

Location **9 Burroughs Gardens London NW4 4AU**

Reference: **22/1692/FUL** Received: 30th March 2022
Accepted: 4th April 2022

Ward: Hendon Expiry 30th May 2022

Case Officer: **Stephen Volley**

Applicant: Mr S Hayek

Proposal: Construction of two additional floors on existing office building and an extension to the existing entrance element over the ground, first, second and third floors

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 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)

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

6196-PL-001 Rev B Site Location Plan
6196-PL-002 Rev B Block Plan
6196-PL-003 Rev B Site Plan
6196-PL-004 Rev B Ground floor Plan
6196-PL-005 Rev B First Floor Plan
6196-PL-006 Rev B Second Floor Plan
6196-PL-007 Rev B Third Floor Plan
6196-PL-008 Rev B Roof Plan
6196-PL-009 Rev C Elevation to Breasy Place
6196-PL-010 Rev A Elevations to the Burroughs Rear Elevation
6196-PL-011 Rev A Sections AA & BB
6196-PL-012 Rev A Sections CC & DD
6196-PL-013 Rev A Plan and Elevations as Existing

Design and Access Statement February 2022
Planning 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 The Burroughs Conservation Area and adjacent heritage assets, in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policies DM01 and DM06 of the Development Management Policies DPD (adopted September 2012) and Policies D3 and 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.

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) Prior to the installation of any extraction and ventilation equipment as part of the proposed development, a report that has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and D14 of the London Plan (2021)

- 7 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 15% 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), Policy SI 2 of the London Plan (2021)

8 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

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

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

9 Details of cycle parking including the type of stands, gaps between stands, location and type of cycle store proposed shall be submitted to and approved in writing by the Local Authority. Thereafter, before the development hereby permitted is occupied, 1 long stay cycle spaces in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided and shall not be used for any purpose other than parking of bicycles in connection with the approved development.

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

10 The premises shall be used for B1(a) Class and for no other purpose (including any other purpose in Class B 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 character and amenities of the area.

- 11 a) Notwithstanding the parking layout submitted with the planning application, prior to construction of the development; a revised parking layout plan showing designated pedestrian routes through the car park shall be submitted to and approved in writing by the Local Planning Authority
- b) Prior to the first occupation of the development, the off-street parking spaces shall be laid out in accordance with the approved details and 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 Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 12 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

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

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

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

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. 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 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.

- 4 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location. The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

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 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.

OFFICER'S ASSESSMENT

1. Site Description

The site is located on a busy thoroughfare on the A504, a 9-mile-long road that runs east to west across north London between West Hendon and Seven Sisters and situated in an accessible location (PTAL of 4) within an established employment use location.

The site sits within a historic local setting involving some 18th and 19th century statutory listed, locally listed and positive houses close to the junction of the Burroughs and Watford Way. A modern Methodist chapel (1937), the Catholic Church of Our Lady of Dolours (1927) and civic buildings such as Hendon Town Hall (1901), Hendon Fire station (1914), Hendon Library (1929) and Middlesex University (1973) and associated campus buildings

Located on the western side of The Burroughs, set back from the street front the site consists of a series of two-storey buildings, comprising of a series of employment units.

There is a gated parking and service area to the side and rear of the site.

The site lies within the ward of Hendon on the fringe of The Burroughs Conservation Area and adjoins onto the locally listed St Joseph's School, to the west.

A two storey building providing Class B1 office space has recently been constructed at Land At 7 Breasy Place following the Councils decision to approve planning permission in 2019 (19/5511/FUL). This building is also located on the fringe, but outside the Burroughs Conservation Area, at a distance of approximately 13 metres from the application site.

2. Relevant Site History

Reference: 20/2330/CON

Address: 9 Burroughs Gardens, London, NW4 4AU

Decision: Approved

Decision Date: 24 August 2020

Description: Submission of details, Condition 7 (Construction Management and Logistics Plan), pursuant to planning permission 19/5511/FUL dated 11/12/2019.

Reference: 18/7001/FUL

Address: 9 Burroughs Gardens, London, NW4 4AU

Decision: Approved subject to conditions

Decision Date: 22 February 2019

Description: Construction of two additional floors on existing office building and an extension to the existing entrance element over the ground, first, second and third floors

Reference: 16/1973/CON

Address: Breasy Place, Burroughs Gardens, London, NW4 4AT

Decision: Approve

Decision Date: 27.06.2016

Description: Submission of details of conditions 3 (Levels) and 4 (Materials) pursuant to planning permission 15/03126/FUL dated 03/11/2015

Reference: 16/3592/FUL

Address: 9 Burroughs Gardens, London, NW4 4AT

Decision: Approved subject to conditions

Decision Date: 03.08.2016

Description: Addition of new entrance lobby

Reference: 16/0760/FUL
Address: 9 Burroughs Gardens, London, NW4 4AT
Decision: Refused
Decision Date: 28.04.2016
Description: Glazed roof extension and glazed three storey front extension

Reference: 16/0755/FUL
Address: 9 Burroughs Gardens, London, NW4 4AT
Decision: Refused
Decision Date: 15.04.2016
Description: Alterations and extension to roof including increase in roof pitch

Reference: 15/03126/FUL
Address: Breasy Place, Burroughs Gardens, London, NW4 4AT
Decision: Approved subject to conditions
Decision Date: 03.11.2015
Description: Demolition of the existing office building and the construction of a new two storey office building

Reference: 15/04868/FUL
Address: 9 Burroughs Gardens, London, NW4 4AT
Decision: Approved subject to conditions
Decision Date: 16.10.2015
Description: Roof extension including 8no. dormer windows and 4no. rooflights to provide additional B1 office space at second floor level

Reference: H/04926/14
Address: 9 Burroughs Gardens, London, NW4 4AT
Decision: Approved subject to conditions
Decision Date: 11.02.2015
Description: Construction of an extension at second floor level to provide 2 self-contained residential units.

Reference: H/02522/14
Address: Breasy Place, Burroughs Gardens, London, NW4 4AT
Decision: Approved subject to conditions
Decision Date: 18.08.2014
Description: Single storey front extension and hipped roof to replace existing flat roof to form additional office accommodation at ground floor and in roof space.

Reference: H/00915/11
Address: 7 Breasy Place, 9 Burroughs Gardens, London, NW4 4AU
Decision: Approved subject to conditions
Decision Date: 11.05.2011
Description: Construction of additional office floor above existing single storey office building. Single storey front extension.

Reference: H/00067/11
Address: 7 Breasy Place, 9 Burroughs Gardens, London, NW4 4AU
Decision: Approved subject to conditions
Decision Date: 06.04.2011
Description: Creation of pitched roof above existing building to create additional floor.

Reference: W16096/07

Address: Unit 7 Breasy Place, NW4 4AU

Decision: Approved subject to conditions

Decision Date: 21.12.2007

Description: Construction of additional office floor above existing single storey office building. Single storey front extension.

3. Proposal

The application seeks permission for the erection of an additional two storeys to the existing building and extension to the existing entrance over the ground, first, second and third floors. The extensions provide for 549sqm of additional employment floorspace.

The proposal consists of the re-constructing of the façade of the existing building that faces the public car park. The front (east) and side (south) elevations would be finished with a red / brown brick with slate tiles to roof. The proposed entrance and rear extensions would be finished with render.

The application is essentially a renewal of an extant planning permission granted in February 2019 (18/7001/FUL). The only material change since consent was granted is the erection of a two storey building to provide Class B1 office space at Land At Breasy Place, Burroughs Gardens, following the granting of planning permission in 2019 (19/5511/FUL),

4. Public Consultation

Consultation letters were sent to 86 neighbouring properties.

8 responses have been received, including an objection from the Diocese of Westminster (owner of St. Josephs), raising the following objections:

- Out of proportion with neighbouring development and Conservation Area
- The combined massing will result in an Imposing form of development
- Litter and noise disturbance
- Increased Parking pressure adding to existing congestion
- Highway safety implications, including loss of much needed car parking spaces
- Impact on residential amenity, loss of light, overlooking, overbearing,
- Increase in vehicles, Insufficient parking.
- Overcrowding
- Massing and scale of development harmful to local school (St. Josephs)

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 National Planning Policy Framework (NPPF) was published on 20th July 2021. This is a key part of the Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

The Mayor's London Plan 2021

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

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

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS8, CS9, CS13, CS14, CS15.
- Relevant Development Management Policies: DM01, DM02, DM03, DM06, DM14, DM17.

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.

Barnet's Local Plan (Reg 22) 2021

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

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of development;
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the conservation area;
- Whether harm would be caused to the living conditions of neighbouring residents; and
- Highways matters.

5.3 Assessment of proposals

Principle of development

The principle of providing additional office space has already been established through the previous planning application granted consent on February 2019 (18/7001/FUL)

The site is situated in an accessible location (PTAL of 4) within an established employment use location. Whilst it is acknowledged that the site is not located within a town centre, subject to a scheme being found compliant with the other relevant policies, it is considered that the provision of additional office space in this location would be compliant with the objectives of development plan policy. A sequential test would not be required in this instance.

Impact on the character of the area

Paragraph 126 of the National Planning Policy Framework (2021) states:

"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. 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. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."

The development plan for Barnet comprises the Barnet's Core Strategy DPD (2012) and Barnet's Local Plan (Development Management Policies) Development Plan Document (2012).

Policy DM01 requires that the design and layout of new development should respect the character of the area in which it is situated and respond to the positive features of that character. This will include preserving the character and appearance of the directly adjacent conservation area and the setting of the neighbouring statutory and locally listed buildings.

Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 state that special regard is given to preserving the heritage asset.

The proposal has been previously approved under ref 18/7001/FUL, which has now lapsed the time limit for constructions works. Notwithstanding, site circumstances, principally to the rear, have changed because of planning approval ref 19/5511/FUL at 7 Breasy Place. Consent relates to the construction of a two-storey building to provide Class B1 office space adjacent to the application property, acceptably distanced at approx. 13metres.

The proposed works would support additional office provision on site by way of a two-storey extension along the depth of the existing building and extension to the existing entrance involving a traditional, subordinate, slate tile mansard roof, mixed red brick external surfacing and ordered fenestration with traditional windows.

In terms of external appearance, the proposed front facade would be considerably improved through the provision of a new brick elevation and ordered fenestration with traditional windows. The improvement to this elevation is considered to result in an improved street scene appearance, having a positive contribution to the character and appearance of the conservation area. The proposed mansard roof is of a traditional appearance and is considered to have a scale, design and height which is not harmful to the context of the surrounding area.

The replication of the mansard roof across the proposal is considered to ensure that the bulk and height integrates positively with the new front element and the surrounding context. Its overall height would be no greater than the adjacent buildings within St Joesphs School. Whilst it is taller than the listed buildings to the east facing The Burroughs, it is considered that the separation distance between the buildings and the proposed roof form, mitigates any significant harmful impact. It is noted that parts of the extension would be seen from views across the neighbouring car park. Within the design and access statement, the applicant has provided a series of visualisations to model the potential impact. It is considered that the proposed scale, through the incorporation of a subordinate-scaled mansard roof and the use of tradition materials, the views of the

proposal are considered to be acceptable and would respect the character and appearance of the surrounding context. From the north, views of the site would be fairly limited with the exception from within the school grounds and longer distance views from St Josephs Grove further beyond.

An extension to the existing entrance has been previously approved in principle. It is set back within the site and its scale and design ties in with the rest of the proposal.

The consistent design approach throughout the proposal is considered to result in a form of development that successfully integrates with the appearance and form of the existing building. The proposal would provide for an improved appearance of the site towards the street scene and its overall scale, massing and height is considered to be acceptable. In this instance, the proposal is not considered to have a harmful impact on the surrounding heritage assets and is considered to preserve their special character and interests. Due to the location, position within built context, the development would be largely perceived upon approach from the north comparable to the adjacent houses on Burrough Gardens with longer views from within school grounds and Merchant House Car Park, St. Joseph's Grove and beyond.

No objections have been raised by Urban Design or Heritage Officers.

It is considered that the consistent and traditional design approach throughout the proposal combined with its overall size, scale, mass, and height, would result in an improved form of development in view of the public realm on The Boroughs, that sensitively integrates into the local built context without infringing upon the special character and interests of surrounding heritage assets. With an acceptable separation distance of approx. 13metres from the recently constructed two storey office building at 7 Breasy Place, the objections raised by local residents in terms of overdevelopment, overcrowding and massing cannot be supported.

Impact on the amenities of neighbours

Section 12 of the National Planning Policy Framework (2021) sets out guidance for 'achieving well-designed places'.

Paragraph 130 of the Framework states that planning policies and decision should ensure that development "...create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users..." (part f)

Policy D3 of the 2021 London Plan seeks to deliver appropriate outlook, privacy and amenity through a design led approach.

Policy CS5 of the LB Barnet; Local Plan (Core Strategy) DPD (2012) and Policy DM04 of the LB Barnet; Local Plan (Development Management Policies) DPD (2012) seek to protect and enhance Barnet's character and identify the environmental considerations for development. Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users. Barnet's Residential Design Guidance SPD (2016) and Sustainable Design and Construction SPD (2016) sets out guidance.

Table 2.4 of Barnet's Sustainable Design and Construction SPD (2016) states that in new residential development there should be a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 m to a neighbouring garden.

In terms of surrounding uses, there is a row of two-storey terrace dwellings to the north and a public car park and three storey building containing flats to the east. Behind this three-storey building to the south of the proposal site, is a modern office development. Behind the site to the west is St Josephs School. The main impacts are concerned in relation to the residential dwellings.

At the closest point at the entrance extension, there would be a separation distance of approximately 13m to the neighbouring northern boundary, with 22.5m to the habitable windows of the northern dwellings. With the main two-storey extension element set further back from the proposed entrance, the separation distance increases to approx. 30m to the habitable windows. As such, the proposal is not considered to have a harmful impact in terms of overlooking, overbearing or loss of light on the properties along Burroughs Gardens.

The alteration of the building facing onto the car park would involve an increase of windows facing east and towards the rear of Nos. 25 - 29 The Burroughs. Given the proposed employment use and indirect views, it is considered on balance that the proposal would not have a significant impact in terms of overlooking, loss of light or overbearing impact on the dwellings to the east.

In terms of noise and disturbance Environmental Health Officers have been consulted and raise no objections subject to planning conditions requiring construction methods, restrictions on noise from plant and the submission of acoustic information.

In summary, the proposal is not considered to adversely harm the amenities of neighbouring residential properties on accordance with local plan policy objectives.

Highway Impacts

Paragraph 111 of the National Planning Policy Framework (2021) states:

"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

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, require 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. It states that, with the exception of residential development, the Council will expect development to provide parking in accordance with the London Plan standards. Table 10.4 (maximum office parking standard) of the London Plan sets out the standards for different locations. In relation to employment uses (B1) within an 'outer London Area' upto 1 space per 600 sqm of gross floorspace (GIA) is required. This proposal seeks 572sqm of additional B1 office space therefore requiring 1 additional space.

This current proposal does not provide for any additional parking due to site constraints and in addition, the construction of the two storey office building approved under 19/5511/FUL has reduced on site car parking from 22 to 17 spaces. However, with a PTAL rating of 4 the site is well positioned for access by other means of transport. Hendon Central tube station lies just 612 yards to the south east of the application site. Good bus connections are available in The Burroughs, with routes 183,143,326,643,653 and 683 stopping within 100 yards of the site, and providing excellent access to the local centres of Finchley, Golders Green, Brent Cross and West Hendon. Hendon Mainline station is three quarters of a mile to the south west of the site giving access to London.

Moreover, and perhaps most importantly, the application site and the immediate road network are located within a controlled parking zone (CPZ), thus preventing additional on street car parking pressures.

Overall, the Highways Department have raised no objection to the proposal and therefore it is considered that the additional office space proposed can be accommodated without adversely affecting the surrounding highways network. A suite of highway related conditions have been imposed including the provision of cycle parking and the requirement to provide designated pedestrian routes through the car park (revised parking layout plan).

5.4 Response to Public Consultation

Concerns have been raised in relation to character and appearance as well as increased parking pressure and harm to local amenity, but these matters have been carefully assessed with the conclusion being that the proposal would sensitively integrate into the local built context without infringing upon the special character and interests of surrounding heritage assets or impinge on highway safety or local amenity.

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

In accordance with the Town and Country Planning (Listed Building and Conservation Area) Act 1990, special regard is given to preserving the heritage asset. In this instance, it is considered that there is no harm associated with the proposal to the heritage asset and is therefore acceptable having regard to the provisions of Policy DM06 of the Development Management Policies and Section 16, 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

The development is not considered to have an adverse impact on the amenities of neighbouring occupiers or in terms of impact on the highway.

This application is therefore recommended for APPROVAL.

