

Location **93 Park Road Barnet EN4 9QX**
Reference: **22/2915/OUT** Received: 31st May 2022
Accepted: 31st May 2022
Ward: East Barnet Expiry 26th July 2022

Case Officer: **Emily Bell**

Applicant: Chris Behiri

Proposal: Erection of 2no two storey dwellings with rooms in the roofspace and basement level following demolition of the existing dwelling.
Associated off-street parking and refuse/recycling store

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:
361.S.01
361.S.02 C
361.S.03 C
361.S.04 C
361.S.05 A
361.S.06
361.LP.01
361.LP.02

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 Application for the approval of the reserved matters, landscaping, must be made before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 3 The development hereby permitted shall begin no later than 3 years from the date of this permission and, in the case of Outline Planning Permission, no later than 2 years from:

- i. the final approval of the last Reserved Matters Application pursuant to Condition 2.

Reason: To comply with the provisions of Section 92 of the Town & Country Planning Act 1990 (as amended).

- 4 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 Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

- 5 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).

- 6 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 10 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

- 7 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouse(s) (Use Class C3) permitted under this consent they shall all have been constructed to meet and achieve all the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 (or the equivalent standard in such measure of accessibility and adaptability for house design which may replace that scheme in future). The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure the development meets the needs of its future occupiers and to comply with the requirements of Policies 3.5 and 3.8 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

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

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

- 9 Prior to occupation of the development the proposed parking spaces within the parking area as shown in drawing no.361.S.04 C, submitted with the planning application and the access to the parking area from public highway shall be provided and the access to the parking spaces shall be maintained at all time. The parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety on the adjoining highway is not prejudiced in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 10 No works on 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 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 make an application to the Domestic Crossovers Team, for the creation of new accesses and reinstatement of the existing accesses and consequential damage to public highway as a result of the proposed development.

Reason: To ensure that the works on public highway are carried out to the satisfaction of the highway authority in the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

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

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. Details of interim car parking management arrangements for the duration of construction;
- x. Details of a community liaison contact for the duration of all works associated with the development.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties and in the interests of highway and pedestrian safety in accordance with policies CS9, CS13, CS14, DM01, DM04 and DM17 of the Barnet Local Plan and policies 5.3, 5.18, 7.14 and 7.15 of the London Plan.

- 12 a) The site shall not be brought into use or first occupied until details of the means

of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.

b) The treatment of boundaries should be permeable to species such as hedgehogs (*Erinaceus europaeus*) and common toad (*Bufo bufo*), with the introduction of a minimum of 1no 13 x 13cm ground level access 'hedgehog hole' between the application site and each neighbouring piece of land to enable connections and prevent the fragmentation of habitat

c) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway in accordance with Policies DM01, DM03, DM16, DM17 of the Development Management Policies DPD (adopted September 2012), and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D, E and F of Part 1 of Schedule 2 of that Order shall be carried out within the area of new dwellings hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers, the health of adjacent TPO trees and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies 7.4, 7.5, 7.6 and 7.21 of the London Plan 2016.

- 15 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).

- 16 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).

Informative(s):

- 1 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.

- 2 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.

- 3 In accordance with paragraphs 38-57 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has

negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

- 4 For any proposal new crossovers or modification to the existing crossovers, a separate crossover application must be submitted for approval to the Highways Authority. Details of the construction and location of the new crossover are required to be agreed with the highway authority. Any street furniture, road markings or parking bays affected by the proposed works following site investigation would be relocated at the applicant's expense.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team in conjunction with the highway tree section as part of the crossover application. The outcome of this assessment cannot be prejudged.

Please Note: A maximum width of a crossover allowed from a public highway is 4.2 meters.

Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW.

Works on public highway shall be carried out by the Council's contractors. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW.

- 5 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.

- 6 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.
- 7 If a concrete pump lorry is operated from the public highway, the surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
- 8 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licences please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licenses or email highwayscorrespondence@barnet.gov.uk.
- 9 Any gates must open inwards and not out onto the public highway for health and safety reasons.
- 10 The applicant shall carry out a "before" and "after" condition survey of the agreed route to be utilised by all construction traffic. The "after" survey shall be completed three months before the completion of the development. Any recommended works necessary to reinstate the condition of the agreed route to that identified within the "before" survey shall be implemented following completion of the development to ensure that the road is maintained in a suitable condition in order to minimise danger, obstruction and inconvenience to users of the highway.

OFFICER'S ASSESSMENT

1. Site Description

The application site is on the east side of Park Road north of the junction with Herons Rise. The existing property comprises a two storey dwelling with a single storey side garage extension. The property faces Park Road and has a vehicular access. The ground level slopes gently up to the rear of the site.

The site is set in a residential area with a mixture of sizes and types of properties. Opposite the application site in Park Road are a number of bungalows and chalet bungalows. The properties in Herons Rise are principally two storey. To the north and east of the application site is the Abbey Arts Centre at no. 89 Park Road which contains a Grade II listed barn, a main residential house and a number of other buildings, some rented out as art studios.

The site is not located within a conservation area and the building is not designated as a listed building. There is a group of TPO trees outside the front boundary.

2. Site History

Reference: 21/4308/OUT

Address: 93 Park Road, Barnet, EN4 9QX

Decision: Refused

Decision Date: 27 September 2021

Description: Erection of 2no two storey dwellings with rooms in the roofspace and basement level following demolition of the existing dwelling. Associated off-street parking and refuse/recycling store

3. Proposal

The application seeks outline planning permission for the erection of 2no two storey dwellings with rooms in the roofspace and basement level following demolition of the existing dwelling. Associated off-street parking and refuse/recycling store.

4. Public Consultation

Consultation letters were sent to 30 neighbouring properties. 11 letters of objection have been received, summarised below:

- o Disturbance from building works
- o Relatively small plot
- o Obstruct views and be overbearing
- o Overdevelopment
- o All properties in Park Road are individual ranging from houses to bungalows. The proposed look of the modern dwellings has no place in Park Road
- o Inadequate parking
- o Appears that a balcony is proposed to the front of the building which would overlook neighbouring properties

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice

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

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

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

The Mayor's London Plan 2021

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

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

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

Barnet's Local Plan (2012)

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

Relevant Core Strategy Policies: CS NPPF, CS1, CS3, CS4, CS5, CS13.

Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM06, DM08, DM13, DM16, DM17.

Supplementary Planning Documents

- o Sustainable Design and Construction SPD (adopted October 2016)
- o Provides detailed guidance that supplements policies in the adopted Local Plan and sets out how sustainable development will be delivered in Barnet.
- o Residential Design Guidance SPD (adopted October 2016).

5.2 Main issues for consideration

The main issues for consideration in this case are:

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

5.3 Assessment of proposals

Principle of the development

Policy DM08 of the Development Management Policies (2012) states 'Development should provide where appropriate a mix of dwelling types and sizes in order to provide choice for a growing and diverse population for all households in the borough', the proposed dwellings would provide a suitable mix of accommodation, including priority housing, which would contribute towards the growing housing shortage in the borough. Policy DM08 makes it clear that for market housing, homes with 4 bedrooms are the highest priority and that 3 bedroom homes are of medium priority.

The proposal will result in the creation of an additional unit which contributes to the Council's housing targets and would provide 2x family units which are out the highest priority. The site is located in a residential area and therefore it would not be out of character with the area.

Taking all of the above into consideration, officers consider that the principle of the subdivision of the plot and the erection of 2 new dwellings would be acceptable subject to matters detailed further in the report.

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

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

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

A previous application was refused under application ref. 21/4308/OUT due to concerns regarding the heights of the proposed dwellings which included an increase in height of the new dwellings above the existing dwelling on site. Under the previous application, the design of the proposed dwellings would essentially have provided 4 storeys with habitable space across basement, ground, first and second floors. Given that the buildings opposite on the other side of Park Road are bungalows, this was considered inappropriate.

This reason for refusal was upheld at appeal. The inspector stated that:

"The steep pitches of their crown roofs would emphasise their overall height. This would be in stark contrast to the scale of the bungalows opposite on park Road...The

replacement houses would be taller than the existing house and the right-hand house of the pair would be significantly taller than the single storey garage which currently occupies this position on the plot. The vertical nature of the houses would be at odds with the distinctly horizontal emphasis of the houses surrounding it and of that which they would replace. The proposed houses would therefore fail to reflect the prevailing character and appearance of the rear and would appear incongruous within its surroundings."

The design of the proposed dwellings has been altered following the appeal decision and the current proposal seeks to overcome the reasons for refusal. The dwellings would still provide accommodation over four levels, however, the basement would be below ground level and there would be no visual manifestation of this. The height of the proposed dwellings has been reduced following the previous refusal to include a pitch roof design. The buildings would have a ridge and eaves height of 9.6m and 5m respectively, which would be less than the maximum ridge height of the existing property. Whilst it is noted that the proposed right hand house would be taller than the existing single storey garage, the reduced height and pitched roof design are considered to result in a less bulky form of development which is more in keeping with the character of the streetscene. Whilst the dwellings opposite are bungalows, the existing house as well as nos. 97 and 99 Park Road are two storey dwellings and as such the proposed buildings are considered to be appropriate in scale in this case.

Impact on surrounding residential amenity

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

Paragraph 7.3 of the Residential Design Guidance SPD states: Privacy can be safeguarded by achieving adequate window to window, or window to balcony distances between buildings (both existing and proposed). In new residential development there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden.

The proposed dwellings would be located closer to the boundary of the neighbouring properties to the rear, Laguna House. The existing dwelling has a distance of 10 m at the closest point with the new dwelling having a distance of 8.7m. The previous application was refused due to the close proximity of the new dwellings to this boundary, however, this reason for refusal was not upheld at appeal. The inspector stated:

"The main outlook of Laguna House faces away from the appeal site. No habitable rooms face the appeal site. Furthermore, the tall Leylandii hedge on the boundary between the two properties provides significant screening. I accept that this cannot be guaranteed to remain in its current form, but it does nevertheless provide a significant impediment to overlooking and intervisibility between the two properties.

The SPD requires that a 10.5 metre separation distance should be maintained to neighbouring gardens to prevent overlooking, however, it acknowledges that there may be occasions when circumstances would justify a reduction in this distance. Whilst the upper floors of the development would be visible from the rear garden of Laguna House, I am content that when viewed from there the proposed houses would not be unacceptably dominant or overbearing. Furthermore, due to the orientation of Laguna House in relation to the appeal site there would not be any unacceptable overlooking. As such there would be no unduly harmful impacts on the occupiers of Laguna House."

The previous application was also refused due to the impact of the proposed new dwellings on the bungalows opposite along Park Road due to the overbearing impact given that the application site is set at a higher level. This reason was upheld at appeal. Given that the dwellings have been reduced in height to less than the existing dwelling on site and the overall design and pitch of the roofs have been altered to a less bulky form, it is considered that the proposed dwellings would have an acceptable impact on the outlook from the front windows of these bungalows.

Quality of accommodation

Floor space standards:

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

The 2x detached single family dwellings would each provide a 4 bedroom 8 person and would exceed the minimum space standards as set out above.

Outlook, light and privacy:

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

The detached dwellings would be dual aspect and provide a high level of outlook, light and ventilation for future occupiers.

Overall, the dwellings would provide a good level of living accommodation in these respects.

Outdoor amenity space:

Barnet's Local Plan expects that sufficient and functional outdoor space should be provided for all new homes and flats wherever possible. Barnet's Sustainable Design and Construction SPD advises that 5m² should be provided per habitable room for flats and for houses for up to seven or more habitable rooms a minimum of 85m².

The dwelling at 93 would provide 92sqm of amenity space with 93a providing 118sqm. The amenity provision substantially exceeds the minimum requirement and would therefore provide an appropriate level of amenity space.

Impacts on the highway

The applicant is proposing to demolish the existing 1x3 bed single family dwelling and construct 2x4 bed single family dwelling in its place, with the provision of 2x off street car parking spaces for each property. The proposed off-street car parking provision is in line with requirements set out on Policy DM17 of the Barnet Local Plan and is therefore acceptable on highways grounds.

The applicant is proposing to make some changes to the existing vehicular access and provide a further new crossover to the site. The applicant is advised that an application must be made to the highways domestic crossovers team prior to the commencement of any works on the public footway.

One of the proposed refuse storage areas is within 10m of the public highway and is therefore deemed acceptable on highways grounds. The other appears to be over 10m from the public highway. The applicant is advised that bins must be brought to the edge of the footway on collection days.

The location of the bin storage is acceptable but further details on positioning, elevations and dimensions of the refuse store are requested by way of a condition. Refuse should be stored in a fully enclosed compound.

Cycle parking and cycle storage facilities should be provided in accordance with the London Borough of Barnet's Local plan. Details will be requested by way of a condition.

Overall, the application is considered acceptable and recommended for approval subject to conditions.

5.4 Response to Public Consultation

- o Disturbance from building works

The impact of construction works is not a material planning consideration.

- o Relatively small plot
- o Overdevelopment

The spacing within the plot has been discussed within the main body of the report.

- o All properties in Park Road are individual ranging from houses to bungalows. The proposed look of the modern dwellings has no place in Park Road

This issue has been discussed within the main body of the report. The principle of two additional dwellings of the proposed design is not considered to be detrimental to the character of the area.

- o Inadequate parking

Highways officers have reviewed the application and confirmed that the proposed off-street parking provision is in line with requirements set out in Barnet's Local Plan.

- o Appears that a balcony is proposed to the front of the building which would overlook neighbouring properties

There are no balconies proposed.

- o Obstruct views and be overbearing

As discussed within the main body of the report, the design within the current application is considered to overcome the previous reason for refusal with regards to overbearing.

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 street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for APPROVAL.

