted to be more central on the site, moving the volume away from the boundaries and creating a similar impact on neighbouring amenity.

The proposed development would constitute a form of back land development that would result in the loss of a portion of private residential garden. However, in the context of the garden being unusually large for its location, there is appreciable space for both dwellings. The proposal involves the vertical stacking of regular forms askew across lower ground and ground floor levels, thereby introducing striking new forms of development within the context of a strongly coherent, traditional mid-19th century suburban part of the borough in terms of detail, scale and layout. The form and layout combined with the use of contemporary materials is unprecedented at odds with the existing street pattern, layout of surrounding plots and design of nearby houses. However, in this instance, a more contemporary form of development is a welcomed opportunity, particularly given a large and irregular back land site layout, far removed from the traditional pattern and layout of development on Summit Close.

The massing of the proposed development does not raise concerns with regards to its articulation. Primary and secondary masses are proportional to one another resulting in visual balance. The proposed development would be set far back from the 11 Summit Close and would not be perceived from the public realm. A timber clad, low-level form of development above natural ground level would result in a visually inconspicuous form of development, more so than the earlier version approved.

The applicant has taken on board comments from the Design Officer by introducing dark timber cladding on the external surfaces of the ground floor element with a cream/yellow brick at lower ground floor level which provides a visually interesting and attractive contrast. The façade's louvres provide an interesting detailing which lift the overall aesthetic. The applicant has also integrated a combination of fenestration solutions with floor to ceiling openings, sliding doors and corner windows.

The design officer has reviewed the proposal and it is now considered to be acceptable. Based on the above, it is considered that the design, scale and siting of the proposed detached dwelling would have an acceptable impact on the established pattern of development and character and appearance of the area, and given the distances afforded from adjacent dwellings, would not result in a cramped form of development. Moreover, it is not considered that its development would set an undesirable design precedent which if replicated would be detrimental to the visual appearance of the wider street scene. Consequently, it is considered that the proposed development is in compliance with Policy DM01 and is therefore recommended for approval on character and appearance grounds.

Impact on the living conditions of neighbouring residents

The proposed dwelling is similar in its footprint to the approved dwelling and therefore the introduction of a dwelling on this site would not be considered overbearing on neighbouring properties. The reduction in bulk at ground floor level is welcomed as this will reduce visual impacts when compared to the approved scheme.

Privacy can be safeguarded by achieving adequate window to window, or window to balcony distances between buildings (both existing and proposed). In new residential development there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking.

The applicant has provided detailed analysis of overlooking distances to neighbouring properties within the design and access statement. The proposal would have the following distances to neighbouring properties:

- 11 Summit Close - over 21m
- 65-61 Lincoln Avenue - over 35m
- 33-35 Mandeville Road - 35m

The existing south fence will be replaced by a 2.2m fence which will ensure there is no overlooking to neighbouring amenity areas. Given the north-south orientation of the application site and distance from adjacent properties and gardens, it is not expected that the proposed development would result in the loss of outlook and natural light / sunlight. Furthermore, considering the subterranean nature of the lower ground floor, it is not deemed that its use would have a detrimental impact on neighbouring residential amenity.

Overall, it is considered that the proposal would not result in a dominant form of development when viewed from neighbouring properties, having an acceptable impact on the neighbouring amenities.

Quality of amenity for the future occupier

The proposed dwelling would have 231.2sqm of internal habitable floorspace, which significantly exceeds the requirements of the Council's adopted Sustainable Design and Construction SPD (2016) and the Mayor's London Plan (2021) Housing Standards.

The plot is substantially large and would provide adequate outdoor amenity space for both proposed dwellings to comply with the minimum standards in the Council's adopted Sustainable Design and Construction SPD (2016).

Floor to ceiling height:

Table 3.3 of Policy 3.5 of the London Plan states that a minimum ceiling height of 2.5 metres is required for at least 75% of the gross internal area of a dwelling.

The proposed dwelling meets the above standard.

Light/outlook:

Barnet's Sustainable Design & Construction SPD (Oct 2016) section 2.4 states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room and that bedrooms and living rooms /kitchens should have a reasonable outlook with clear glazed windows.

It is considered that the proposed dwelling would benefit from dual aspect outlook and an acceptable level of daylight / sunlight provision to all habitable rooms.

Amenity Space:

Section 2.3 of the Sustainable Design & Construction sets out the external amenity space requirements for houses. Both the proposed and existing dwellings would meet the external amenity space requirements as demonstrated below:

The building footprint is 172sqm with 65sqm of private sunken amenity space. The dwelling will provide a GIA of 231sqm with a dedicated refuse and bike store.

It is considered that the amenity space remaining for use by the original property at no.11 Summit Close would exceed the minimum space standards and the 10.5m distance

between rear elevation and the rear boundary wall as recommended within the Residential Design Guidance SPD (2016). The usability and quality of the remaining space is deemed acceptable, and given the single storey nature of the proposed dwelling and the sloping site topography, it is not expected that overlooking would result

Based on the above, it is considered that the proposed development would provide an acceptable level of amenity for future occupiers and consequently, this application is recommended for approval on amenity for future occupier grounds.

Impact on Highways

The application proposes 2.no on-site parking spaces accessed via a narrow access lane along the western edge of the application site. DM17 states that for houses with 4.no or more bedrooms, 1.5 to 2 parking spaces are required. Consequently, it is considered that the 2.no spaces proposed would be acceptable on highways grounds. The applicant has provided plans to show the parking spaces and provided a swept path analysis plan. The highways officer has reviewed the proposal and has no objections.

A wooden shed is proposed in line with the approved scheme, and this would provide storage for 4 bicycles. A condition will be attached to ensure bike storage is provided.

A dedicated bin and recycling store is provided, and these details are acceptable. A condition will be added to ensure compliance.

5.4 Response to Public Consultation

- Impact character and appearance of area : see character section, design officer has no objection. The bulk of the ground floor is reduced from the approved scheme.
 - Out of character with the area: see character section
 - Boundary treatment: a new southern fence will be erected
 - Increased overlooking and distance to neighbour boundaries: see amenity section.
- All properties over 21m away.
- Loss of privacy: see amenity section
 - Increase in traffic: 2 spaces as per the approved scheme.

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. Legal Agreement

It is noted that the previous application 17/7118/FUL was approved subject to legal agreement restricting implementation of extent permission together with the approved scheme under 17/0123/HSE for "Single storey rear extension" and 17/1722/HSE for "Part single, part two storey front, side and rear extensions following demolition of existing garage. New raised patio area with associated access. Creation of lower ground floor."

However, both the extent permission has now expired and therefore those extent permission cannot be implemented.

Therefore no legal agreement is required to restrict the expired extent permissions under

17/0123/HSE and 17/1722/HSE.

8. 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.

