

Location **Peaberry Court 87 Greyhound Hill London NW4 4JE**

Reference: **22/1437/OUT** Received: 18th March 2022

Accepted: 21st March 2022

Ward: Hendon Expiry 20th June 2022

Case Officer: **Josh Mclean**

Applicant: Blue Box Developments Limited

Proposal: Internal alterations to 10no. existing flats; upwards extension of an additional floor and front, side and rear extensions at third, fourth, fifth floor and roof levels to create 29no. additional self-contained flats. Ground to roof front extension to main entrance for the provision of a lift. Provision of plant equipment on the roof. Replacement of existing brick and render facade with new brick and render facade. Provision of balconies, private and communal amenity areas and associated cycle storage and refuse. Reallocation of existing car parking spaces in the basement. Landscaping to be a reserved matter

OFFICER'S RECOMMENDATION

Approve subject to s106

AND the Committee grants delegated authority to the Service Director – Planning and Building Control to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chair (or in their absence the Vice-Chair) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

RECOMMENDATION I:

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

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;

3. **Affordable Housing**

Contribution of £50,000.
Provision of early and late stage reviews.

4. **Carbon Off-set**

A carbon offset contribution towards the Council's carbon offset fund.

5. **Be Seen Energy Monitoring Guidance**

Requires monitoring and reporting of the actual operational energy performance of major developments for at least five years via the Mayor's 'be seen' monitoring portal.

6. **Section 106 monitoring**

A contribution towards the monitoring of the S106 agreement.

RECOMMENDATION II:

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

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

0616-SA-SP-ZZ-DR-00-20-01 (Location Plan)
0616-SA-SP-ZZ-DR-00-20-01 (Site Plan)
0616PH2-SA-BP-ZZ-DR-A-90-01 P1 (Existing Block Plan)

0616-SA-LP-00-DR-00-20-01 (Existing - Basement Floor Plan)
0616-SA-LP-LGM-DR-00-20-01 P2 (Existing - Basement Mezz Floor Plan)
0616-SA-LP-00-DR-00-20-01 (Existing - Ground Floor Plan)
0616-SA-LP-01-DR-00-20-01 (Existing - 1st Floor Plan)
0616-SA-LP-02-DR-00-20-01 (Existing - 2nd Floor Plan)
0616-SA-LP-03-DR-00-20-01 P2 (Existing - 3rd Floor Plan)
0616-SA-LP-04-DR-00-20-01 (Existing - 4th Floor Plan)
0616-SA-LP-05-DR-00-20-01 P2 (Existing - 5th Floor Plan)
0616-SA-ZZ-RF-DR-00-20-01 P1 (Existing - Roof Plan)
0616-SA-ZZ-ZZ-DR-00-20-10 P1 (Existing Elevations)
0616-SA-ZZ-ZZ-DR-00-20-11 P1 (Existing Elevations)

0616PH2-SA-BP-ZZ-DR-A-90-02 P1 (Proposed Block Plan)

0616PH2-SA-ZZ-00-DR-A-20-01 P5 (Proposed - Ground Floor Plan)
0616PH2-SA-ZZ-01-DR-A-20-01 P3 (Proposed - 1st Floor Plan)
0616PH2-SA-ZZ-02-DR-A-20-01 P3 (Proposed - 2nd Floor Plan)

0616PH2-SA-ZZ-03-DR-A-20-01 P3 (Proposed - 3rd Floor Plan)
0616PH2-SA-ZZ-04-DR-A-20-01 P4 (Proposed - 4th Floor Plan)
PL-105 (Proposed Fifth Floor Plan)
PL-107 (Proposed Sixth Floor Plan)
PL-108 (Proposed Roof Plan)
PL-120 (Proposed North West Elevation)
PL-121 (Proposed Front Elevation)
PL-122 (Proposed North East Elevation)
PL-123 (Proposed Rear Elevation)

Acoustic Assessment Report Ref 11675.RP01.AAR.0 (dated 11/03/2022)
Air Quality Neutral Assessment V3 (dated 08/03/2022)
Daylight & Sunlight Report (dated March 2022)
Design and Access and Planning Statement
Hybrid Parking Survey / Transport Statement
Financial Viability Assessment (dated 14/06/2022)
Fire Planning Statement (dated 14/03/2022)
Sustainable Drainage Assessment (dated 11/03/2022)

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) Prior to installation, details of the materials to be used for the external surfaces of the building and hard surfaced areas hereby approved shall be submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01

of the Development Management Policies DPD (adopted September 2012) and Policy D4 of the London Plan 2021.

- 5 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:
- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
 - ii. site preparation and construction stages of the development;
 - iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
 - iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
 - v. the methods to be used and the measures to be undertaken to control the emission of dust, noise and vibration arising from construction works;
 - vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
 - vii. noise mitigation measures for all plant and processors;
 - viii. details of contractors compound and car parking arrangements;
 - ix. details of interim car parking management arrangements for the duration of construction;
 - x. details of a community liaison contact for the duration of all works associated with the development.

For major sites, the Statement shall be informed by the findings of the assessment of the air quality impacts of construction and demolition phases of the development.

- b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

- 6 a) Prior to occupation of the development hereby approved, a parking management plan detailing the allocation and management of parking spaces to the 29no. new dwellings shall be submitted to and approved in writing by the Local Planning Authority.
- b) The designated parking spaces shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking

of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnets Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 7 a) Prior to occupation of the development hereby approved, details of cycle parking for a minimum of 33 (long stay) and 1 (short stay) cycle parking spaces in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards - including the type of stands, gaps between stands, location and type of cycle store proposed - shall be submitted to and approved in writing by the Local Planning Authority.

b) Thereafter, before the development hereby permitted is occupied, the approved cycle storage shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

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

- 8 a) Prior to occupation of the development hereby approved, details of refuse storage shall be submitted to and approved in writing by the Local Planning Authority.

b) The development thereafter shall only be operated in accordance with the approved servicing management plan.

Reason: 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

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

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

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

Reason: In the interest of good air quality in accordance with Policy DM04 of the Barnet Local Plan Development Management Policies (2012) and Policy S11 of the

London Plan 2021.

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

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

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016) and Policies D13 and D14 of the London Plan 2021.

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

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

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

- 12 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).

- 13 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (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) and 10% constructed to meet and achieve all the relevant criteria of Part M4(3) of the abovementioned regulations. 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 Policy D7 of The London Plan 2021.

- 14 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 49% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policy SI 2 of the London Plan (2021)

- 15 a) Before the development hereby permitted is first occupied, details of privacy screens facing No.75 Greyhound Hill to be installed to the external balconies of proposed units P.03.02 (Proposed Third Floor) and P.04.03 (Proposed Fourth Floor) shall be submitted to and approved in writing by the Local Planning Authority.

b) The screens shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted October 2016) and the Sustainable Design and Construction SPD (adopted October 2016).

RECOMMENDATION III:

- 1 That if the above agreement has not been completed or has not been submitted by 31 January 2023, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):
 1. The proposed development does not include a formal undertaking to meet the costs of provision of affordable housing and carbon off-set. The proposal would therefore not address the impacts of the development, contrary to Policies CS5 and CS9 of the Local Plan Core Strategy (adopted September 2012), policies DM04 and DM10 of the Development Management Policies (adopted September 2012) and the Planning Obligations SPD (adopted April 2013).

Informative(s):

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

We believe that your development is liable for CIL. The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

- 3 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.
- 4 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.

- 5 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil

interceptors could result in oil-polluted discharges entering local watercourses.

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk .

6 The submitted Construction Method Statement shall include as a minimum details of:

- Site hoarding
- Wheel washing
- Dust suppression methods and kit to be used
- Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.
- Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
- Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
- Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.
- For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.

7 Refuse collection point should be located at a ground floor level and within 10m of the refuse vehicle parking bay. Levelled access should be provided for the refuse collection personnel to collect the bins. The refuse collection personnel are not expected to push the bins on an inclined surface to safeguard their Health and Safety requirements. If the refuse vehicle is expected to travel over an unadopted road then the applicant will be expected to sign a Waiver of Liability and Indemnity Agreement indemnifying the Council. Alternatively, the dustbins will need to be brought to the edge of the refuse vehicle parking bay on day of collection. The applicant is advised that the Council's collection department is consulted to agree a refuse collection arrangement.

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.

If a concrete pump lorry is operated from the public highway, 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.

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 licenses please contact the council.

OFFICER'S ASSESSMENT

1. Site Description

The application site comprises of a part-3, part-4 and part-5 storey mixed-use building which is located on the southern corner of Greyhound Hill and the A41 Watford Way.

The building has a broad 'V' shape footprint with its main elevations fronting onto Greyhound Hill and the A41 Watford Way, with an enclosed communal garden to the rear. The ground floor comprises of a retail unit (Evans Cycles), with residential units to the rear of the ground floor layout and at all the upper floors. The site comprises of a basement mezzanine and basement level which provides car parking for the existing building and is access via a gated under croft off Greyhound hill.

The immediate surrounding area is characterised by two-storey housing, with a mixed parade building located on opposite junction corner. To the east, further up Greyhound Hill, lies Sunnyfields Primary School and Middlesex University. To the west, is the A41 Watford Way and M1, and beyond that, there is significant residential development at Beaufort Park and Colindale Gardens.

The site has a PTAL of 2 and lies within Flood Zone 1.

2. Site History

Reference: 22/1442/OUT

Address: Peaberry Court 87 Greyhound Hill London NW4 4JE

Decision: Pending Consideration

Decision Date: N/A

Description: Internal alterations to 10no. existing flats; upwards extension of an additional two floors and front, side and rear extensions at third, fourth, fifth floor and roof levels to create 49no. additional self-contained flats. Ground to roof front extension to main entrance for the provision of a lift. Provision of plant equipment on the roof. Replacement of existing brick and render facade with new brick and render facade. Provision of balconies, private and communal amenity areas and associated cycle storage and refuse. Reallocation of existing car parking spaces in the basement. Landscaping to be a reserved matter.

Reference: 21/6726/OUT

Address: Peaberry Court 87 Greyhound Hill London NW4 4JE

Decision: Approved subject to conditions

Decision Date: 26/04/2022

Description: Internal alterations to ten existing flats and front, side and rear extensions at third, fourth, fifth floor and roof levels to create nine additional self-contained flats. Ground, first and second floor front extension to main entrance. Provision of plant equipment on the roof. Replacement of existing brick and render facade with new brick and render facade. Provision of balconies, private and communal amenity areas and associated cycle storage and refuse. Reallocation of ten car parking spaces in the basement. Landscaping to be a reserved matter

Reference: H/01747/08

Address: Peaberry Court 87 Greyhound Hill London NW4 4JE

Decision: Approved subject to conditions

Decision Date: 30/07/2008

Description: Proposed 6 No. additional flats to already approved application (W12867A/03) to be accommodated within the existing roof space (2 at 4th floor and 4 at 5th floor) additional velux windows.

Reference: W12867A/03

Address: Newark Parade Greyhound Hill 236-252 Watford Way London NW4

Decision: Approved following legal agreement

Decision Date: 13/02/2004

Description: Demolition of Newark Parade and 236-252 Watford Way and erection of part four, part five storey building comprising 61no. self-contained flats and 430m² of commercial floorspace at ground level. Provision of 73no. off-street car-parking spaces in basement with access from Greyhound Hill.

3. Proposal

The application seeks outline permission with landscaping to be a reserved matter for the following works:

- Internal alterations to 10no. existing flats with front, side and rear extensions at third, fourth, fifth, sixth and roof levels to create 29no. additional self-contained flats;
- Extension to main entrance;
- Provision of plant equipment on the roof;
- Replacement of existing brick and render façade with new brick façade;
- Provision of balconies, private and communal amenity areas;
- Re-allocation of 10no. car parking spaces in the basement; and
- Provision of additional secure cycle storage and refuse.

Amendments were secured through the application process to reduce the proposed built footprint and massing at proposed fifth and sixth floor levels.

The applicant also provided an updated pack of proposed 5th, 6th, roof and elevations which addressed discrepancies in the previous submitted versions.

4. Public Consultation

Consultation letters were sent to 265 neighbouring properties.

4 responses have been received, comprising 2 letters of objection and 2 letters of support.

The objections received can be summarised as follows:

- Disruption caused by construction works
- Impact of works and noise on personal health

The letters of support received can be summarised as follows:

- The building is in need of updating
- The proposal will be a significant improvement
- Current application is a further enhancement and improvement to the already approved scheme.
- Benefit of an additional lift
- Improve the outlook for both the residents and the local community

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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

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

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

The Mayor's London Plan 2021

The London 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 for the next 25-50 years. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS13, CS14, CS15
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM10, DM17

Supplementary Planning Documents

Affordable Housing (2007)

Delivering Skills, Employment, Enterprise and Training (SEET) (2014)

Green Infrastructure (2017)

Planning Obligations (2013)

Residential Design Guidance (2016)

Sustainable Design and Construction (2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Provision of adequate accommodation for future occupiers;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Highways issues:
- Provision of affordable housing;
- Energy and sustainability; and
- Any other material considerations.

5.3 Assessment of proposals

Impact on the character and appearance of the existing site, streetscene and surrounding area

At present, the site consists of a part-3 to part-5 storey building with the uppermost storey being recessed. There is further accommodation within the existing hipped roofspace. On the Greyhound Hill side elevation, the building steps up from 3 storeys to 5 storeys, whilst the A41 facing side elevation, is 4 storeys with accommodation in the roof.

The layout of the existing building is unchanged as the proposal simply relates to alterations and extensions to upper levels. A recent application (ref: 21/6726/OUT) was approved which altered the existing hipped roof elements and squaring them off which essentially created a new full storey to each element. This resulted in the building being part-4 to part-6 storeys in height.

This proposal seeks to build on the previous permission but with an additional sixth storey (i.e a total height of 7 storeys).

The existing building has since its construction, always been distinctive within its immediate context. Whilst the proposal will result in a further increased scale, massing and height across the site and in addition to the most recent permission, is not considered that it pushes it out of scale within the immediate context. The proposal maintains the stepped approach along Greyhound Hill and the proposed façade colouring, fenestration and balcony detailing help provide visual interest and break up the outward facing elevations. On the Watford Way elevation, further reductions were secured during the application process to the upper levels, setting back the uppermost levels from both the front and side elevations. The whole of the proposed sixth floor would be set back from the principal elevation in order to be subservient to the main building. Overall, these measures are considered to be satisfactory.

The external appearance of the building would be radically altered to a flat roof building of a multi-toned brick construction, whilst retaining the central entrance structure with new metal vertical windows either side. The principle of this design / external was established in the previous application. The existing building appearance is quite dated and weathered and so it is considered that the proposal would create an improved building appearance.

Provision of adequate accommodation for future occupiers

The proposal would alter 10no. existing units and when combined with the proposed new

29no. units, there will be 29 x 1-beds and 10 x 2-beds.

Table 3.1 of Policy D6 of the London Plan 2021 provides minimum internal space standards for new dwellings. Each of the existing and new flats would comply with the minimum space standards. This would be an improvement to those existing units which were smaller than the current standards. The outlook to each flat is considered to be acceptable and again an improvement is made to those units which were previously contained within the existing roof structure which only had rooflights.

The proposal would provide a variety of private and communal amenity areas. Overall, 266sqm of private amenity space and 772sqm of communal amenity is provided within the scheme. This is considered to be acceptable.

Impact on neighbouring residential amenity

There are existing residential properties located to the north, east and south of the application site.

There are further properties to the west, but these are across the A41 Watford Way and are not considered to be impacted directly by the proposed development.

To the north lies a two-storey parade and a row of detached, two-storey houses. The distance between facing elevation is approx. 31m. The proposed additional massing / height and resulting additional flats is not considered to have a detrimental impact on these residential units.

To the east, there is a row of two-storey dwellings parallel to the building, facing onto Greyhound Hill and a different row perpendicular to the rear of the site within Newark Way. The proposal retains the stepped approach adjacent to No. 75 Greyhound Hill, with the scale / massing being considered acceptable. There are a limited number of windows proposed at this side elevation serving bathrooms or single bedrooms and are located in approx. the same location which face onto the side elevation of No.75. The private terrace to proposed flat P.04.02 is located to the front of the building and so is not considered to be harmful to neighbouring amenity. At the rear, the additional new small projecting balconies can be mitigated by privacy screening to prevent increased overlooking at a higher level. With regards, Newark Way, there is an approx. 22m separation distance between the facing elevation and the closest rear boundary. This is considered an acceptable distance in terms of overlooking according to the Council's Residential Design Guidance SPD. Due to the site's orientation west of Newark Way, it is not considered that the scheme adversely affects sunlight/daylight or overshadowing of the properties along this street.

To the south, there is a row of two-storey, detached houses which face onto but are set back from the A41 Watford Way. Due to the topography, the existing building sits at 4 storeys with the hipped roof at this side elevation. The enclosing access road separates the site between No.230. There are only 2no very small side windows within No.230. The additional scale/massing and new windows and balconies is not considered to adversely affect the residential amenity of these properties. The upper levels on this end elevation have been stepped back in order to reduce prominence of massing and height.

The application is accompanied by a Daylight & Sunlight Report and undertook an analysis of the following surrounding properties:

64 - 78 Greyhound Hill;
75 Greyhound Hill;
2 - 4 Newark Way;
230 Watford Way; and
Henley Court, Watford Way.

The report demonstrates that the majority of neighbouring windows/rooms will meet the recommended BRE guidelines for daylight and sunlight. There are a number of factors which can explain or justify the reduction of daylight/sunlight to those affected windows. Overall, it is considered that the proposed development is acceptable in terms of daylight and sunlight to neighbouring properties.

Highways Issues

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure.

Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

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

For 1 bedroom units 0.0 to 1.0 space per unit
For 2 and 3 bedroom units 1.0 to 1.5 spaces per unit

Based on the above parking standards the parking requirement for the new residential units is calculated as follows:

29 x 1b	a range of 0.0 to 1.0	0.0 to 29.0 spaces required
10 x 2b	a range of 1.0 to 1.5	10.0 to 15.0 spaces required

This equates to a parking provision of between 10 and 44 spaces to meet the requirements of Policy DM17. The site has a PTAL rating of 2 (low) and lies within a CPZ operating Mon-Fri 10am-5pm and an event day CPZ between 1pm-6pm. The submitted Planning Statement sets out that no additional car parking spaces are being provided but the existing 10no. car parking spaces in the basement allocated to the 10 flats which form part of the application will be allocated to the 8 x 2-bedroom flats and 2 x 1-bedroom flats.

Within Barnet Policy DM17, the supporting text at para 18.8.5 states that development proposals will need to demonstrate through a parking survey that sufficient on-street capacity is available to justify limited or no on-site parking. The applicant has submitted a Parking Survey which has undertaken an assessment of an area of 200m radius of the proposed development. Surveys were undertaken during July and found that there was an on-street parking stress of 46% with 108 available spaces. Therefore, it has been demonstrated that there is sufficient on street parking capacity and the proposal is compliant with Barnet Policy DM17.

In terms of cycle parking, a minimum of 34 no cycle parking spaces are required in accordance with London Plan standards (33 long stay and 1 short stay). A condition will be attached to secure details of the types of stands to be provided.

The existing refuse stores at the rear of the site is proposed to be expanded to accommodate the additional demand, with existing servicing arrangements to remain. This is accepted by Highways.

Overall, the proposal development is considered acceptable on highways grounds.

Affordable Housing

Policy H4 of the London Plan 2021 sets a strategic target of 50% of all new homes to be delivered across London to be genuinely affordable. Policy H5 provides a threshold approach, allowing the provision of a minimum of 35% affordable housing, subject to the development adhering to the tenure mix requirements of Policy H6; adherence to other relevant policy requirements; and not receiving any public subsidy. Where this cannot be met then the development must be assessed under the Viability Tested Route.

The Barnet Core Strategy and Development Management policies (2012) (CS4 and DM10) seek a borough wide target of 40% affordable homes on sites capable of accommodating ten or more dwellings with a tenure split of 60% social rented and 40% intermediate housing.

The emerging Barnet Local Plan seeks to align with the London Plan requirements but still maintains the 60/40 tenure split.

The application was accompanied by a Financial Viability Statement by Avison Young which set out that proposed development was unable to contribute towards affordable housing on site as the scheme generated a deficit of between -£6,344,000 and -£7,875,000.

The Council appointed Savills to independently assess the applicant's FVA. After reviewing the FVA, Savills comment that they agree with the majority of Avison Young's assumptions and agree that the scheme produces a significant deficit. Savills have calculated that the proposal produces a deficit of -£5,250,000 and state that the proposal is unviable to provide a contribution towards affordable housing.

Following this viability review, the process has concluded that there is no level of affordable housing that can be delivered on site. Despite this outcome, the applicant has offered a financial contribution of £50,000 as a gesture of goodwill towards affordable housing.

Energy and sustainability

Energy Statement

An Energy Strategy has been submitted in support of the application. The energy statement outlines a series of measures which will be incorporated into the proposal to improve sustainability and reduce carbon emissions. The Strategy follows the London Plan Energy Hierarchy: Be Lean, Be Clean and Be Green. The overriding objective in the formulation of the strategy is to maximise the reductions in total CO2 emissions through the application of the hierarchy with a technically appropriate and cost-effective approach, and to minimise the emission of other pollutants. The development will be constructed to comply with Part L 2013 (with 2016 amendments) of the Building Regulations and in line with the London Plan to achieve a minimum of 49% CO2 reduction for the domestic elements. In order to achieve zero carbon, the developer will need to make a carbon offset

contribution to bridge this gap. A contribution towards the Council's carbon off-set fund will be required to be secured via planning obligation.

Water Consumption

In terms of water consumption, a condition would be recommended in the event planning permission is granted to require each unit to receive water through a water meter, and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Barnet's Core Strategy (2012) Policy CS13 and Policy SI5 of the London Plan (2021).

The proposed development, subject to conditions, would therefore meet the necessary sustainability and efficiency requirements of the London Plan (2021).

Flood Risk / SuDS

Policy CS13 of the Barnet Core Strategy states that "we will make Barnet a water efficient borough and minimise the potential for fluvial and surface water flooding by ensuring development does not cause harm to the water environment, water quality and drainage systems. Development should utilise Sustainable Urban Drainage Systems (SUDS) in order to reduce surface water run-off and ensure such run-off is managed as close to its source as possible subject to local geology and groundwater levels".

The application is accompanied by a Sustainable Drainage Assessment. The proposal is to maintain the existing drainage onsite, with the below ground drainage and flows into the drainage system are intended to remain identical pre- and post-development. The assessment concludes that runoff from the site, alongside water drained from the basement drainage system, will continue to drain into the public sewer system at a rate determined by the two existing pumps. When compared to the pre-existing situation, this will not result in an increase in the rate or volume of water discharged offsite.

Thames Water have advised that with regard to wastewater network and sewage treatment works infrastructure capacity, they would not have any objection to the planning application, based on the information provided.

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 the completion of a legal agreement and 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. The development is considered to be acceptable on highways grounds. This application is therefore recommended for approval.

