

Location 686 - 688 Finchley Road London NW11 7NN

Reference: 21/6737/FUL Received: 22nd December 2021
Accepted: 29th December 2021

Ward: Garden Suburb Expiry 23rd February 2022

Case Officer: Shay Bugler

Applicant: Mr N A Alkalay

Proposal: Demolition of existing garage and erection of part one, part two rear extension; plus, rear roof dormer windows to provide 4 self-contained flats at no 686 Finchley Road; erection of a first-floor rear extension at no 688 Finchley Road, amenity space; 1 x no car parking space; cycle and refuse storage facilities.

OFFICER'S RECOMMENDATION

Approve subject to s106

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 Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
3. "Car-free" Agreement - contribution of £2,392.01 towards amending the relevant Traffic Management Order

Monitoring fee £101.10

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director for Planning and Building Control approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director for Planning and Building Control:

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

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

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

Existing: 1108 -S03; 1108-S06; 1108-S02; 1108-S02; 1108-S05; 1108-S04; 1108-S08; 1108-S08; 1108-S07; 1108-S09; 1108-S10;

Proposed: 1108-S11; 1108-AP01-02A; 1108-AP01-03A; 1108-AP01-04A; 1108-AP01-05A; 1108-AP01-06A; 1108-AP01-07A; 1108-AP01-01A

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

- 3 a) No development 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 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.

5 a) Notwithstanding the details submitted with the application and otherwise hereby approved, no development other than demolition works shall take place until details of (i) A Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, (ii) Details of the enclosures, screened facilities and internal areas of the proposed building to be used for the storage of recycling containers, wheeled refuse bins and any other refuse storage containers where applicable, and (iii) Plans showing satisfactory points of collection for refuse and recycling, have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented and the refuse and recycling facilities provided in full accordance with the information approved under this condition before the development is first occupied and the development shall be managed in

accordance with the information approved under this condition in perpetuity once occupation of the site has commenced.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy CS14 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012); the Sustainable Design and Construction SPD (adopted October 2016); and Policies D6 and SI7 of the London Plan 2021

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

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

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy SI1 of the London Plan 2021.

9 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

10 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

11 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities (minimum 6 x no spaces) 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 T5 of 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.

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

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

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

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

14 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the 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).

- 15 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 25% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 16 No works on the public highway including creation or modification of a vehicular access as a result of the proposed development shall be carried out until detailed design drawings of the proposed access and dropped kerbs in the vicinity of the site have been submitted and approved by the Highway Authority and works shall only be carried out in accordance with the approved plans. The applicant will be expected to enter into an agreement with the Highways Authority under Section 184 of the Highways Act, for these works and will be liable for the reinstatement of any redundant crossovers to footway and make good any consequential damage to the public highway as a result of the proposed development including renewing of the footway along the site frontage. All offsite highways works must be completed to the satisfaction of the Local Highway Authority prior to occupation of the development.

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

- 17 Within 3 months of completion of the development, the applicant shall be awarded Secure by Design accreditation, in consultation with the Metropolitan Police.

Reason: To ensure that the development is safe and secure for future occupiers in accordance with policies D4 & DM11 of the London Plan (2021); CS5 of the Core Strategy (2012) and DM02 of the Development Management Document (2012).

- 18 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7

of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

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

Reason: In the interest of good air quality in accordance with Policy DM04 of the Barnet Local Plan Development Management Policies (2012) and Policy SI1 of the London Plan 2021.

19 a) No development shall take place until a scheme of proposed noise mitigation measures against externally generated traffic/mixed use noise has been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the amenities of occupiers are not prejudiced by traffic/mixed use noise in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016), and Policies D13 and D14 of the London Plan 2021.

RECOMMENDATION III:

0 RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 20 September 2022 unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

1. The proposed development does not include a formal undertaking to meet the cost of the "car free" agreement. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Planning Obligations SPD (adopted April 2013).

Informative(s):

- 1 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

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.

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

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

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

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

- 4 Applicants and agents are advised that this development should be designed to achieve an average water consumption target of 105 litres per head per day.
- 5 Demolition should be carried out by an approved contractor and residents notified at least seven days before commencement.
- 6 The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.

- 7 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

- 8 The submitted Construction Method Statement shall include as a minimum details of:
- o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site

hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.

- o Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

- o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.

- 9 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.

As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway, and this considerably shortens the lifespan of the affected highway. To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 10 The Applicant is advised to ensure that the proposed plans conform to Part B of approved document of the Building Regulations and that the application is submitted to Building Control/Approved Inspector who in some circumstances may be obliged to consult the Fire Authority.

The applicant is advised to consult Fire Safety Guidance Note (dated 29 January 2019) on Fire Brigade Access similar to that in B5 of the Building Regulations.

- 11 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.

- 13 Thames Water would advise that with regard to sewerage infrastructure capacity.

- 14 The submitted Construction Method Statement shall include as a minimum details of:
 - o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
 - o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - oConfirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
 - oConfirmation that an asbestos survey has been carried out.
 - oConfirmation that all Non Road Mobile Machinery (NRMM) comply with the The Non-Road Mobile Machinery (Type-Approval and Emission of Gaseous and Particulate Pollutants) Regulations 2018

OFFICER'S ASSESSMENT

1. Site Description

The application site at 686 Finchley Road is a semi-detached two storey , plus roof accommodation containing a 6 x no bedroom house, located at a corner plot located at the junction of Finchley Road and Corringham Road. It is sited on the western side of Finchley Road, and on the northern side of Corringham Road, within the Garden Suburb ward.

Directly to the north of the site is a residential property 690 Finchley Road. Directly east of the site is no 1 Corringham Road; directly south is no 684 Finchley Road (can be viewed across the street on Corringham road. This is also a corner site located at the junction of Finchley Road and Corringham road.

Due to the siting of the property the front entrance to the dwelling is located on Corringham Road. The property benefits from an attached garage to the front/side of the property and a private garden to the rear.

No. 688 Finchley road is the adjoining semi-detached property, also two storeys in height with roof accommodation and contains a detached single storey apartment at the rear of site.

The street is predominantly residential comprising of a mixture of detached and semidetached properties, some of which have been converted into self-contained flats/bedsits and commercial premises. The properties vary in design and character. However, they have still maintained their original hipped roofs and front façade, giving the street an established character.

The site has a PTAL rating of 6a (where 1 is extremely poor and 6b is excellent),

The sites are not listed nor located within a Conservation Area.

2. Site History

No 686 Finchley Road

Reference No C05550

Description of development: Erection of a two-storey rear extension and double garage

Decision: Refused

Decision date: 22 October 1975

Reference No: C05550A

Description: Single storey rear extension and double garage

Decision: Approved subject to conditions

Decision Date: 23 November 1975

Reference No: F/02722/13

Description: Retention of hard stand

Decision: Approved subject to conditions

Decision Date: 5 September 2013

No 688 Finchley Road

Ref no: F/01371/12

Description of development: Enlargement to side and rear dormer windows. Single storey rear extension. Single storey outbuilding in rear garden.

Decision: UL - Unlawful

Decision date: 23.08.2012

Ref no: F/03367/12

Description of development: Conversion of single-family dwelling house into 3no. self-contained flats. Retention of single storey rear extension.

Decision: Approved subject to conditions

Decision date: 30.11.2012

Ref no: 19/1495/191

Description of development: Use as 12 self-contained flats within the main building (excludes the garden outbuilding)

Decision: LW - Lawful

Decision date: 13.09.2019

Ref no: 20/1160/191

Description of development: Use of the Garden Flat to the rear of 688 Finchley Road as a self-contained flat

Decision: LW - Lawful

Decision date: 23.06.2020

3. Proposal

The proposed development is for the demolition of existing garage, and erection of part one, part two storey rear extension; plus, roof dormer windows to provide 4 self-contained flats; private and communal amenity space; 1 x no car parking space; cycle and refuse storage at no 686 Finchley Road.

On the southern elevation and boundary along Collingham Road, the proposal is to replace brick fence over brick wall railing; infill a small gate opening to match existing; and erection of a timber fence; remove existing tile canopy roof and raised tiles and install new canopy (raise existing hangers) to the main entrance on this elevation.

At no 688 Finchley Road, the proposal is for the erection of first floor rear extension to the building to increase the size of flat no 8.

4. Public Consultation

Initial Public Consultation

Consultation letters were sent to 93 neighbouring properties on 29 December 2021 and advertised onsite (site notice) on 06 January 2022.

The objections received by the Local Planning Authority were as follows:

- o Overdevelopment and over intensification of the site
- o The proposed self-contained flats are eroding the original character of Finchley road, which is predominantly characterised by single family dwelling houses
- o The proposed flatted development would alter the established character of the area- which is single drawling houses.
- o Noise pollution
- o Potential to encourage and exacerbate anti social behaviour
- o Loss of privacy, overlooking, daylight and sunlight to habitable rooms and rear garden to property at No 1 Corringham Road (directly to the east of the site), and to the rear gardens to no's 690-684 Finchley (directly north of the site).
- o The 12 flats approved under Lawful Development" at 688 Finchley Road may set an unwanted precedent may set an unwanted precedent for a similar proposal to come forward at no 686 Finchley Road, should planning permission be granted for the proposed extensions.

Re-consultation

During the course of the application, and subsequent to the expiry of the initial public consultation exercise and following Officers assessment of the initial proposal; the applicant resubmitted revised drawings to Officers concerns regarding the scale of the development and its potential impacts on the amenity to neighbouring properties.

The extensions at no 686 Finchley Road have been reduced and the "Coach" house to the rearmost part of the site (close to the boundary at no 1 Corringham Road) has been removed.

93 residents were reconsulted on 04 May 2022. 6 objections were received, 4 of which were made by individuals who had previously objected to the original submission, thereby 2 new representations were received.

The new objections received can be summarised as follows:

- o The proposed two storey extension to the rear of no 686 Finchley Road would result in overlooking; loss of privacy; loss of daylight and sunlight to the rear garden and to the kitchen room to no 1 Corringham Road. These would adversely impact on the quality of living to the occupiers at this property.
- o The proposed upper floors extensions to the rear of 688 Finchley Road, would result in overlooking; loss of privacy; and overshadowing to the rear garden at no 690 Finchley Road, directly north of the site.
- o This proposal would changes the nature and value of nearby properties

All planning matters raised have been considered and addressed as part of the decision-making process; and are available to view on the Councils website. All representations have been summarised in the Officers report.

Consultees

Hampstead Garden Suburbs

No comments received

LBB Environmental Health

LBB Environmental Health do not raise any formal objections, subject to the noise and air quality conditions set out within this report.

LBB Highways

LBB Highways recommend a number of conditions as set out within this report. A legal agreement to secure a "car free" development, which would restrict future occupiers from applying for on street parking permit on Finchley Road and Corringham road.

The proposed development at no 686 Finchley Road is likely to displace 2 spaces on-street. Given the existing CPZ operated for only 2 hours (11am - 1pm) it is not considered to be an effective deterrent. Highways recommend an overnight parking survey to demonstrate the availability of on-street spaces to accommodate any overspill parking.

LBB Highways comments on the parking survey will be included within the Committee addendum report.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The revised National Planning Policy Framework (NPPF) was published on 19th February 2019. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 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.

The relevant London Plan policies are as follows:

D1; D2; D3; D4; D6; D7;D11; D12; D14; H1; H2; H10; SI 1; SI3; SI4; SI 5; SI 12; SI13; T4;T5 & T6

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: CS1; CS3; CS4; CS5; CS9

Relevant Development Management Policies: DM01; DM02; DM04; DM07; DM08 & DM17

Barnet's Local Plan (Reg 18) 2020

Barnet's Local Plan -Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's emerging Local Plan.

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low-density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

Sustainable Design and Construction SPD (adopted October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- o Principle of proposed development
- o Design and its' impact on the character and appearance of the existing building and the wider locality
- o Quality of accommodation proposed
- o Impact on neighbouring residential amenity
- o Impact on local highway

5.3 Assessment of proposals

Principle of development

The borough has an attractive and high-quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

Policy H2 ("Small sites") stipulates that LPA's should pro-actively support well-designed new homes on small sites and "recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites".

The Council recognises that flat developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land, however they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of car parking and refuse facilities, that can have an unacceptable impact on the established character of an area.

Policy DM01 of the Development Management Policies DPD (2012) states that the loss of houses in roads characterised by houses will not normally be appropriate. This is because the loss of houses would change the character of the area. The policy states that the 'conversion of dwellings into flats in roads characterised by houses will not normally be appropriate' and it is considered that the principle behind the policy is also relevant to the current enquiry. This section of Finchley Road comprises a mixture of single-family dwelling and flat conversions. The conversion of the subject property is therefore considered to be acceptable in principle, subject to other criteria being acceptable.

Design and its' impact on the character and appearance of the existing building; the streetscene and the wider locality

High quality design underpins the sustainable development imperative of the NPPF and policies D1, D5, D6, D7 and D8 of the London Plan (2021). 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.

The Councils adopted Supplementary Planning Documents Residential Design Guidance SPD (2016) sets out information for applicants to help them design developments which would receive favourable consideration by the Local Planning Authority.

Policy DM01 states, 'development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets'.

Any scheme for the site is required to respect the character and appearance of the local area, relate appropriately to the site's context and comply with development plan policies in these respects.

Officers have pro-actively engaged with the applicant throughout the planning process and there have been various amendments made to the proposal following the submitted of the planning application. The height, mass and the bulk of the rear extension has been reduced since the original submission, as part of this planning application.

It is considered that, the proposed design, height, bulk and massing would respect the relationship between itself and nearby buildings; and would have a positive impact on the character and appearance of the streetscene. The design, proportions and positioning of windows and doors, and roof form reflect those of the original building which ensure the details of the new extension would be sympathetically in-keeping and do not detract from the area's general character.

The proposed two storey extension follows the same architectural detailing of the existing roof form; sloped pitch roof; eaves and ridges of the roof slope do not exceed that of the existing building. Moreover, the proposed rear dormer window, with a flat roof, sits comfortably within the roof slope. It is sufficiently set away from the eaves and ridges of the roof slope; and would remain subordinate to the existing building and would not occupy more than half the width of the roof slope. Moreover, the proposed materials, including the fenestration pattern and detailing are in keeping with the proposed windows to the rear extension.

The external appearance of the proposed extensions is respectful and in keeping with the character and appearance of the existing building. The proposed material includes rough cast render cladding to match existing and play clay tiles to match the existing building. The proposal would not have an overbearing or harmful impact on the character and appearance of the property and area. The proposal when viewed along Corringham road (side elevation) shows extensions which are subservient to the existing building.

The proposed rear extension at first floor level at no 688 Finchley Road is approximately 1 metre in depth to provide a shower room to flat no 8. This extension is considered to be subordinate to the existing building and would be set back from the building line of the proposed rear extensions at no 686 Finchley Road, and not visible from Collingham Road, and would not compromise the amenity to property at no 690 Finchley Road, directly north of the site.

On the southern elevation and boundary along Collingham Road, the proposal is to

replace brick fence over brick wall railing; infill a small gate opening to match existing; and erection of a timber fence; remove existing tile canopy roof and raised tiles and install new canopy (raise existing hangers) to the main entrance on this elevation. Officers considered these works to be acceptable.

Overall, the proposed design, by virtue of its height, scale, bulk, and appearance would deliver an appropriate form of development; in keeping with the existing character of the building; and the local area; and would not have an unduly harmful impact on the residential amenity of neighbouring properties, as discussed in the following section of the report.

Impacts on amenity of neighbouring residential amenity

Amenities of Neighbouring and Future Residents Part of the 'Sustainable development' imperative of the NPPF 2019 is pursuing improvements to amenity through the design of the built environment. Policies CS5, DM01, DM02 and DM04 of the Barnet Development Management Policies DPD seeks to manage the impact of new developments to ensure that there is not an excessive loss of amenity in terms daylight/sunlight, outlook and privacy for existing residential occupiers or gardens.

The Residential Design Guidance SPD advises that in new residential development privacy can be safeguarded by achieving minimum window to window or window to balcony distances between buildings 21m between facing habitable room windows, and 10.5 m to a neighbouring garden. These distances relate particularly to typical two-storey development, where first floor windows can overlook neighbouring properties.

The Mayor of London's Housing Design Quality Standards SPD stipulates that "guidance for privacy has been concerned with achieving visual separation between dwellings by setting minimum distances between back-to-back homes (typically 18-21m). However, this is a crude measure, and adhering rigidly to these distances can limit the variety of urban spaces and housing types in the city, and unnecessarily lowers density".

The depth of the height of the extension would not result in undue loss of privacy, outlook, daylight and sunlight or a sense of enclosure to neighbouring properties.

Residents at no's 690-694 Finchley Road (north of the site) would experience overlooking to their rear gardens as a result of the proposed extensions. The proposal does not include north facing windows on the upper floors at no 686 Finchley Road. As such there would be no direct overlooking to these properties. The proposed east facing windows would not result in direct intervisibility to their rear gardens. Moreover, given the distance from the proposed extension, there would be undue loss of privacy to these properties.

The distance between the proposed windows to the rear extensions, the existing windows (one serving a kitchen) on the side (western) elevation at no 1 Corringham Road is approximately 20 metres, and therefore acceptable in its urban context. The proposed windows would not have direct visibility into the rear garden of properties on Corringham Road, notwithstanding that the separation distance is policy compliant. As such, the proposal would not result in undue loss of privacy, daylight, and sunlight to properties at no 1 Corringham Rd.

Standard and quality of accommodation proposed

Dwelling mix

Policy H10 of the London Plan (2021) stipulates that developments should generally consist of a range of unit sizes. Policy DM08 relates to dwelling mix and requires all new residential development to provide a mix of dwelling sizes and types to cater for a range of housing needs in the area. LBB set a dwelling size mix requirement for new development in the borough with homes of 3 bedroom or more the priority.

The proposal makes provision for 2 no x 3 bed self-contained flats, which would assist in meeting the needs and demands for family sized accommodation within the borough.

Room size standards and layouts

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. The proposal habitable rooms all meet minimum room size standards. Further, the proposal rooms would receive good outlook and generous daylight and sunlight provision to the habitable rooms.

Housing standards are set out in the Nationally Described Space Standards (NDSS), the London Plan and London Housing SPG and Barnet's Sustainable Design and Construction SPD. Table 3.3 in the London Plan provides a minimum gross internal floor area for different types of dwelling, as set out in the below table, which shows the areas relevant to the unit types in this proposal.

Table 2.2: Internal layout and design requirements of Barnet's Sustainable Design SPD (Oct 2016) states that bedrooms should meet the following requirements.

- o Single bedroom: minimum area should be 7.5 m² and is at least 2.15m wide;
- o Double/twin bedroom: minimum area should be 11.5 m² and is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

At no 688 Finchley Road, there are no changes to the approved internal layout and habitable rooms of the 12 self-contained flats.

All proposed units meet internal layout and design standards and the habitable rooms and unit sizes proposed at no 686 Finchley Road would meet the minimum size standards as set out below:

- Flat A 1 bed (1 person) Minimum Policy Requirement 37sqm Proposed 37.4sqm
- Flat B 3 bed (4 person) Minimum Policy Requirement: 74sqm Proposed 74sqm
- Flat C: 1bed (1 person) Minimum Policy Requirement: 39sqm Proposed 39.4sqm
- Flat D: 3 bed (5 person) Minimum Policy Requirement 99sqm Proposed 110.16sqm

Moreover, all units would be dual aspect at no 686, which is supported by Officers, and policy compliant.

Private amenity space

The Council's adopted Supplementary Planning Document entitled Residential Design Guidance requires the provision of 5 sqm of amenity space for each habitable room for flats.

As such, the proposal should provide the following minimum private amenity space:

Flat A: 2 habitable rooms Minimum policy requirement: 10sqm
Flat B: 3 habitable rooms Minimum policy requirement: 15sqm
Flat C: 2 habitable rooms Minimum policy requirement: 10sqm
Flat D: 4 habitable rooms Minimum policy requirement: 20sqm

The proposal makes provision for 20sqm of private amenity space at ground floor level for flat B, which exceeds the policy requirement.

The proposal does not make any provision for private amenity space by way of balconies and terraces for flats A, C & D at no 686 Finchley Road. This is, in part, to prevent undue overlooking or perceived loss of privacy to neighbouring properties. Policy accepts that in instances where private amenity space cannot be provided as a result of site constraints, this can be offset by good quality and usable communal/open amenity space.

The minimum requirement for private amenity space for units A, C & D would be 45sqm in total. The proposed shared communal amenity space to the rear of no 686 Finchley Road would be 72.5sqm. As such, there would be sufficient provision of open space afforded to future occupiers onsite. Moreover, the provision of 2 x no 3 bed units (suitable for family occupation) would mitigate against the under-provision of private amenity space to these respective units.

On balance, it is considered that a reason for refusal could not be sustained in these circumstances based on the under-provision of private amenity space.

Impact on local highway

Car parking

GLA car parking standards

Policy T6.1 of the London Plan 2021 Residential Parking standards requires that new residential development should not exceed the maximum parking standards. These standards are a hierarchy with the more restrictive standard applying when a site falls into more than one category. Parking spaces within communal car parking facilities (including basements) should be leased rather than sold. All residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces.

The London Plan stipulates that for "All areas of PTAL 5-6", for residential developments, the "maximum" provision should be 'car free'. The policy doesn't specify a minimum, but it is clear that any form of car parking for new residential proposals with sites with PTAL ratings of 6 is discouraged.

LPA car parking standards

The LPA parking standards differ from the London Plan standards. Policy DM17 states that the council will expect development to provide parking, except in the case of residential development, where the maximum standards will be:

- i. 2 to 1.5 spaces per unit for detached and semi-detached houses and flats (4 or more bedrooms).

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

Based on the above information, the proposal should provide a minimum of 0 car parking spaces and a maximum of 3 car parking spaces.

There are no new car parking spaces proposed onsite. The proposal continues to make provision for 1 x no car parking spaces, with the same access arrangements as per existing. The site has excellent access to public transport, with PTAL rating of 6a (where 1 is extremely poor and 6b is excellent). As such, the proposed provision of 1 no car parking space onsite is acceptable.

The applicant would be required to enter into a legal agreement to secure a "car free" development, which would restrict future occupiers from applying for on street parking permit on Finchley Road and Corringham road.

Cycling Parking

Policy T5 Cycling of the London Plan (2021) requires that "cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.¹⁸² Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people".

Table 10.2 of the London Plan (2021) sets out the Minimum cycle parking standards for residential uses. the following cycle storage provision would be required:

- o 1 space per studio or 1 person 1 bedroom dwelling
- o 1.5 spaces per 2-person 1 bedroom dwelling
- o 2 spaces per all other dwellings

Based on the above, the proposal is required to make provision for 6 x no cycle parking spaces onsite, in safe and secure locations. Whilst the proposal shows 2 x bike lockers areas to the south of no 686 Finchley Road, further details of required. 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. The development shall thereafter be implemented in accordance with the details as approved under this condition and the spaces shall be permanently retained thereafter. This would be secured by way of a planning condition.

Refuse and Recycling

Policy S1 8 of the London Plan (2021) and policies DM01; DM02 and DM17 of the Development Management Document seek to ensure that all new development makes adequate provision for refuse and recycling facilities in appropriate locations.

The proposal makes provision for the

- o Bin store for no 4 x no 23 litre food and waste bins
- o Bin store for 1 x no 240 litre mixed recycling bin and 1 x no 240 litre garden waste
- o Bin store for 2 no 240 litre mixed recycling bins

The refuse collection areas would be located within 10 meters of the Public Highway on

collection days, which is acceptable in highways terms.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a planning charge that Local Authorities and the Mayor of London can set on new development to help pay for community infrastructure.

The CIL will apply to all 'chargeable development' defined as: Consisting of buildings usually used by people; Delivering 100sqm or more of gross internal floorspace or the creation of one additional dwelling, even if the gross internal floorspace is <100sqm; or Floorspace that is not exempted under the Act, the Regulations or for a locally defined reason.

In Barnet, as of 1st April 2022, an adopted CIL charge of £300 per sqm (index linked) is applied to residential, including C2, C3, C4 use classes and Sui Generis HMOs and other sui generis residential uses. All other uses and ancillary car parking are set at a rate of £0 per sqm for Barnet CIL.

Employment (including former B use classes and / or B2 and B8 uses). . Proposed amount is £20 per sqm (index linked). A CIL charge of £200.09 per sqm (index linked) is applied to Retail uses (including former A1 to A5 uses).

From 1 April 2012, the Mayor of London started charging CIL on development to help provide £300m towards the cost of delivering the Crossrail project, a strategic priority to support the growth and development in London. From 1 April 2012 to 1 April 2019 all chargeable development in Barnet paid a flat rate of £35 per square metre - *Nil rate for Health and Education uses. The Mayor increased the rate to £60 a square metre for planning permissions granted from 1st April 2019.

As the proposal would result in the creation of new residential units Community Infrastructure Levy (CIL) would be payable.

5.4 Response to Public Consultation

The objections and concerns raised from residents have been considered within the evaluation above, and all representations received from residents were fully considered in the assessment of the application during the decision-making process.

The proposal would not result in overdevelopment or the over intensification of the use onsite. It is also considered that the proposal would have an acceptable impact on the local character of the area; would not unduly compromise the amenity of local residential properties on Collingham Road and to properties at nos 690-694 Finchley Road; and would not have a detrimental impact on highway safety.

It is not considered that the proposal would set an unwanted precedent for similar scale residential developments within the area. One of the fundamental principles underpinning the planning system is that each planning application must be considered on its individual merits.

With reference to concerns relating to noise disturbance specifically relating to the structure of the building, sound insulation is a matter adequately addressed by the Building Regulations. Notwithstanding, prior to the first occupation of the units, copies of Pre-

completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission). This is to protect the amenities of future and neighbouring residential occupiers, to be secured by way of a planning condition.

Anti-social behaviour- There has been no evidence submitted with the application which supports the assertion that the proposal would result in or exacerbate the alleged anti-social and/or crime activity (drug dealing) at no 688 Finchley Road. By way of a planning condition, the applicant would be required to be awarded Secure by Design accreditation, in consultation with the Metropolitan Police, Within 3 months of completion of the development. This is to ensure that the development is safe and secure for future occupiers, which in turn should make the area generally safer and secure.

It is considered that the proposal is of high design quality and would have a positive contribution to local character and appearance of the area, whilst also optimising the potential of the site to accommodate and sustain an appropriate amount and mix of development, in accordance with planning policy.

6. Equality and Diversity Issues

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

7. Conclusion

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

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



