

Location **42 Kings Road Barnet EN5 4EG**

Reference: **22/0139/FUL** Received: 12th January 2022
Accepted: 12th January 2022

Ward: High Barnet Expiry 9th March 2022

Case Officer: **Zakera Matin**

Applicant: Mr & Mrs J & A Cole

Proposal: Demolition of the existing detached dwelling and construction of a new two storey plus rooms in roofspace detached dwelling with associated cycle storage and off-street parking

OFFICER'S RECOMMENDATION

Approve subject to conditions

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

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

001 Rev P6
002 Rev P6
100 Rev P6
101 Rev P6
102 Rev P6
103 Rev P6
200 Rev P6
300 Rev P6
301 Rev P6
302 Rev P6

303 Rev P6
304 Rev P6
Design and Access Statement (October 2022)
Bat Scoping Survey (19 April 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 This development must be begun within three years from the date of this permission.

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

- 3 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy D4 of the London Plan 2021.

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

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

Reason: To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies CS NPPF, CS1, CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policies DM01, DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), and Policies D4, D5, D8 and G7 of the London Plan 2021.

- 5 a) Before the development hereby permitted is first occupied cycle parking spaces

and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in The London Plan (2021) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 6 Prior to occupation of the development the proposed parking spaces within the parking area as shown in drawings no. 002 Rev P6 submitted with the planning application and the access to the parking area from public highway shall be provided and the access to the parking spaces shall be maintained at all time. The parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

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

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

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

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012); CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

- 8 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.

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

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

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

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

(adopted October 2016) and the London Plan 2021.

- 10 Before the building hereby permitted is first occupied the proposed window(s) in the flank elevation facing no.44a and 40a shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

- 11 a) The site shall not be brought into use or first occupied until details of the means of enclosure, including boundary treatments, have been submitted to and approved in writing by the Local Planning Authority.
- b) The treatment of boundaries should be permeable to species such as hedgehogs (*Erinaceus europaeus*) and common toad (*Bufo bufo*), with the introduction of a minimum of 1no 13 x 13cm ground level access 'hedgehog hole' between the application site and each neighbouring piece of land to enable connections and prevent the fragmentation of habitat
- c) The development shall be implemented in accordance with the details approved as part of this condition before first occupation or the use is commenced and retained as such thereafter.

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

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A to E of Part 1 of Schedule 2 of that Order shall be carried out within the site.

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

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

Reason: To ensure that the proposed development does not prejudice the

amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

- 14 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 10 % in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2013 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), the London Plan (2021) and the 2016 Mayors Housing SPG.

- 15 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).

- 16 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 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 the London Plan 2021 and the 2016 Mayors Housing SPG.

Informative(s):

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

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

Please Note: A maximum width of a crossover allowed from a public highway is 4.2 meters. Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW.

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

- 2 The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be obtained from London Borough of Barnet, Development and Regulatory Services, 2 Bristol Avenue, Colindale London NW9 4EW.
- 3 If a concrete pump lorry is operated from the public highway, the surface of the highway and any gullies or drains nearby must be protected with plastic sheeting. Residue must never be washed into nearby gullies or drains. During the development works, any gullies or drains adjacent to the building site must be maintained to the satisfaction of the Local Highways Authority. If any gully is damaged or blocked, the applicant will be liable for all costs incurred. The Applicant shall ensure that all watercourses, drains, ditches, etc. are kept clear of any spoil, mud, slurry or other material likely to impede the free flow of water therein.
- 4 Any gates must open inwards and not out onto the public highway for health and safety reasons.

- 5 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.
- 6 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.

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. Your planning application has been assessed at this time as liable for a payment under Mayoral CIL.

Council has approved the new CIL charging schedule and that it will come into effect on Friday 1st April. This means that any liable planning decisions issued on or after 1st April will pay £300 a square metre rather than £200. Employment uses will also be charged £20 a square metre. <https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>

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.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf
2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.
3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

- 7 If at any time following the start of demolition works, a bat roost or evidence of a bat roost is observed, all work would need to cease until a suitably licensed bat ecologist has been consulted and advice sought on how best to proceed under current laws and legislation. Where a bat roost is identified, destruction of the roost would usually need to be covered by a European Protected Species (EPS) Licence obtained from Natural England. The planning authority would need to have sight of any mitigation strategy developed for a licence application in order to address their obligations under The Habitats and Species Conservation Regulations 2018 (as amended).

If demolition is delayed for more than one-year after the date of the bat survey (April 2022), repeat bat surveys should be undertaken.

Lighting strategy must be designed and used to minimise impacts on bats and their insect food. All exterior lighting should follow the guidance of the Bat Conservation Trust. Current (June 2014) advice is at <http://www.bats.org.uk/>.

OFFICER'S ASSESSMENT

The application is referred to committee because of number of objections received.

1. Site Description

The application site is occupied by a detached dwelling sited on the west side of Kings Road.

The site is not located within a Conservation Area and the building is not listed. The site is not covered by article 4 directive. The site is in area of special Archaeological interest.

Neighbouring detached dwelling no.40a is sited to the north and no.44a is sited to the south of the subject dwelling. 15a Grimsdyke Crescent is sited to the north west and the rear garden abuts the rear garden of subject property.

2. Site History

None

3. Proposal

The application seeks permission for demolition of the existing detached dwelling and construction of a new two storey plus rooms in roofsace detached dwelling with associated cycle storage and off-street parking.

The proposed dwelling would be contemporary with crown roof. The ridge would be 0.55m lower than the existing. The eaves height would be similar to eaves of neighbouring property no.40a to the north.The proposal would feature two storey front projection with gable roof. Front gable roof is lowered 0.4m from ridge line in the amended scheme. Rear elevation would feature two projections with one hipped and one gable roof. The roof at rear projection lowered 0.4m from ridge in the amended scheme. A combination of grey and white brick is proposed. Floor to ceiling height windows are proposed.

It would have maximum height of 8.7 m and width of 11.2m and total depth of 13.9m on north side and 11.8m on south side. It would be sited 1.5m from the north boundary with no.40a and 1m from the side boundary with no.44a to the south. The proposal would maintain 3.5m gap with the two storey flank wall of no. 40a and 4m with the two storey flank wall of no. 44a.

The front building line would be sited 6m from the front boundary similar to the existing dwelling. The rear of the dwelling would project 2.2m from the existing rear building line. The rear of the building would project 3.3m from the rear of neighbouring property no,40a. and 0.5m from the rear of no.44a.

4. Public Consultation

Consultation letters were sent to 35 neighbouring properties.

15 comments received including 14 objections as below:

- Hendon and District Archaeological Society commented that, very close to the site where a mediaeval pottery kiln was discovered; it may contain evidence of or artefacts related to that kiln. Demolishing and rebuilding the house will involve significant excavation. Archaeological condition is suggested in the event of approval.
- 40a Kings road objected that the rear extension proposed comes out too far and be overbearing and cause loss of light. Velux window would cause overlooking. This is a contemporary scheme located within a traditional setting.
- 44a Kings road objected and commented that, the proposed building is very close and might cause damage to foundation and roof of attached garage of 44a along the common boundary.
- No 33 objected that the proposal is unsympathetic to the existing character, lack of parking, no demolition or building work should take place outside of legal times (ie Saturday afternoon, Sunday or Bank Holidays).
- 15A Grimsdyke Crescent objected mentioning the proposed height of the building with the use of huge floor to ceiling windows and a roof light is excessive and will overlook no.15 A. Expressed concern regarding appearance and size of the proposed development.

Comments received on amended plans

- 40a Kings Road objected that, the proposed development has been reduced in the revised plans, but only by a marginal amount. The rear wall still extends too far from the existing building line. It would be overbearing and cause loss of light for the rear patio area of no. 40a. The building line to the front appears to exceed the existing line of neighbouring properties and the bulk of the building dominates the site. Velux roof light would overlook the garden. The contemporary use of materials, including the floor to ceiling windows, are unsympathetic to the traditional character of Kings Road.
- privacy impact for 5A Grimsdyke Crescent Barnet
- little regard has been taken of residents' objections to various aspects of this proposed development
- The plot on which this development is proposed is not large and it is seeking to squeeze too much into the area.

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

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

Relevant London Plan Policy: D1, D4, D6, D7, G7, T5, T6, SI 2, SI 5.

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.

- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM08, DM17.

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

Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan on 26th November 2021 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 needs to be taken of the policies and site proposals

in the draft Local Plan and the stage that it has reached.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

Sustainable Design and Construction SPD (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.
- Provision of suitable accommodation for future occupiers
- Provision of waste recycling and cycle parking
- Sustainability and Accessibility
- Highways and parking.
- Ecology

5.3 Assessment of proposals

The proposal has been amended to reduce width and depth and increase gap with neighbouring properties. The proposal has been further amended to align the eaves with neighbouring no.40a to north and lower front and rear gable projections from the ridge.

Impact on the character and appearance of the existing site, streetscene and wider locality

Policy CS5 Protecting and enhancing Barnet's character to create high quality places' seeks to ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design. Policy DM01 states that 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 NPPF supports this and stipulates that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation but instead development should be guided by the numerous factors including overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

Policy D3 of the London Plan (2021) states that developments should "respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character". In addition, buildings should "be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well".

Policy CS5 states that, " We will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design."

SPD Residential design guide in paragraph 6.12 states that, "Proposals for new residential development should respond to the distinctive local building forms and patterns of development and respect the scale, massing and height of the surrounding physical context."

Paragraph 6.13 goes on to state that, "New development should recognise the scale, massing and roof form of surrounding buildings and reflect these where they are a positive attribute of the area's character. Consideration should be given to the grouping of buildings, roof pitches, the detailing of eaves and gables, chimney stacks and the size/siting of any dormer windows. New development should reflect the existing building lines and rhythm of the street."

It further states that, "great care should be taken when incorporating contemporary design into the existing urban fabric. New and old buildings can co-exist without negatively influencing the character of the area, but new development should always sit comfortably with its neighbours."

Existing building is traditional in design and features two storey gable projection with entrance porch with column, two storey front bay window with hipped roof, single storey attached garage on side of no.44a. The rear elevation features a single storey rear projection with hipped roof on the side of no.44a. the property features a hipped roof. Existing building is 9m in height, 10 m wide with total width 12.5m with attached garage and 10.5m deep. The garage is sited up to the side boundary with no.44a. The dwelling is sited 2m at front and 1.3m at rear from the side boundary with no.40a.

The site is not located in conservation area and the building is not listed. The proposed dwelling would replace a two-storey dwelling at the subject site, therefore, a replacement two-storey building would be acceptable in principle.

Policy DM03 on Accessibility and inclusive design states that, "Development proposals should meet the highest standards of accessible and inclusive design by demonstrating that they meet the following principles:

- can be used safely, easily and with dignity by all regardless of disability, age, gender, ethnicity or economic circumstances
- are convenient and welcoming with no disabling barriers, so everyone can use them independently without undue effort, separation or special treatment."

The applicant mentioned in the design and access statement that a member of family is visually impaired, and the existing dwelling is not wheelchair accessible dwelling for the disable family member who also uses wheelchair. The proposal addresses the issue of accessibility by providing wide wheelchair accessible circulation, platform lift. Visibility is improved by providing ample provision of daylight through floor to ceiling height glazing. Tactile surface is used internally and externally to aid visually impaired person. In this respect the demolition and rebuilt is supported by Policy DM03.

The proposed dwelling would be contemporary in design. The proposed ridge would be 0.55m lower than the existing ridge height. The ridge height would be similar to neighbouring properties. The eaves height would be similar to eaves of neighbouring property no.40a to the north. The proposal would feature a two storey front projection with gable roof. Rear elevation would feature two gable projections with one hipped and one gable roof. A combination of grey and white brick is proposed for exterior.

It would have maximum height of 8.7 m and width of 11.2m and total depth of 13.9m on north side and 11.8m on south side. It would be sited 1.5m from the north boundary with no.40a and 1m from the side boundary with no.44a to the south. The proposal would maintain 3.5m gap with the two storey flank wall of no. 40a and 4m with the two storey flank wall of no. 44a.

The front building line would be sited 6m from the front boundary similar to the existing dwelling. The rear of the dwelling would project 2.2m from the existing rear building line. The rear of the building would project 3.3m from the rear of neighbouring property no,40a. and 0.5m from the rear of no.44a.

It is noted that existing dwelling is higher than neighbouring dwellings. The proposed ridge would be higher than neighbouring building 40a on the north, but the eaves would be at similar height and would not appear significantly taller than the neighbouring dwelling no.40a. The proposed ridge would be lower than ridge of no.44a to the south.

It is noted that, the street is characterised by detached dwellings of varied design and size. The use of material is also verified along the street. In this context the proposed contemporary dwelling would not appear out of context and not considered to have any detrimental impact on the character of the area and street scene.

Though the replacement dwelling would be wider and deeper than the existing dwelling on site, the scale would be similar with neighbouring dwellings and would not detract from the character of the street scene. Furthermore, some of the dwellings along the road are wider than the proposed dwelling.

SPD Residential Design Guide recommends minimum 2m gap between two storey flank wall of dwellings. It is noted that the proposal would maintain 3.5m gap with the two-storey flank wall of no. 40a and 4m with the two storey flank wall of no. 44a and would comply with the set back stated in the guidance. The proposal is considered to maintain sufficient gap with neighbouring properties.

Unlike the existing and neighbouring dwellings the replacement dwelling would feature a crown roof. However, it is noted that several other dwellings along the road feature crown roof including neighbouring property no.40a. In this context the crown roof is not considered out of context.

Councils Design officer commented on the amended scheme as follows, " the applicant has lowered the ridge of the projecting element to the front and the eaves would align with the eaves of the neighbouring building. To the rear, the projecting element that features a sloping roof form has been set down from the ridge line of the main house in a similar way to the front gable roof element and the projecting element to the front elevation. The proposed volume/massing of the building, despite being substantially larger than the existing building on site, is not deemed to be excessive. The proposal would not harm the appearance of the area or the street scene."

It is considered that, the revised proposal would respect the character of the area and street scene.

Impact on the amenities of neighbours

Policy DM 01 states that, Development proposals should be designed to allow for

adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

It further mentions that,

"Schemes which significantly harm the amenity of neighbouring occupiers will be refused planning permission. Protecting amenity helps to protect the well being of the boroughs residents."

The proposal would be sited 1.5m from the north boundary with no.40a and 1m from the side boundary with no.44a to the south. The proposal would maintain 3.5m gap with the two storey flank wall of no. 40a and 4m with the two storey flank wall of no. 44a.

SPD Residential Design Guide recommends minimum 2m gap between two storey flank wall of dwellings. It is noted that the proposal would maintain sufficient separation gap with neighbouring properties.

The proposed two storey rear building line would project 3.3m from the rear of neighbouring property no,40a and sited 3.5m from the two storey flank wall of no.40a. No. 40a is sited to the north and the proposal is not considered to overshadow the rear of no.40a significantly because of modest rear ward projection and separation gap of 3.5m. It is not considered that the 3.3m rearward projection would appear overbearing when viewed from the rear garden of no.40a.

The proposed two storey rear building line would project only 0.5m from the rear of no.44a. NO.44a is sited to the south. Because of the modest rear projection, siting to the north and 1m gap from the side boundary and 4m gap from the two storey flank wall of no.44a, the proposal is not considered to have any overshadowing or overbearing impact for no.44a.

The flank elevations feature windows. A condition is attached requiring these to be obscured glazed. Subject to condition, it is not considered to have any significant detrimental impact on privacy for neighbouring dwellings.

The proposed roof lights are not considered to cause any overlooking for the neighbouring occupiers, as they will not provide direct view towards neighbouring properties because of siting at roof level.

The relationship with no. 15a Grimsdyke Crescent sited to the north west would remain same as existing and the rear facing windows are not considered to cause any additional overlooking for that property and it's rear garden.

The proposal is not considered to have any detrimental impact on the neighbouring occupiers in terms of overshadowing, overbearing or overlooking impact.

Provision of suitable accommodation for future occupiers

In terms of amenity for future occupiers, 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 proposed 6 bedroom 12 person family dwelling with Gross Internal Floor Area (GIA) of 304 sqm would comply with minimum required. The double bedrooms would be more than required 11.5 sqm which would meet the minimum standard. The proposed storage space would also meet the minimum requirement.

The rooms would benefit from good outlook and receive adequate daylight and sunlight except from two loft bedrooms which have no windows and only have rooflights and would have poor outlook. However, this is not considered as a ground for refusal and in general the dwelling would have good outlook from all other habitable rooms.

To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. The proposal would meet the standard in this regard.

Barnet's Local Plan expects that sufficient and functional amenity space should be provided for all new houses and flats wherever possible. The Sustainable Design and Construction SPD advises that for a dwelling with up to seven and more habitable rooms needs to provide 85 sqm of outdoor amenity space. The proposed rear gardens would measure 315 sqm and would meet the SPD requirements.

-Waste Recycling

Paragraph 11.10 of the Residential Design Guidance SPD 2016, states that, "Waste and recycling storage can cause a nuisance to neighbours and future occupiers, by reason of odour and noise, and can be visually intrusive in the streetscene. Waste and recycling storage areas should be integrated within the building or provided on-site and screened within an enclosure or by landscaping avoiding garden areas in front of dwellings."

Submitted drawings do not show location of waste storage, however a condition is attached requiring location and details of screened refuse storage.

Accessibility and Sustainability

The application scheme is required by Policy D7 of the London Plan (2021) to meet Building Regulation requirement M4(2). 10% of new housing should be designed to be wheelchair user dwellings that comply with part M4 (3) of the Building Regulations. The applicant has mentioned that the dwelling would be wheelchair accessible. A condition is attached to ensure compliance with the Policies.

In respect of carbon dioxide emission reduction, the proposed scheme has to designed to achieve 10% CO2 reduction to comply with the requirements of Policy SI 2 of the London Plan 2021 and a condition is attached to ensure compliance with the Policy.

In terms of water consumption, a condition is attached to require the dwellinghouse 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 Policy SI 5 of the London Plan (20 21).

Highways and Parking

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.

Council's Highway officer was consulted on the proposal. The officer informed that, the proposed off-street car parking arrangement will require that one existing vehicular crossover be widened to 4.2m in order to safely provide access for 2x vehicles, and the other access must be reinstated a public footway. The applicant must make an application to the highways Domestic Crossovers Team prior to the commencement of any works on the public footway and works must be completed before the new dwelling is occupied. An informative is attached regarding this.

Cycle parking needs to be provided in accordance with Table 10.2 of the 2021 London Plan Cycle Parking Standards. The cycle parking spaces will need to be secured in an enclosed compound that is well-lit, overlooked and accessible by the residents only. The type of stands will need to allow both the frame and at least one wheel of the bicycle to be secured. For the proposed the required cycle parking provision is 2 spaces. Condition is attached for detail of Cycle parking.

Highway raised no Objection subject to conditions.

Ecology

National policy states that "When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

Core Strategy Policy CS7: Protecting and Enhancing Barnet's Open Spaces, aims to protect and enhance biodiversity across the borough. The network of green spaces, places and features that thread through and surround urban areas and connect town to country are known as Green Infrastructure. Barnet's Green Infrastructure includes: Green Belt and MOL, parks and gardens, natural and semi-natural green spaces, trees, hedgerows and green corridors, playing pitches and outdoor sports facilities, amenity green space, landscape, children's play facilities, allotments, community gardens and urban farms, cemeteries and churchyards, rivers, streams (including the Blue Ribbon Network) and open water areas as well as green roofs and walls.

DM16 states that, "When considering development proposals the council will seek the retention and enhancement, or the creation of biodiversity."

Council's Ecologist was consulted on the proposal. The officer informed that, as the proposed plans involve the demolition of a building to allow the construction of a new property, an Ecological Impact Assessment (EclA) and a Preliminary Roost Assessment (PRA) should be undertaken by a suitably experienced ecologist in accordance with current best practice guidelines, prior to determination of this application.

The applicant is requested to provide ecology report. The applicant subsequently provided Ecology report which was assessed by Ecologist.

The report states that 'The property has negligible suitability for roosting bats'. Therefore, no further surveys are required.

If at any time following the start of demolition works, a bat roost or evidence of a bat roost is observed, all work would need to cease until a suitably licensed bat ecologist has been consulted and advice sought on how best to proceed under current laws and legislation. Where a bat roost is identified, destruction of the roost would usually need to be covered by a European Protected Species (EPS) Licence obtained from Natural England. The planning authority would need to have sight of any mitigation strategy developed for a licence application in order to address their obligations under The Habitats and Species Conservation Regulations 2018 (as amended).

If demolition is delayed for more than one-year after the date of the bat survey (April 2022), repeat bat surveys should be undertaken.

The proposal is not considered to have any detrimental impact on Ecology.

5.4 Response to Public Consultation

Addressed in the report.

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

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



