

Location

2A Alba Gardens, London, NW11 9NR

Reference:

	Received:24.05.2022
22/2761/FUL	Accepted: 24.05.2022
Ward: Golders Green	Expiry: 19.07.2022

Applicant:

Devonshire Metro Ltd

Proposal:

Demolition of existing building and erection of a 4 storey (plus basement) building to provide youth centre and synagogue facilities at basement, ground and first floor levels, and 3 self-contained flats on the second and third floors with associated amenity space, cycle parking and refuse storage

OFFICER'S RECOMMENDATION

Refuse

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 proposed design, by virtue of its height, scale, bulk, massing, footprint and appearance would result in an incongruous and excessing form of development onsite; and would have an imposing , domineering, and detrimental impact on the character and appearance of the streetscene contrary to policies D1, D5, D6, D7 & D8 of the London Plan (2021); DM01 of the Development Management Document (2012), and the Barnet Councils Residential Design Guidance SPD (2016).
2. The development would fail to provide adequate private amenity space for 3 x no of proposed units; would have poor outlook and subject to overlooking from surrounding properties to the rear of the site, to the detriment of the residential amenity of future occupiers, culminating in substandard accommodation and overdevelopment of the site contrary to Policy DM02 of the Local Plan: Development Management Document (2012), Sustainable Design and Construction SPD (2016) and the Residential Design Guidance SPD (2016).

3. Insufficient information has been submitted to demonstrate the availability of on street spaces at night for the residential use and during operational hours of the synagogue/community centre contrary to policies T3; T4 & T6 of the London Plan (2021); policy CS9 of the Core Strategy (2012) & policy DM17 of the Development Management Document (2012) which seeks to ensure that proposed developments do not compromise highway safety.
4. In the absence of a Travel Plan and bespoke Community Centre Activity Management Plan, the proposal is contrary to policies T3; T4 & T6 of the London Plan (2021); policy CS9 of the Core Strategy (2012) & policy DM17 of the Development Management Document (2012), which seeks to promote high safety and sustainable modes of transport.
5. Insufficient information has submitted to demonstrate that the proposal would not result in an unacceptable loss of daylight, sunlight, overshadowing and/or sense of enclosure to properties nos 2 & 4 Alba Gardens; nos 10-12 Russell Parade; no 7 Russell Parade & no 1 to 9 Sycamore Court contrary to policy D6 of the London Plan (2021); policy CS5 of the Core Strategy (2012); policies DM01, DM02 and DM04 of the Development Management Document (2012).

Informatives

1. The plans and documents accompanying this application are:
 - Site Location Plan
 - Drawings: ALB_P01j3; ALB_P02j3; ALB_P03j3; ALB_P04j3; ALB_P05j3; ALB_P06j3; ALB_P07j3; ALB_P08j3; ALB_P09j3; ALB_P10j3;
 - Noise Impact Assessments (November 2021) by Syntegren Consulting
 - Topographical Survey (drawing nos: 5288_E; 5288_F)
 - Transport Statement by E.M Pick Planning
 - Transport Statement Supplementary dated 18 July 2022 (E.M Pick Planning)
 - Sustainability and Energy Statement dated January 2022 by Syntegra Consulting
 - Statement of Community Involvement by E.M Pick Planning
 - Overheating Assessment Report dated February 2022 by Syntegra Consulting
 - Noise Impact Assessment November 2021 by Syntegra Consulting
 - Planning Statement by E.M Pick Planning
 - Design and Access Statement by SpaceAgent dated 09 May 2022
2. In accordance with paragraphs 38-57 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority has produced planning policies and written guidance to guide

applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

The applicant sought formal pre-application advice which was provided. Unfortunately the submitted scheme is not considered to accord with the Development Plan. If the applicant wishes to submit a further application, the Council is willing to assist in identifying possible solutions through the pre-application advice service.

3. This is a reminder that should an application for appeal be allowed, then the proposed development would be deemed as 'chargeable development', defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Therefore the following information may be of interest and use to the developer and in relation to any future appeal process:

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 is recorded to the register of Local Land Charges as a legal charge upon a site, payable should development commence. The Mayoral CIL charge is 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.

4. Your attention is drawn to Part 5 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 and if you are aggrieved by the decision of the Local Planning Authority you may appeal to the Secretary of State for Communities and Local Government, c/o The Environment Team, Room 3/25, Hawk Wing, Temple Quay House, 2 The Square, Bristol, BS1 6PN within 28 days of receipt of this decision. For further information, see the advice at <https://www.gov.uk/appeal-decision-about-tree-order>

Officer's Assessment

The application has been called to committee by Councillor Dean Cohen for the following reason:

“The building is an existing community facility which is now in need of re-development. The proposed redevelopment while looking like a community building/synagogue is still in keeping and respectful of its neighbouring properties both the residential and commercial. I trust this is in order”.

Site Description

The site comprises of a two-storey detached property located to the south part of Alba Gardens, used as a community facility. The property has a dual pitched roof form and a prominent bay window at the ground floor level.

The site lies in an area with a Public Transport Accessibility Level of 5, which means it has very good access to public transport (as a scale of 1-6, where 1 is extremely poor, and the 6 is excellent). Local bus routes include no's 210, 83, 183, 240. The site can be accessed from stops within one minutes walking distance from the site. Also, Brent Cross tube station on the Northern Line is less than 7 minutes walking distance away from the site. It is in a Controlled Parking Zone (CPZ) which operates from Mon to Fri, 11am - Midday.

The site is not located within a Conservation Area.

Site History

Premises Adjoining Rear Of 2A Alba Gardens London NW11

Reference No: C00343Y

Description: Addition of a first floor to form a flat, external staircase and formation of garage at ground floor level.

Decision: Refused

Decision date: 03 January 1996

2A Alba Gardens

Ref. No: C00862

Description: Extension of existing W.C. accommodation and erection of cloakrooms to front elevation

Decision: Approved subject to conditions

Decision date: 31 March 1966

Relevant Planning History of neighbouring Properties

Site: 10-12 Russell Parade Golders Green Road London NW11 9NN (Located directly south of the subject site)

Ref No: 16/8195/FUL

Description: Two-storey extensions (comprising of first and second floor level) above 10 and 11 Russell Parade and second floor extension to 12 Russell Parade to provide new office space

Decision: Approved subject to conditions

Decision date: 03 March 2017

Site: Residents properties on the upper floors to the rear of 7 Russell Parade Golders Green Rd, London, NW11 (accessed also from Flower Mews) - Located to the east of the subject site

Ref. No: C00343V

Description: First floor extension adjoining 2A Alba Gardens to create two self contained flats accessed by an external staircase, provision of two parking spaces in access way.

Decision: Refused

Decision date: 30.03.1994

Site: 11 Russell Parade

Planning Ref no: 16/5377/FUL

Description: Creation of new storey to provide 2 no. B1 use class offices

Decision date: Approved subject to conditions

Decision: 18.10.2016

Proposal

The proposal is for the demolition of the existing building and erection of a four storey building (plus basement) to provide a community youth facility with Synagogue and ancillary facilities at basement, ground and first floors; erection of 3 x no residential units (comprising of 2 x 1 bed & 1 x 2 bed self-contained units on the second and third floors. The applicant notes that the top floor flat would be occupied as tied accommodation by the manager/caretaker of the youth movement.

The proposal would result in an increase in the floor area of a community use from 155sqm to 400sqm.

Public Consultation

Consultation letters were sent to 267 neighbouring properties on 30 May 2022.

135 responses have been received, comprising 1 letters in objection, and 134 letters in support.

Supporting comments

- Ezra youth movement has grown significantly reaching a much larger audience and therefore going forward the building needs an extensive upgrade to its facilities.
- The proposed youth centre would be a valuable educational, cultural and social asset and facility to the Jewish community.
- The proposal provides an opportunity to enhance the area and provide a useful, vibrant, safe and constructive place for the community and especially the youth.

- This facility is important for the developmental process of young people, for their physical, social and emotional stimulation and wellbeing.
- The youth centre provides an educational and social facility for the youth.
- The existing is in a dilapidated state of repair. The proposal would enable the youth movement to cater for a larger capacity, and to uphold a high service for the community, to the benefit of the Jewish community.
- This youth centre is going to revitalise the area and offer outstanding facilities for the local community.
- The community facility has potential to increase motivation levels amongst Jewish youth, less likely to engage in gangs, crime and violence.
- In short, if this plan is rejected than those responsible for the rejection should realise that every time they see crime rates rising it was due to their decision.

Objection

- The proposal does not make provision for onsite car parking spaces for the residential element of the scheme. The proposal would result in excessive pressure on existing on street car parking spaces.

All planning matters raised within the representations received from local residents are available to view on the Councils website. These objections have been considered and addressed as part of the decision-making process. All representations have been summarised in the Officers report.

Statutory Consultees

Thames Water

Thames Water have confirmed they do not raise any formal objections.

LBB Environmental Health

LBB Environmental Health do not object the proposal, subject to the following conditions:

- Demolition and Construction Management Plan
- 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 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 in the interest of good air quality.
- Restrict Noise From Plant
- Impact of Noise from Ventilation and Extraction Plant on Development
- Desk top Contamination study, and mitigation measures

LBB Highways

Comments provided within the assessment section of this report.

Policy Context

National Planning Policy Framework and National Planning Practice Guidance 2021}

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

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

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

The Mayor's London Plan 2021

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

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

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

The relevant London Plan policies are as follows:

D3 Optimising site capacity through the design led approach

D4 Delivering good design

D5 Inclusive Design

D6 Housing quality and standards

D7 Accessible housing

D8 Public realm

D10 Basement development

D11 Safety and resilience to emergency

D12 Fire Safety

D14 Noise

H1 Increasing housing supply

H7 Monitoring of affordable housing

H8 Loss of existing housing and estate redevelopment
H10 Housing size mix.
S1 1 Improving air quality
S1 3 Energy Infrastructure
S1 4 Managing heat risk
S1 5 Water Infrastructure
S1 7 Reducing waste and supporting the circular economy
S1 13 Sustainable drainage
S1 17 Protecting and enhancing London's waterways.
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential Parking
S1 Developing London's social infrastructure
S5 Sports and recreation facilities

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: CS4, CS9, CS10, CS11, CS13

Relevant Development Management Policies: DM01, DM02, DM04, DM13, DM14, DM17

Barnet's Local Plan (Reg 22) 2021

On 26th November 2021 Barnet's Draft Local Plan was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account has been taken of the policies and site proposals in the draft Local Plan limited weight has been given to the draft Local Plan in the determination of this application (as considered further below).

Supplementary Planning Documents

- Sustainable Design and Construction SPD (adopted October 2016)
- Residential Design Guidance SPD (adopted October 2016).

Assessment of proposal

The main issues for consideration in this case are:

- o The principle of the proposed land use
- o Design and its' impact on the character and appearance of the existing building; the streetscene and the wider locality
- o Impacts on Amenity of Neighbouring Properties
- o Standard of residential accommodation
- o Impact on Local Highway
- o Energy and Sustainability

The principle of the proposed Community use onsite

Policy S1 "Developing London's social infrastructure' of the London Plan (2021) stipulates that development proposals that provide high quality, inclusive social infrastructure that address local need should be supported. Policy S5 "Sports and recreation facilities" stipulates that development proposals for sports and recreation facilities should increase or enhance the provision of facilities in accessible locations, well connected to public transport and maximise the multiple sport and recreation facility uses.

Barnet Core Strategy policy CS10 identifies that the Council will work with its partners to ensure that facilities for younger people are provided and protected for Barnet's communities. Policy DM13 of the Barnet Development Management Policies document identifies that new community uses;

- Should be located where they are accessible by public transport, walking and cycling, preferably in town centres.
- Should ensure that there are no significant impacts on the free flow of traffic and road safety
- Will be expected to protect the amenity of residential properties.

This policy also states that the loss of community or educational uses would only be acceptable in exceptional circumstances where:

- New community buildings must be to at least equivalent quality or quantity are provided on the site or at a suitable alternative location; or
- There is no demand for continued community or education use, and that the site has been marketed effectively for such use.

Officers have been advised by the applicant that the existing building is currently used as a youth club centre and general community uses. The proposal would make provision for a community facilities:

Basement level: 84.30m² of activity/meeting room

Ground floor: 91m² of Synagogue/meeting room

First floor: Synagogue/library: 30m²; conference room 1: 32.50m² & conference room 2: 35m²

The proposal would result in a new, and much larger community facility for the youth of the Jewish Community, which is supported by Officers in principle

Principle of Residential development onsite

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 Local Planning Authorities 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".

Alba Gardens is solely characterised by single family two storey residential dwellings. Whilst there are examples of new built flats on Golders Green Road, characterised by mixed use development, the context and associated characteristics are different to Alba Gardens and therefore not appropriate precedents to cite or comparisons to make in order to justify self-contained residential flats on this subject site.

The principle of the proposed 3 x no self-contained flats on the proposed second and third floors are not acceptable, primarily on the grounds that the overall height and scale of development to accommodate these units, would have a detrimental impact on the streetscene, would negatively impact on character and appearance of Alba Gardens, and would provide substandard accommodation, as discussed further within the report.

It is also important to note that the supporting comments received pertaining to this application were not based on the principle of three new residential units.

The applicant asserts that the purpose of the three residential units, and in particular the fourth storey extension which provides a 1 x 2 bed (4 person) for a "caretaker" to operate the community use, and that this self-contained flat is required to ensure continued viability and deliverability of the community use. However, the applicant has not provided the Local Planning Authority with a viability assessment to support their position.

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.

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. 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. Developments 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.

Height

This part of Alba Gardens is characterised by two storey residential properties broadly consistent in design. The only exception is a 4-storey block of flats located to the west side of the street, although this is set on a large plot. It is acknowledged that the corner building fronting Russell Parade (known as FAME building) was granted planning permission for additional height in 2017. However, this corner building is part of the neighbouring centre and sits in a different character context than the application site. There is a clear set back in the building line after the corner building which marks that change in character. The proposals justify the height based on the approval at Russell Parade, however this has not been implemented therefore limited weight can be given to this.

The proposals would be sited on a plot which is notably smaller than any other in this section of the road and would be higher than any other development along the east part of Alba Gardens. It is not considered that the site is wide enough to accommodate the desired transition between the four-storey height on the main road and the two-storey scale along Alba Gardens.

The subject site marks the beginning of Alba Gardens, which is characterised by two storey residential buildings. As such, this subject site should reflect buildings to the north of the site at Alba Road. The massing, scale and bulk should be reflective of existing residential buildings on Alba Gardens.

Development on this site, should act as a smooth transition between the 4-storey building facing Russell Parade and the two storey dwellings on Alba Gardens. At pre

application stage, Officers advised the applicant to explore a proposal of no more than 3 storeys in height (two storeys plus third storey setback- light weight in appearance). The applicant has not followed Officers guidance on this matter.

Officers have been consistent with their advice to the applicant from pre application stage to full planning stage. The height of the proposal at four storey (plus basement) is excessive and cannot be justified in townscape terms.

Scale

The existing terrace is very uniform in its design, comprising of two storey dwellings, of similar heights with shallow gable roof forms and shallow depths to the rear of this houses. As such, the existing built footprint on each of these sites is appropriate, and the remainder of the sites have approximately sized gardens and offer appropriate visual relief. Conversely, the proposed height exceeds the height of the neighbouring terraces, the proposal bulk and mass exceeds the depth of the existing rear properties, results in excessive footprint.

Any development on this subject site should be reflective of the form of properties on Alba Gardens. The proposed scale of the development would have an overly domineering and imposing impact on the streetscene. There is no visual relief- set right up against the boundary shared with the footpath.

The footprint and projection to the rear are still excessive and not in keeping with the pattern of development. Footprint continues to be excessive, as it covers too much of the plot, even though it is acknowledged that this plot is larger than the neighbouring plots, the quantum of development is disproportionately larger than the neighbouring properties, and the existing street form on Alba Gardens.

The proposed designs and detailing are fussy and contain many alien features such, excessively large fenestration, and climbing wall all of which amalgamate to a building which fails to reflect the form and characteristic features of properties on Alba Gardens. At pre application stage, the applicant was advised to explore a more simplified design approach which could address the character constraints of the site.

The resulting structure, by way of form and massing, would not result in a coherent visual relationship with adjacent buildings. The convoluted design is unsuccessful in appropriately responding to the different architectural forms and building scales on either site of the application site. The proposed design, materiality and detailing accentuates the discordant proportionality of the building which appears top heavy, rather than lightweight (i.e second floor sufficiently set back on all sides from the building line, predominant use of glazing).

Appearance/elevational treatment

Greenwall

The proposal includes a partial green wall to the front and side elevation which extends the full height of the building.. Whilst Officers would not object to the principle of an element of green walling, the applicant has not demonstrated how this green wall would be actively maintained. The proposed green wall extends to the full height of

the building, which would be excessive, with an overly domineering visual impact from various elevations and sections.

In the absence of the green wall maintenance strategy, the proposed development would fail to safeguard the character and visual amenities of the site and the street scene contrary to policy D4 of the London Plan (2021); policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), and policy DM01 of the Development Management Policies DPD (adopted September 2012).

Windows

The front elevation includes windows of various sizes and styles punctuated along the front elevation. The applicant has advised that the design rationale for the proposed fenestration strategy is on the grounds that the design approach for the proposal is to provide a contemporary building to the site. Officers do not consider that the proposed windows contribute positively to the elevations. Conversely, the proposed fenestration pattern is convoluted; incoherent and fails to pick up or respond to existing fenestration patterns in the immediate area.

Render

The front elevation is characterised by white render. which does little to contribute to the overall design quality of the proposal.

Officers had recommended that a more varied material palette be considered for example a variety of brick patterns, and recessed panelling to make the elevation more permeable and improve the articulation to the front elevation. Officers had recommended the applicant explore a variety of brick patterns, , recessed panelling, to make it more permeable and improve the articulation to the front elevation.

The façade treatment and use of materials do not clearly announce; delineate; and distinguish the separation Community use and residential use. The front elevation is characterised by a mix of convoluted window detailing; and white render treatment across all floors. A residential use should be treated by different materials as those proposed on the lower floors for the Community use. Moreover, the upper floors should be lightweight in materials. Conversely, the upper floors are more heavy weight and solid in form, and the top floor, whilst partially set back, has on imposing and domineering impact on the streetscene.

Concluding design comments

The primarily design consideration is whether or not it relates to the surrounding area which is uniform in character. The proposal doesn't relate to any of the surrounding properties which are two storey houses.

Whilst Officers do not object to contemporary building onsite, the subject proposal does not respond positively to it context. Conversely, it would have a detrimental impact on the character and appearance of the streetscene, and Alba Gardens.

Overall, it is considered that the design, footprint; height; bulk; massing; and appearance would not respect the relationship between itself and nearby buildings; and would not have a positive impact on the character and appearance of the

streetscene, and the local area. The proposal provides no defensible space or visual relief with the streetscene. On the contrary, the proposal would have an overbearing, imposing, domineering and harmful impact on the character and appearance on the site and to Alba Gardens. The proposal would also present symptoms of overdevelopment of the site, including unacceptable impact on neighbouring properties; and substandard proposed residential accommodation, 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 2021 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.

In respect of amenity it states that developments 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, or sense of enclosure and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

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 of 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 site is constrained by residential development directly to the north, south and east of the site (on various floors). The proposed rear balconies have an uncomfortable relationship with the neighbouring rear garden to properties at 4a Alba Gardens and no's 10-12 Russell Parade (to the south). In addition to this, the proposed balcony in Option 2 to the north east of the site would result in direct overlooking into the rear garden of no 4 Alba Gardens and potentially residential properties on the upper floors of properties at 1-9 Sycamore Court.

Daylight, sunlight and overshadowing

At pre application stage, the applicant was advised to submit a Daylight and Sunlight Assessment to determine its impact of the surrounding developments. The applicant

has not provided Daylight and Sunlight Assessment with this subject planning application. As such, insufficient information was submitted to demonstrate that the proposal could have an acceptable impact on amenities to properties 2 & 4 Alba Gardens; 10-12 Russell Parade; 7 Russell Parade & 1 to 9 Sycamore Court) on Golders Green Road.

Privacy and overlooking

A contextual drawings which show the separation distance between the proposed development and surrounding residential development has been submitted to demonstrate that the proposal would not result in undue loss of privacy or overlooking to neighbouring properties.

The upper floors have already been set back away from the site boundary to provide visual relief and to avoid any sense of overbearing or overdominance.

The distance from the rear of the development to the office development at 12 metres. The proposal would therefore result in unacceptable overlooking of this building, which could be converted into residential units in the future should the owner wish to exercise their permitted development rights.

Windows on the side elevations would be obscured so as to prevent direct overlooking into the upper floors of the FAME building, shown 3.5 metres away on the drawings. The proposed rear balconies on the second and third are only partially obscured. Future occupiers, in particular the balcony to the top storey "caretakers" flat can readily overlook the rear of no 2 and 4 Alba Gardens.

The distance from the rear balconies from Office building directly east is approximately 12 metres. The excessive height, scale and projection to the rear of the development would result in perceived overlooking and a sense of enclosure to the surrounding properties with aspect to the subject proposal.

Overall, the proposed development would not adversely impact the existing amenity to surrounding resident occupiers and would accord with the relevant policies.

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 x no 1 bed units and 1 x 2 bed unit.

Notwithstanding the fundamental objection to the scale of the development to accommodate the residential use, the proposal fails to make provision for family sized accommodation (3 bed or more) contrary to policy.

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.

The proposed units minimum internal size standards as set out below:

1 x 1 bed (2 person)	Policy Requirement	50sqm	Proposed	55m ²
1 x 1 bed (2 person)	Policy Requirement	50sqm	Proposed	50m ²
1 x 2 bed (4 person)	Policy Requirement:	70sqm	Proposed	70m ²

The proposed units are therefore in accordance with these minimum space standards.

Loss of privacy/outlook

The habitable rooms which are served solely by windows and balconies to the rear would have poor outlook. Moreover, the proposed full length third floor balcony is set back from the smaller balconies proposed on the second floor, and therefore could directly overlook residents below, which is unacceptable.

Moreover, future occupiers would be subjected to overlooking and loss of privacy from the office building to the rear located approximately 12 metres from the proposed rear windows and balconies.

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.

The proposal makes provision for private balconies which fail to meet minimum size standards as set out below:

1 x 1 bed (2 person)	Policy Requirement	10sqm	Proposed	2.75m ²
1 x 1 bed (2 person)	Policy Requirement	10sqm	Proposed	2.75m ²
1 x 2 bed (4 person)	Policy Requirement	15sqm	Proposed	11m ²

The combined private amenity space proposed would be 16.5sqm, which fails significantly below the combined policy requirement of 35sqm private amenity space.

The proposal does not provide any communal or additional open space to offset or mitigate against the loss of privacy amenity space onsite, contrary to policy.

The development would fail to provide adequate private amenity space for 3 x no of proposed units; which would have poor outlook and be subject to overlooking from surrounding properties to the rear of the site, to the detriment of the residential amenity of future occupiers, culminating in substandard accommodation and overdevelopment of the site contrary to Policy DM02 of the Local Plan: Development Management Document (2012), Sustainable Design and Construction SPD (2016) and the Residential Design Guidance SPD (2016).

Impact on Local Highway

Policies T3 8 T4 of the London Plan (2021); 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 to promote highway safety.

Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments. Other sections of Policies CS9 and DM17 seek that proposals ensure the safety of all road users and make travel safer, reduce congestion, minimise increases in road traffic, provide suitable and safe access for all users of developments, ensure roads within the borough are used appropriately, require acceptable facilities for pedestrians and cyclists and reduce the need to travel.

Car parking for proposed residential use

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.

Outer London PTAL 4 Up to 0.5 - 0.75 spaces per dwelling (1-2 BED units)

Up to 0.5 - 0.75 spaces per dwelling (3 BED plus units)

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 Policy DM17, the proposed 3 residential units (2x1bed and 1x2bed) would attract a parking demand of 1-3.5 spaces. Given the good PTAL score of the site, the provision of 2 car parking spaces for the residential element would be considered the appropriate level of provision. No parking is proposed on site and so at least 2 spaces would be displaced on-street.

Car parking for the Community use

There are no set parking standards for a community use in the London Plan. LBB Highways team advise that as a proxy, a ratio of 1 space for every 10 visitors would be acceptable.

The applicant has provided the following information for Officers, including LBB Highways team to consider:

- Children of the movement are divided into separate groups according to their ages. Each group is headed by youth leaders, normally aged between 16 and 24, who arrange and direct programmes, for social and educational activities.
- Within the premises a synagogue functions on Sabbaths, although this does not attract any vehicles. The existing use does attract a small number of vehicles on weekdays (their use on Sabbaths is prohibited). Normally events are held on two or three evenings a week.
- Although youth leaders reside locally, vehicles may be occasionally be to the site for purposes of delivering cleaning materials, meals or refreshments.
- The number of people on the site at any time averages between 50 and 60. On some occasions, the premises have hosted lectures, assembling up to 100 people. In addition, the premises might host an occasional dinner, comprising some 60 people, to celebrate a Bar or Bat Mitzvah of one of the members of the movement. It is a fact that most attendees are young and do not own a car, but presently a small number of adults do come to the site and may occasionally bring a car. The applicant notes that maximum number of vehicles visiting the site in any weekday totals two or three.

The applicant has not submitted a Travel Plan to promote sustainable modes of transport to and from the site.

The applicant has not provided an activity Management Plan for various events associated with the Community Use. The events management plan should include:

- 1) traffic management plan
- 2) parking arrangements/strategy
- 3) crowd control measures
- 4) duration of each event

- 5) emergency/evacuation procedures
- 6) traffic monitoring
- 7) cleansing and refuse collection
- 8) review of each event

In the absence of a Travel Plan and bespoke Community Centre Activity Management Plan, the proposal is contrary to policies T3; T4 & T6 of the London Plan (2021); policy CS9 of the Core Strategy (2012) & policy DM17 of the Development Management Document (2012), which seeks to promote high safety and sustainable modes of transport.

In relation to the parking, because the CPZ operates for 1hr only on weekdays the practice is to carry out an overnight parking survey based on "Lambeth Methodology" to ensure a consistent approach to determining the level of parking stress on each road. LBB Highways requested that the applicant undertake a parking survey to demonstrate the availability (or lack of availability) of on-street spaces at night and during the opening hours of the synagogue/community centre. The applicant has not provided this study.

Insufficient information has been submitted to demonstrate the availability of on street spaces at night for the residential use and during operational hours of the synagogue/community centre contrary to policies T3; T4 & T6 of the London Plan (2021); policy CS9 of the Core Strategy (2012) & policy DM17 of the Development Management Document (2012) , which seeks to ensure that new developments do not compromise high safety.

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".

For the residential units, minimum of 5 long stay cycle parking spaces are required. For the community use, 1 long stay and 4 short stay space a required. 7 cycle parking spaces are shown on the ground floor plan. However, it is not clear if this is for the residential or community use. Separate cycle parking should be provided for the residential and community use. Long stay cycle parking should be provided in a covered, secure, lockable and enclosed compound. The type of stands proposed must allow both wheels and the frame of the bicycle to be locked.

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 following:

- Refuse service for 3 x no flats weekly: 2 x 240litre 740 x 540 x 1100
- Food waste recycling for 3 x no flats weekly brown 23 litre 400 x 320 x 630
- Optimal waste recycling for 3 x no flats fortnightly 240 litre x 580 x 1100

Refuse storage and collection arrangements as shown on the proposed ground floor plan are broadly acceptable. However, Highways would recommend the provision of a fully covered bin store.

The refuse collection areas would be located within 10 meters of the Public Highway on collection days, which is acceptable in highways terms.

Energy and Sustainability

Local Policy (2012) policy DM04 requires all major developments to demonstrate through the submission of an Energy Statement that the scheme complies with the Mayor's targets for reductions in carbon dioxide emissions with the framework of the Mayor's energy hierarchy. London Plan (2021) policy requires major new developments to be net zero-carbon and should reduce greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the Mayor's energy hierarchy. A minimum on-site reduction of at least 35% beyond Building Regulations is required with 10% achieved through energy efficiency measures.

The applicant has submitted a Sustainability and Energy Report. The proposal includes the installation of PV modules which would have a significant impact in reducing the carbon footprint of the development.

The targeted carbon saving is a 100% reduction over the Building Regulations Part L 2013 baseline. Given the total cumulative savings below, the proposed development meets the 35% reduction after the application of all energy strategies, including a 21.7% carbon reduction through energy efficiency measures at Be Lean stage for commercial part and 13.2% for domestic part and meets the total reduction of 67.5% for domestic and 35% for commercial unit. A cash in lieu contribution is required to offset the residual Carbon emissions in order to satisfy the Zero Carbon requirement. This payment would be £6762 for a shortfall of 3.756 tonnes CO₂/annum.

Officers do not raise any objections to the applicants proposed Energy and Sustainability Strategy.

Response to Public Consultation

All planning matters raised within the representations received from local residents are available to view on the Councils website. These objections have been considered and addressed as part of the decision-making process.

Support

- The proposal will provide a valuable asset for the EZRA Youth Movement and the Jewish Community.

In land use terms, Officers support the proposed community use as set out within this report.

Objection

- The proposal does not make provision for onsite car parking spaces for the residential element of the scheme. The proposal would lead to excessive pressure on existing on street car parking spaces.

This matter has been addressed with the report. Insufficient information has been submitted to demonstrate the availability of on street spaces at night for the residential use and during operational hours of the synagogue/community centre. In the absence of this information, Officers consider that the proposal may compromise highway safety.

Equality and Diversity Issues

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

"(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

For the purposes of this planning application, the term "protected characteristic" relates to age; race and religious beliefs within the Jewish Community.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.

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.

Conclusion

Having taken all material considerations into account, it is considered that the proposed design of the development would be excessive form of development, which would have a detrimental impact on the character and appearance of the application site, the street scene, and the locality. The development proposes substandard residential accommodation and would have an adverse impact on the amenities of neighbouring occupiers, culminating in overdevelopment of the site. The application is therefore recommended for refusal.

Site Location Plan

