

Location Sisters Of The Sacred Heart 6 Oakleigh Park South London N20 9JU

Reference: 22/0804/FUL Received: 16th February 2022

Accepted: 17th February 2022

Ward: Whetstone Expiry 14th April 2022

Case Officer: Zakera Matin

Applicant: Mr A Llupa

Proposal: Partial demolition(retrospective) of existing single storey extension and erection of a detached two storey dwelling containing 2no maisonettes and 3no self contained flats, with a basement and roof space. Associated amenity space, refuse storage, cycle store 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:

SK-31, SK-32, PL-33, PL-34, PL-35, PL-36, PL-37, PL-38, PL-39, PL-40, PL-42, Bat Scoping Survey (7 March 2022), Planning Statement, Arboricultural Survey Report, Hybrid Parking Survey/Transport Statement, Sustainability and Accessibility Statement.

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 Before the building hereby permitted is first occupied the proposed window(s) in the flank elevation facing no.4b and no.6 shall be glazed with obscure glass only below a height of 1.7m from finished floor level, and shall be permanently retained as such thereafter and shall be permanently fixed shut below that height.

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).

- 6 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the flank elevation facing no.4b and no.6.

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).

- 7 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) To offset the loss of large mature trees (T5 & T6 tree constraints plan) in the front garden and maintain the character of the street a minimum of x 2 trees will be planted at the front of development. These trees be a minimum of 45cm girth and 7m high and consist of x 2 walnut (*Juglans regia*) or similar species subject to LPA agreement.
- c) 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.
- d) 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).

- 8 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 the London Plan 2021.

- 9
- 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).

- 10
- 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.

11 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 Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

12 Prior to commencement of works on the development the applicant must submit an application under Section 278 of the Highways Act (1980) for the proposed vehicular access and implement the highway works before the development is occupied. The proposed access design details, construction and location will be reviewed by the Highways 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.

Reason: To ensure that the works on public highway are carried out to the satisfaction of the highway authority in the interest 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.

13 Notwithstanding the parking provision submitted with planning application, prior to construction of the development; a revised scheme showing parking provision in accordance with the Parking Policy DM17 including the access to the parking spaces shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking spaces shall be used only as agreed and not to 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 Barnets Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

14 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.

- 15 Development, other than demolition, shall not commence until the demolition works approved under Planning Permission Reference 21/3592/FUL have been completed.

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).

- 16 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 the London Plan 2021 and the 2016 Mayors Housing SPG.

- 17 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 2013 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) and the 2016 Mayors Housing SPG.

- 18 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).

- 19 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 to E of Part 1 of Schedule 2 of that Order shall be carried out within the area.

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).

Informative(s):

- 0 The applicant is advised that an application under the Highways Act (1980) will need to be submitted for any works proposed on public highway to facilitate the development. The works on public highway shall either be carried out under S278 of the Highways Act (1980). As part of the application, the applicant shall submit proposed design and construction details to Development Team for approval. The applicant is also advised that any consequential damage to public highway as a result of the development proposal shall be borne by the applicant.

The applicant is advised that photographic survey shall be undertaken of the public highway likely to be affected by the development proposal prior to commencement of any construction or demolition works on site.

To receive a copy of our Guidelines for Developers and an application form please contact: highway.development@Barnet.gov.uk. Traffic & Development Section Development and Regulatory Services, London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW, due to the current Covid-19 global pandemic, we have limited access to our offices, we therefore request that all new applications and requests be made via email.

- 0 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.
- 0 The applicant is advised that the site is located within close proximity of schools and therefore deliveries during the construction period should avoided between 0800 hrs to 0900hrs and 1500 hrs to 1600 hrs. Careful consideration must be given to the optimum route(s) for construction traffic and the Development and Regulatory Services should be consulted in this respect.

- 0 The Highway Authority will require the applicant to give an undertaking to pay additional costs of repair or maintenance of the public highway in the vicinity of the site should the highway be damaged as a result of the construction traffic. The construction traffic will be deemed extraordinary traffic for the purposes of Section 59 of the Highways Act 1980. Under this section, the Highway Authority can recover the cost of excess expenses for maintenance of the highway resulting from excessive weight or extraordinary traffic passing along the highway. It is to be understood that any remedial works for such damage will be included in the estimate for highway works.

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

- 0 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.

We believe that your development is liable for 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 first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

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.

- 0 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.

- 0 In line with the National Planning Policy Framework (NPPF 2021) in aiming to achieve sustainable development and the obligations on public bodies to conserve and enhance biodiversity as required by the Natural Environment and Rural Communities (NERC) Act 2006 please ensure that the Biodiversity Enhancement Recommendations recommended below are adhered to.

An integrated bat box such as a Schwegler 1F Bat tube, or similar approved should be installed within the fabric of the building during construction. This feature should be positioned on a southern elevation, over a height of 5 metres, ideally close to the eaves of the new build. The flight line to the box should be unobstructed by vegetation of other structures.

- o Artificial bird nesting boxes for swifts, house martins and house sparrows
1 Bat Conservation Trust (August 2015) Encouraging Bats: A Guide for Bat Friendly Gardening and Living.

- o Planting night-scented flowers will help attract night-flying insects, which offer food to hungry bats. Aim to plant a mixture of flowering plants, vegetables, trees and shrubs to encourage a diversity of insects, which in turn may attract different bat species.

o Flowers that bloom throughout the year, including both annuals and herbaceous perennials, are a good idea: night - flowering blossoms attract night-flying insects. Trees and shrubs provide food for insects and roosting opportunities for bats (Bat Conservation Trust)1.

lighting strategy must be designed and used to minimise impacts on bats and their insect food. All exterior lighting should follow the guidance of the Bat Conservation Trust. Current (June 2014) advice is at <http://www.bats.org.uk/>.

OFFICER'S ASSESSMENT

1. Site Description

The application site comprises side extensions to a large detached Victorian villa which is not included within the application site and was subject to planning application 21/3592/FUL. The site is located on southern side of Oakleigh Park South.

Oakleigh Park South is a predominately residential road comprised of an eclectic mix of large properties predominantly in use a single family dwelling houses. A newly built purpose built block of flats is located at the south western end of Oakleigh Park South near its junction with Oakleigh Road North. Sacred Heart primary school is also found at this junction.

The subject site was used as a convent building (C2 use class) as well as an onsite Chapel used by residents within the convent.

The site does not fall within a conservation area, nor is the building listed. A number of mature trees are found within the site, none of which are governed by Tree Preservation Order (TPO).

The site lies within a PTAL rating of 2, which means that there is low public transport accessibility.

2. Site History

Reference: N00374A

Address: R/O 6/6A Oakleigh Park South Fronting Simmons Way And Russell Road London N20

Decision: Approved subject to conditions

Decision Date: 16.10.1968

Description: Erection of two storey building of four flats and garages

Reference: N00374J

Address: 6 Oakleigh Park South Whetstone, N20

Decision: Approve subject to conditions

Decision Date: 10.06.1983

Description: Single-storey side extension, single-storey rear extension and new porch at rear

Reference: N00374K

Address: 6 Oakleigh Park South Whetstone, N20

Decision: Approve subject to conditions

Decision Date: 28.03.1984

Description: Single-storey side extension

Reference: 20/3799/OUT

Address: Sisters Of The Sacred Heart, 6 Oakleigh Park South, London, N20 9JU

Decision: Approved subject to conditions

Decision Date: 14 May 2021

Description: Outline planning permission for demolition of existing convent building (Class C2) and erection of a two storey detached building with rooms in the roofspace incorporating 7no. dormers to provide 6 dwellings and erection of a two storey 5-bedroom house (Class C3). Landscaping a reserved matter. (AMENDED PLANS AND DESCRIPTION)

Reference: 21/3592/FUL

Address: Sisters Of The Sacred Heart, 6 Oakleigh Park South, London, N20 9JU

Decision: Approved subject to conditions

Decision Date: 01.09.2021

Description: Partial demolition of existing single storey extension and erection of a two storey detached single family dwellinghouse with rooms in the roofspace and basement. Associated amenity space, refuse storage, cycle store and off-street parking

Reference: 21/3594/FUL

Address: Sisters Of The Sacred Heart, 6 Oakleigh Park South, London, N20 9JU

Decision: Approved subject to conditions

Decision Date: 01.09.2021

Description: Partial demolition of existing single storey extension and erection of a two storey detached single family dwellinghouse with rooms in the roofspace and basement. Associated amenity space, refuse storage, cycle store and off-street parking.

3. Proposal

The application seeks planning permission for partial demolition(retrospective) of existing single storey extension and erection of a detached two storey dwelling containing 2no maisonettes and 3no self contained flats, with a basement and roof space. Associated amenity space, refuse storage, cycle store and off-street parking.

Planning permission has been granted under 21/3594/FUL for partial demolition of existing single storey extension and erection of a two storey detached single family dwellinghouse with rooms in the roofspace and basement. Associated amenity space, refuse storage, cycle store and off-street parking. The purpose of this application is to split that development into flats and maisonettes.

The existing curtilage of the site would be subdivided into two separate sites/curtilages similar to approved scheme under 21/3594/FUL.

The proposed detached building would be sited 13 m from the front boundary line. The front building line would be set back 5.6m from the front building line of neighbouring property no.4b. In terms of footprint and scale, the dwelling would measure a maximum depth of 17.5m, a width of 10.7m, an eaves height of 6m and maximum height of 9.3m similar to the previous approved scheme under 21/3594/FUL. It would feature a crown roof. The rear elevation would feature 2 dormers. It would be sited 1m from both side boundaries.

Ground floor and basement would provide 2no maisonettes, first floor would provide 2 flats and there would be another flat at loft space.

2 car parking spaces would be provided at the forecourt. Private amenity space is provided at the rear for the 2 maisonettes and communal amenity space is provided for the flats in the rear garden.

4. Public Consultation

Consultation letters were sent to 49 neighbouring properties.10 objections have been received.The objections received can be summarised as follows:

- Flatted development of this type would alter the character of this area
- It would increase traffic, pollution and noise.
- Probable impact on parking
- The submitted Parking Survey is wrong
- The additional vehicles parked in the street because of this development will have a significant detrimental impact on road safety.
- Impact on N0.4A in terms of overlooking, loss of daylight and sunlight.
- The proposed flats exceed a reasonable density.
- The road is particularly busy during the working week with the coming and going of parents and children to the two nearby schools. There is already insufficient legal parking spaces available on the road.

4.1 Other Consultees

Highways - Parking provision acceptable subject to conditions.

Ecologist - No objection

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 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, CS3, CS4, CS5, CS13.

Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM13, DM16, DM17.

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

- o Sustainable Design and Construction SPD (adopted October 2016)
- o Provides detailed guidance that supplements policies in the adopted Local Plan and

sets out how sustainable development will be delivered in Barnet.

- o Residential Design Guidance SPD (adopted October 2016).

5.2 Main issues for consideration

The main issues for consideration in this case are:

- o The principle of the development;
- o The quality of the design and its impact on the character and appearance of the area and streetscene
- o Impact on neighbouring amenity
- o Quality of residential proposed accommodation
- o Impact on the local highway
- o Impact on Ecology, trees and biodiversity
- o Accessibility

5.3 Assessment of proposals

Principle of the development

Policy DM08 of the Development Management Policies (2012) states 'Development should provide where appropriate a mix of dwelling types and sizes in order to provide choice for a growing and diverse population for all households in the borough', the proposed dwellings would provide a suitable mix of accommodation, including priority housing, which would contribute towards the growing housing shortage in the borough.

The character of Oakleigh Park South is predominately made up of substantial detached single family dwelling houses set in wide plots allowing a spacious green setting. The houses are of a varying design such as of an Arts and Craft style and Victorian Villas. A number of properties have been converted to flats along the road such as nos. 18 and 20 Oakleigh Park South. Therefore, introduction of maisonettes and flats would not be out of character in this area.

The principle for development on this site has been established by outline planning permission 20/3799/OUT and previous approved scheme under 21/3594/FUL.

Taking all of the above into consideration, officers consider that the principle of a replacement building in part with a new building containing maisonettes and flats would be acceptable subject to matters detailed further in the report.

The quality of the design and its impact on the character and appearance the area and street scene

High quality design underpins the sustainable development imperative of the NPPF, as well as New London Plan (2021) chapter 3 'Design'. Policy CS5 of Barnet's Core Strategy (2012) seeks to ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high- quality design.

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states 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.

As detailed above, the application site contains the side extensions from a large detached house of a Victorian Villa style. The extensions on the site are part of an attractive building providing a good example of a Victorian Villa, it has no statutory or local protection and as such the principle of demolition is not contested. This however is subject to its replacement demonstrating high quality design which seamlessly assimilates into the street scene.

The character and appearance of the dwelling has already been considered to be acceptable via outline planning permission 20/3799/OUT and 21/3594/FUL. This application makes no significant changes to the footprint, height or design of the building that was previously approved. While the previously approved schemes did not feature a basement, the current proposal features a basement.

Whilst the proposal does not mark an overall increase in footprint, mass and height from the previous approved scheme, the resultant development would sit comfortably within the plot and would be representative in scale and size of neighbouring buildings, in particular those to the south west of the application site. The detached property has been designed to resemble the form and appearance of the adjacent neighbouring dwelling house which provide a cohesive appearance and an appropriate continuation of the built form it resides against.

The proposed parking arrangement to the front forecourt would be accompanied by soft landscaping to soften its visual appearance. A condition is attached to ensure this.

Taking the above into consideration and the previous planning history for this site, the proposal will have an acceptable impact on the character and appearance of the area and accords with Policy DM01.

Impact on neighbouring residential amenity

Policy DM01 of Barnet's Local Plan seeks to protect the amenity of neighbouring properties with regard to loss of privacy, overshadowing, over-bearing and loss of outlook. This will include taking a full account of all neighbouring sites.

ON the side of no.4B Oakleigh Park South, the proposed detached dwelling house would be set off 1m from the common boundary with a further 1m to the flank wall of the neighbouring property in accordance with Residential Design guidance which stipulates a minimum of 2m between flank walls should be retained at first floor level.

In terms of footprint, it is noted that the rearwards projection would extend beyond the adjacent rear building line of the neighbouring property no.4b by 5.6 m at two storey level. However, a relevant material consideration is the substantial drop in land levels between the application site and the no.4b. The submitted drawings demonstrates that the ridge of detached property would be situated approximately 1.9m lower than no.4b and two storey eaves would be 2m lower than eaves of no.4b . As such the two storey rearward projection of the development would appear at a height of 4 m to its eaves when viewed from the neighbouring garden. This aspect would adequately reduce any adverse impact to the residential amenities of no.4b in terms of overbearing impact, overshadowing or loss of daylight. Furthermore the proposed building would be sited to north east in relation to no.4b and because of orientation together with siting at lower level it is not considered to have overshadowing or loss of light of no.4b.

It is noted that flank wall facing bo.4b and 6 Oakleigh Park contains habitable rooms. A condition is attached require them to be obscured glazed and non-openable below a

height of 1.7 m from finished floor level to address any overlooking and privacy issue.

Quality of accommodation

Floor space standards:

The Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. Table 3.1 within Policy D6 of The London Plan 2021 provides minimum space standards for new dwellings.

Maisonettes Unit G01 and G01 would be 3 bed 5 person unit with Gross Internal Floor area of 147.8 sqm which would meet the minimum GIA requirement of 93 sqm. There would be sufficient storage space.

First floor flats 101 and 102 would be 2 bed 3 person units with Gross Internal Floor area of 67.39 sqm which would meet the minimum GIA requirement of 61 sqm. There would be sufficient storage space.

Loft flat 201 would be 2 bed 4 person unit with Gross Internal Floor area of 86.4 sqm which would meet the minimum GIA requirement of 70 sqm. There would be sufficient storage space.

The proposed units would comply and considerably exceed the minimum space standards as set out above.

The Residential Design Guidance SPD (October 2016) requires that the vertical stacking of rooms between flats should as far as practical ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors. The proposed layout provides reasonable stacking throughout the property.

Outlook, daylight and privacy:

The Sustainable Design and Construction SPD (2016) states: To deliver the Mayor's aspiration that homes are fit for purpose the internal layout of rooms and design of dwellings needs to be considered to enable flexible use. The positioning of doors and windows should also be considered and single aspect dwellings should be avoided...Dual aspect dwellings have many benefits including better daylight, a greater chance of direct sunlight for longer periods, natural cross ventilation, mitigating pollution, offering a choice of views, access to a quiet side of a building, greater flexibility in the use of rooms, and more potential for future adaptability by altering the use of rooms. Where single aspect flats are considered acceptable they should demonstrate that all habitable rooms and the kitchen are capable of providing adequate ventilation, privacy and daylight and the orientation enhances amenity, including views.

The maisonettes and the first floor flats would be dual aspect and would provide a good level of outlook, light and ventilation for future occupiers.

Glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room. The ground floor and the first floor units would meet the requirement.

The loft unit would be single aspect. However, it would benefit from 2 large rear dormer windows and rooflights and would provide adequate level of outlook, daylight and

ventilation. The bedrooms of loft unit would not benefit from traditional windows, however it would receive sufficient daylight through the large rooflights which would account for 27% of the internal floor area of the rooms and would comply with the standard.

A minimum ceiling height of 2.5m for at least 75% of the dwelling area is required by London Plan. The units would meet the requirement.

Overall, the units would provide a good level of living accommodation in these respect.

Outdoor amenity space:

Barnet's Local Plan expects that sufficient and functional outdoor space should be provided for all new homes and flats wherever possible. Barnet's Sustainable Design and Construction SPD advises that 5m² should be provided per habitable room for flats .

The maisonette units would benefit from 17.6m private amenity space and 12 sqm sunken terrace and considered to meet the requirement.

Communal garden space covering an area of 369.7 m² would serve the first floor and loft flats and is considered to meet the requirement.

The proposed units would therefore provide an appropriate level of amenity space.

Impacts on the highway

Policy CS9 of the Barnet Core strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, requiring that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

Policy DM17 sets out parking standards as follows for the residential use:

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

The site fronts onto Oakleigh Park South which is a residential road. The site lies in an area with a PTAL rating of 2 (low) and 3 bus routes (125, 251, 34) can be accessed from stops within 4 minutes walking distance of the site. The site is not in a CPZ and there are no restrictions in front of the property but there is a single yellow line on the opposite side of the road. Also, there are single and double yellow lines as well as school keep clear markings elsewhere in the road.

Highways have reviewed the submitted documents; their comments have been incorporated below:

The site lies within a PTAL 2 zone, which means that there is poor public transport accessibility to and from the site. The required off-street car parking provision for a proposal such as this is 7x spaces. Therefore, the proposed means an under-provision of 5x off-street car parking spaces.

The applicant has provided the results of a Car Parking Survey conducted in line with the

Lambeth Methodology. The survey was carried out on the Tuesday 8th and Wednesday 9th at 2:30am and the results demonstrate that there is a current parking stress of 11.5% on-street. This means that there is expected to be sufficient availability on street to accommodate the potential overspill of 5x spaces. The officer has no objection regarding parking provisions.

The applicant is proposing to construct a new vehicular access. The applicant is advised that vehicular accesses must be between 2.4 and 4.2m wide with a gap of 2.4m between accesses. An application must be made to the Highways Development Control Team prior to the commencement of any works on the public footway and the access must be completed prior to the occupation of the proposed units.

The proposed refuse storage is proposed within 10m of the public highway, which is considered acceptable. Councils Waste team informed that, the bin placement and provision of 1 x 1100lit residual waste and 1 x 1100lit recycling waste bins are acceptable. However, the plan shows for the placement of 1 x 1100lit garden waste bin. Barnet Council only collects garden waste in 240lit bins. An informative is attached to address this.

Cycle parking needs to be provided in accordance with the requirement of the London Plan cycle parking standards. Cycle parking should be provided in a secure, covered, lockable and enclosed compound. Also, the type of stands used must allow both wheels and the frame of the bicycle to be locked. A condition is attached to address this.

Ecology, Trees and Landscaping

National policy states that "When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

Core Strategy Policy CS7: Protecting and Enhancing Barnet's Open Spaces, aims to protect and enhance biodiversity across the borough. The network of green spaces, places and features that thread through and surround urban areas and connect town to country are known as Green Infrastructure. Barnet's Green Infrastructure includes: Green Belt and MOL, parks and gardens, natural and semi-natural green spaces, trees, hedgerows and green corridors, playing pitches and outdoor sports facilities, amenity green space, landscape, children's play facilities, allotments, community gardens and urban farms, cemeteries and churchyards, rivers, streams (including the Blue Ribbon Network) and open water areas as well as green roofs and walls.

DM16 states that, "When considering development proposals the council will seek the retention and enhancement, or the creation of biodiversity."

The applicant has provided an Ecology Report which was assessed by councils Ecologist. Ecologist informed that, the report states that 'The dwelling is assessed to have negligible suitability for roosting bats'. Therefore, no further surveys are required.

If at any time following the start of demolition works, a bat roost or evidence of a bat roost is observed, all work would need to cease until a suitably licensed bat ecologist has been consulted and advice sought on how best to proceed under current laws and legislation. Where a bat roost is identified, destruction of the roost would usually need to be covered by a European Protected Species (EPS) Licence obtained from Natural England. The planning authority would need to have sight of any mitigation strategy developed for a licence application in order to address their obligations under The Habitats and Species Conservation Regulations 2018 (as amended).

If demolition is delayed for more than one-year after the date of the bat survey (March 2022), repeat bat surveys should be undertaken.

The Ecologist has no objection to the proposal.

The Councils Arboriculturist was consulted on a similar recent approval on site ref: 21/3594/FUL; Officers report mention that, trees in the rear garden will not be affected by the proposal, however, construction activities may cause harm. This can be controlled via a suitable tree protection plan which can be conditioned. Furthermore, there are no trees on site which merit special protection, although the proposal would result in the loss of some trees to the front forecourt, they are of poor condition and their loss subject to replacement planting would be acceptable. This replacement planting and further landscaping details will be secured via suitably worded conditions.

Whilst there may be a net loss of soft landscaped area, it is considered that the plans as submitted would contribute and maintain the character of the streetscene and overall soften the visual appearance of the buildings. The tree officer raised no objections to the proposal subject to conditions and informative.

Access and Sustainability

The application scheme is required by Policy D7 of the London Plan (2021) to meet Building Regulation requirement M4(2). The submitted drawings show that the proposed development can be adopted to meet this requirement, and a condition is attached to ensure compliance with these Policies.

In respect of carbon dioxide emission reduction, the proposed scheme has to designed to achieve 10% CO2 reduction to comply with the requirements of Policy SI 2 of the London Plan 2021 and a condition is attached to ensure compliance with the Policy.

In terms of water consumption, a condition is attached to require the dwellinghouse to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy SI 5 of the London Plan (20 21).

5.4 Response to Public Consultation

Mainly addressed in the body of the report. All planning-based representations have been taken into consideration in assessment of the application.

- inadequate provision of parking - The highways officer has no objections to the proposal and the parking survey demonstrates there is adequate off street parking within the vicinity of the site.
- impact on highway safety - the highways officer has no objections to the proposal.
- impact on privacy and light to neighbouring properties - the application will not lead to a loss of privacy to neighbouring properties as discussed in the amenity section in full detail.

6. Equality and Diversity Issues

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

equality responsibilities.

7. Conclusion

Having taken all material considerations into account, it is considered that the proposed development would have an acceptable impact on the character and appearance of the host property and locality and would not adversely impact the residential amenities of neighbouring and future occupiers. The application is therefore recommended for approval.

