

Location 31 And 33 Edgwarebury Lane Edgware HA8 8LJ

Reference: 21/4738/FUL Received: 31st August 2021
Accepted: 9th September 2021

Ward: Edgware Expiry: 4th November 2021

Case Officer: Emily Bell

Applicant: Mrs R James

Proposal: Demolition of existing dwellings and erection of a new block of flats comprising 8no units with associated amenity space, car parking, bike shelters, waste and refuse area

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:

PL/02-004 REV C

P/02-003 REV F

PL/02-001 REV F

PL/02-002 REV F

EX_100

EX_101

EX_102

EX_103

155/03/P_100 REV A

PL/02-003 REV A Location and Block Plan

31 & 33 Edgwarebury Road Planning Statement

31-33 Edgwarebury Lane Transport Statement by Public Highway Ltd dated 20th April 22

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) 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 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

b) If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:

- a risk assessment to be undertaken,
- refinement of the Conceptual Model, and
- the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority.

c) If the risk assessment and refined Conceptual Model indicate any risk of harm, a Method Statement detailing the remediation requirements, using the information obtained from the site investigation, and also detailing any post remedial monitoring shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.

Part 2

d) Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy CS NPPF of the Local Plan Core Strategy DPD (adopted September 2012), DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016).

- 7 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.

- 8 a) Before development commences, a scheme of proposed air pollution mitigation measures shall be submitted to and approved in writing by the Local Planning Authority.
- b) The approved mitigation scheme shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy SI1 of the London Plan 2021.

- 9 a) No development shall take place until a scheme of proposed noise mitigation measures against externally generated traffic/mixed use noise has been submitted to and approved in writing by the Local Planning Authority.
- b) The mitigation measures as approved under this condition shall be implemented in their entirety prior to the commencement of the use or the first occupation of the development and retained as such thereafter.

Reason: To ensure the amenities of occupiers are not prejudiced by traffic/mixed use noise in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016), and Policies D13 and D14 of the London Plan 2021.

- 10 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

- 11 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 7.21 of the London Plan 2016.

12 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

13 a) Prior to the occupation of the hereby approved development, details of a Landscape Management Plan for all landscaped areas for a minimum period of 25 years have been submitted to and approved in writing by the Local Planning Authority.

b) The Landscape Management Plan shall include details of long term design objectives, management responsibilities, maintenance schedules and replacement planting provisions for existing retained trees and any new soft landscaping to be planted as part of the approved landscaping scheme.

c) The approved Landscape Management Plan shall be implemented in full in accordance with details approved under this condition.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy 7.21 of the London Plan 2016.

14 Before the development hereby permitted commences, the applicant shall submit for approval details of measures to improve biodiversity on the site in accordance with guidance set out within BS42040:2013: Biodiversity - Code of practice for planning and development, and guidance documents provided by the Chartered Institute of Ecology and Environmental Management (CIEEM) and the Royal Town Planning Institute (RTPI) for approval. The development shall be implemented in full accordance with these details.

The above conditions would be required, pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01 & DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy G5, G6 and G7 of the London Plan 2021.

15 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 Policy 6.9 and Table 6.3 of The London Plan (2016) 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.

16 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.

17 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).

- 18 a) Before the development hereby permitted is first occupied, details of the subdivision of the amenity area(s) shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented 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) and the Sustainable Design and Construction SPD (adopted April 2013).

- 19 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).

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

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

the London Plan (2021) and the 2016 Mayors Housing SPG.

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

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

- 22 Prior to occupation of the development the proposed parking spaces within the parking area as shown in drawing no. P/02-003 REV F 'Preliminary landscaping and proposed sections' 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 the approved development.

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

- 23 Before the building hereby permitted is first occupied the proposed window(s) in the upper floor flank elevations facing no. 29 and 35 Edgwarebury Lane 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).

- 24 The roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason: To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

Informative(s):

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

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

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

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

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

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

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

- 3 The 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.

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

- 5 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
- 1) The Environment Agency CLR & SR Guidance documents (including CLR11

- 'Model Procedures for the Management of Land Contamination');
2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

- 6 As a result of development and construction activities is a major cause of concern to the Council. Construction traffic is deemed to be "extraordinary traffic" for the purposes of Section 59 of the Highways Act 1980. During the course of the development, a far greater volume of construction traffic will be traversing the public highway and this considerably shortens the lifespan of the affected highway.

To minimise risks and damage to public highway, it is now a requirement as part of any new development to undertake a Highway Condition Survey of the surrounding public highway to the development to record the state of the highway prior to commencement of any development works. The condition of the public highway shall be recorded including a photographic survey prior to commencement of any works within the development. During the course of the development construction, the applicant will be held responsible for any consequential damage to the public highway due to site operations and these photographs will assist in establishing the basis of damage to the public highway. A bond will be sought to cover potential damage resulting from the development which will be equivalent to the cost of highway works fronting the development. To arrange a joint highway condition survey, please contact the Highways Development Control / Network Management Team on 020 8359 3555 or by e-mail highways.development@barnet.gov.uk or nrswa@barnet.gov.uk at least 10 days prior to commencement of the development works.

Please note existing public highways shall not be used as sites for stock piling and storing plant, vehicles, materials or equipment without an appropriate licence. Any damage to the paved surfaces, verges, surface water drains or street furniture shall be made good as directed by the Authority. The Applicant shall be liable for the cost of reinstatement if damage has been caused to highways. On completion of the works, the highway shall be cleared of all surplus materials, washed and left in a clean and tidy condition.

- 7 Refuse collection points should be located within 10 meters of the Public Highway. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.

- 8 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licences please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licences or email highwayscorrespondence@barnet.gov.uk.
- 9 Any gates must open inwards and not out onto the public highway for health and safety reasons.
- 10 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.

OFFICER'S ASSESSMENT

1. Site Description

The application site comprises two, two storey detached dwellinghouses which both benefit from attached single storey garages to the side. Both houses are currently in use as four bedroom single family dwellinghouses.

To the front of the site are paved hard standings with vehicle access from Edgwarebury Lane.

The surrounding area is predominantly residential in character and appearance consisting of a mix of detached and semi-detached two storey dwellinghouses with some flatted development nearby; namely, Edgwarebury Court opposite the site which is a flatted block with a parking court to the rear. Due south, there is a concentration of commercial uses towards the roundabout junction between Hale Lane and Penshurst Garden which form part of a commercial centre.

The site is not within a conservation area and the buildings are not listed.

2. Relevant Planning History

Reference: 20/2216/FUL

Address: 31 Edgwarebury Lane, Edgware, HA8 8LJ

Decision: Approved subject to conditions

Decision Date: 12 August 2020

Description: Conversion of existing house into 4no. self-contained flats including part single, part two storey side and rear extensions following demolition of the existing garage, roof extension involving 1no. rear dormer and 2no. rooflights. Associated amenity space, refuse/recycling store, parking, cycle shed and off-street parking

Reference: 20/6245/FUL

Address: 31 Edgwarebury Lane, Edgware, HA8 8LJ

Decision: Withdrawn

Decision Date: 9 August 2021

Description: Demolition of existing dwellings and erection of a new block of flats comprising 9 units with associated amenity space, car parking, bike shelters, waste and refuse area

Reference: 18/6555/FUL

Address: 33 Edgwarebury Lane, Edgware, HA8 8LJ

Decision: Approved subject to conditions

Decision Date: 21 February 2019

Description: Conversion of existing house into 4no. self-contained flats including part single, part two storey side and rear extensions following demolition of the existing garage , roof extension involving 1 rear dormer and 3 rooflights. Removal of chimneys. Associated refuse/recycling store, parking, cycle shed (amended description).

Reference: 17/6106/FUL

Address: 33 Edgwarebury Lane, Edgware, HA8 8LJ

Decision: Withdrawn

Description: Conversion of existing house into 5no. self-contained flats including part single, part two storey front, side and rear extensions, roof extension including hip to gable to rear with gable window and balcony, 4no. rooflight to both sides and 1no. rooflight to front and rear. Following demolition of existing garage and removal of chimneys.

Reference: H/00426/08

Address: 31 Edgwarebury Lane, Edgware, HA8 8LJ

Decision: Insufficient Fee

Decision Date: No Decision Made.

Description: Loft conversion including rear and side dormer windows. Installation of solar panels to rear elevation.

Reference: W15765A/07

Address: 31 Edgwarebury Lane, Edgware, HA8 8LJ

Decision: Refused

Decision Date: 9 October 2007

Description: Loft conversion and roof extension. Installation of solar panels on roof.

Reference: W15765/07

Address: 31 Edgwarebury Lane, Edgware, HA8 8LJ

Decision: Refused

Decision Date: 2 April 2007

Description: Loft conversion and roof extension. Installation of solar panels on roof. Installation of roof mounted wind turbine.

3. Proposal

The application seeks approval for the demolition of the existing dwellings and erection of a new block of flats comprising 8 units with associated amenity space, car parking, bike shelters, waste and refuse area.

The proposed 8 flats would be arranged over 3 floors (including the roofspace) and have a residential mix as follows:

Flat 1 (ground floor) 1 bed, 2 person with GIA of 50sqm
Flat 2 (ground floor) 2bed, 3 person with GIA of 67sqm
Flat 3 (ground floor) 2bed, 4 person with GIA of 100sqm
Flat 4 (first floor) 1 bed, 2 person with GIA of 53 sqm
Flat 5 (first floor) 2 bed, 3 person with GIA of 63 sqm
Flat 6 (first floor) 2 bed, 4 person with GIA of 97 sqm
Flat 7 (loft floor) 2 bed, 4 person with GIA of 70 sqm
Flat 8 (loft floor) 2 bed, 3 person with GIA of 65 sqm

The proposed building would measure approximately 19.8 metres in width, 15.5 metres deep with a height of 8.9 metres to the main ridge and 9.6 metres to the top of the lift. It would be set in from the common boundaries with nos. 29 and 35 Edgwarebury Lane by 1.4 metres at its narrowest point. The building would adopt a design with symmetrical bayfront windows and hipped ends. Access to the upper floors would be via a centralised staircase surrounded by a common hallway.

There would be two private gardens for flats 2 & 3 with a communal garden for the remaining flats.

Two bike stores would be located within the rear garden. Refuse storage is located on the front hardstanding and two car parking spaces are provided to the front hardstanding area.

It is noteworthy that planning permission has been approved for the subdivision of each of the existing buildings at nos. 31 and 33 Edgwarebury Lane (refs. 18/6555/FUL and 20/2216/FUL) into 4no units.

4. Public Consultation

Consultation letters were sent to 73 neighbouring properties. 6 letters of objection have been received, summarised below:

- o Parking pressure
- o Single family dwellings characteristic in the street
- o Construction disturbance including noise, dirt and dust
- o Loss of privacy to neighbouring occupiers from windows and balconies
- o Destroy trees and green space
- o Create additional noise and light pollution
- o Visually intrusive
- o Loss of single family dwelling
- o Garden area too small for 8 separate flats

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 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.

Relevant policies:

D4 - Good Design

D5 - Inclusive Design

D6 - Housing Quality and Standards

D7 - Accessible Housing

D12 - Fire safety

H2 - Small Sites

H12 - Housing Size mix

SI 2 Minimising Greenhouse Gas Emissions

T6.1 - Residential Car Parking

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,

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

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)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low-density suburban housing with an attractive mixture of terrace, semidetached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.

- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

- States that privacy can be safeguarded by achieving adequate window to window, or window to balcony distances between buildings (both existing and proposed). In new residential development there should be a minimum distance of about 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Shorter distances may be acceptable between new build properties where there are material justifications.

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:

- Principle of Development

- 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 adequate accommodation for future occupiers
- Highways and Parking
- Refuse and Recycling

5.3 Assessment of proposals

Principle of Development

The Borough has an attractive and high quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

The Council recognises that flat developments can make an important contribution to housing provision, in particular smaller units and that they can make more efficient use of urban land, however they normally involve an intensification of use creating more activity and can adversely affect the appearance of a street through, for example, the provision of car parking and refuse facilities, that can have an unacceptable impact on the established character of an area.

Policy DM01 of Barnet's Local Plan Development Management Policies DPD 2012 (LP) states that proposals should be based on an understanding of local characteristics. Criterion h of the same policy states that the conversion of dwellings into flats in roads "characterised by houses" will not normally be appropriate.

Within Chapter 2 of the Core Strategy, which is a material consideration in the determination of this application, the Council state the following: "The conversion of existing dwellings into flats can have a cumulative effect that damages the quality of the environment and detracts from the character of established residential areas. Conversions may be appropriate in certain types of property or street but can harm the character by changing the function of a neighbourhood through more activity which increases noise and disturbance and thus impacts on amenity. This intensification of use can often involve more people movements, increased car movements, more rubbish to be collected and more deliveries. Flat conversions must therefore be situated in appropriate locations characterised by housing that has already undergone significant conversions or redevelopment to small flatted accommodation. Conversions in roads characterised by unconverted houses will not normally be considered appropriate.

The application site occupies a pair of semi-detached dwellinghouses with single storey garages to the side. There are various dwellings of different types along Edgwarebury Lane including a number of flatted blocks and redevelopments nearby. Permission was previously granted at both nos. 31 and 33 Edgwarebury Lane (refs. 20/2216/FUL and 18/6555/FUL) for the conversion of both properties into 4no flats respectively. Given the mixed character of the surrounding area and the previous permissions this would be a material consideration and the principle of flats in this location would not be objectionable.

Policy DM08 states that for market housing, homes of 4 bedrooms are a high priority. Officers note the resultant development would result in the loss of a family sized dwelling. However, consideration must be given to the site specifics, including surrounding character and approved development. Both of the existing properties at nos. 31 and 33 benefit from planning permission granted in 2019 and 2020 (the latter of which remains extant) for the conversion of the properties - both resulting in the creation of 4 flats and the loss of the single-family dwelling. In these applications, this was considered acceptable on assessment. Officers have taken into consideration the previous appraisal for both existing properties, whilst taking into account the Core Strategy aims which also highlights the need for increased number of properties required in borough including a mix of dwelling sizes. Although the proposal would result in the loss of two four-bedroom properties, it would represent an increase to the housing stock of Barnet by the creation of six additional units. On balance, this is considered acceptable.

The existing dwellinghouses are not listed and are not considered to have any particular architectural or historical merit. Subject to a replacement of appropriate design and scale, and with no adverse impact on the local character or residential amenities of neighbouring occupiers, the principle of demolition of the existing buildings and their replacement with a building is considered to be acceptable.

Impact of the proposal on the character and appearance of the area

The NPPF attaches great importance to the design of the built environment, stating 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" (para.124). Policy DM01 states, 'development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets'. The amalgamation of properties can have an undesirable impact on the streetscene, however, in this case the proposed building has been designed so as to include a sufficient separation distance from the boundaries with neighbouring properties. Overall, the depth of the proposed building would be of a similar depth to the existing dwellings. Further, the principal elevation would have an active frontage denoted by a single central entrance, windows and parking to the front. There are examples of large flatted development in the area for instance exactly opposite the site, known as Edgwarebury Court, and it is considered that the proposed building would be in keeping with development in the immediate surrounding area.

The levels along Edgwarebury Lane are such that the ridge heights of the properties slope downwards as you travel towards the junction with Edgwarebury Gardens. A streetscene elevation has been provided to show that this pattern would be retained with the proposed new building.

The proposed building would measure approximately 19.8 metres in width, 15.5 metres deep with a height of 8.9 metres to the main ridge and 9.6 metres to the top of the lift. It would be set in from the common boundaries with nos. 29 and 35 Edgwarebury Lane by 1.4 metres at its narrowest point. The building would adopt a design with symmetrical bayfront windows and hipped ends. Access to the upper floors would be via a centralised staircase surrounded by a common hallway.

The proposed dormer windows on both the front and rear elevations have been sensitively designed as they would be of a suitable size and type. They would appear subordinate to the main building and not detract from the architectural composition. In addition, they

would be positioned so as not to infringe or be too close to the roof edges as per the Residential Design Guidance SPD.

Overall, the proposed building is considered to have an acceptable visual impact on the streetscene, and the character and appearance of the site and wider area.

Additional soft landscaping has been added to the frontage of the proposed building in order to soften the appearance of the new building in the streetscene. As existing, the site does not benefit from any soft landscaping to the frontage with the existing site benefitting from hardstanding across the full frontage. This introduction of soft landscaping will enhance the appearance of the streetscene and contribute positively to the wider area.

Impact on the Amenities of Neighbours

Barnet policy DM01 requires new development to have due regard to the amenity of existing occupiers in neighbouring buildings.

A gap of approximately 1.4 metres is retained between the proposed building and the neighbouring boundaries with nos. 29 and 35 Edgwarebury Lane. The building has been designed so as to ensure the eaves and ridge height is comparable with the neighbouring properties and would not appear overbearing. The building will project approximately 1 metre in depth past no.35 at ground floor level and 3.5 metres past no. 29. At first floor level the building will step in away from the neighbouring boundaries. Due to the detached nature of the properties, this is considered to result in an acceptable impact on amenity with regards to outlook and light.

Balconies have been removed from the application throughout the lifetime of the application. A condition will be attached to ensure side facing upper floor windows are obscure glazed in order to protect privacy of neighbouring occupiers. This is considered an appropriate condition given that side windows will serve bathrooms or act as secondary windows for habitable rooms.

The overall number of flats is consistent with a combination of the two previous approvals and as such, is not considered to give rise to undue detriment as a result of the intensification of occupation.

Provision of adequate accommodation for future occupiers

In terms of the amenity for future occupiers, the Planning Authority expects a high standard of internal design and layout in new residential development to provide an adequate standard of accommodation. The London Plan and Barnet's Sustainable Design and Construction SPD sets out the minimum space requirements for residential units.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough. The application will therefore be assessed according to the requirement laid out in the London Plan (2021).

The London Plan sets a minimum Gross Internal Floor Area for flats based on a standard set for the number of bedrooms (b) and persons-bedspaces (p). A 1 bed, 2 person unit over 1 storey requires 50sqm, a 2 bed, 3 person unit over 1 storey requires 61sqm and a 2 bed, 4 person over 1 storey requires 70sqm.

- Single bedroom: minimum area should be 7.5 m² and is at least 2.15m wide;

- Double/twin bedroom: minimum area should be 11.5 m² and is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

The proposal would provide the following dwellings:

Flat 1 (ground floor) 1 bed, 2 person with GIA of 50sqm
Flat 2 (ground floor) 2bed, 3 person with GIA of 67sqm
Flat 3 (ground floor) 2bed, 4 person with GIA of 100sqm
Flat 4 (first floor) 1 bed, 2 person with GIA of 53 sqm
Flat 5 (first floor) 2 bed, 3 person with GIA of 63 sqm
Flat 6 (first floor) 2 bed, 4 person with GIA of 97 sqm
Flat 7 (loft floor) 2 bed, 4 person with GIA of 70 sqm
Flat 8 (loft floor) 2 bed, 3 person with GIA of 65 sqm

All proposed flats are shown to meet the relevant minimum standards for internal floorspace.

Policy DM01 states that 'Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users'.

The proposed flats are considered to benefit from adequate light and outlook.

The London Plan (Policy D6) states that the minimum floor to ceiling height must be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling. The plans have been amended throughout the lifetime of the application to ensure this standard is met across all flats.

Stacking:

Policy DM04 of the Development Management Document (2012) part d. states that proposals will be refused if they lead to an unacceptable level of noise and disturbance unless the scheme can demonstrate any mitigation measures.

The proposed layout provides reasonable stacking throughout the property. In the event of an approval, a condition should be attached for Pre-Completion Sound Insulation Test Certificates to be submitted to the LPA.

Outdoor amenity space:

Barnet's Local Plan expects that sufficient and functional amenity space should be provided for all new houses and flats wherever possible. Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats, outdoor amenity space should be 5 m² per habitable room.

Flat 2 has 4 habitable rooms and would therefore require 20sqm of outdoor amenity space. This flat is provided with 50sqm of private amenity space.

Flat 3 has 5 habitable rooms and would therefore require 25sqm of outdoor amenity space. This flat is provided with 28sqm of private amenity space.

The remaining flats would comprise of a total of 23 habitable rooms and the requirement for outdoor amenity space would be a total of 115sqm. These flats would have access to a communal garden area measuring 150sqm which exceeds the requirement.

This provision is considered to provide a sufficient level of amenity space for future

occupiers.

Highways and parking

The proposal involves the demolition of existing dwellings at numbers 31 and 33 and construction of a new building to accommodate 8x self-contained flats with the provision of 2 off-street parking spaces.

The number of parking spaces was reduced to the front of the site throughout the lifetime of the application in order to accommodate additional soft landscaping in order to benefit the appearance of the site and wider area as discussed within an earlier section of this report.

The site lies within a PTAL 5 zone, which means that there is a very good public transport accessibility to and from the site. In line with requirements set out in Policy DM17 of the Barnet Local Plan, the required off-street car parking for a proposal such as this is 7 spaces. Therefore, the proposed provision means an under provision of 5 spaces. The applicant has submitted a Parking Survey which demonstrates that there is currently 42.5% on street car parking stress. The survey results show that there is sufficient availability on street to accommodate the potential overspill from the proposed development. Vehicular access is proposed to remain as existing which is acceptable.

The application is therefore considered acceptable on highways grounds, subject to conditions.

Accessibility and Sustainability

Conditions would be attached to any permission to ensure the integration of water saving and efficiency measures insofar as a maximum of 105 litres of water consumption per person per day to comply with Policy SI 5 of the London Plan (2021) and a reduction of CO2 emissions over Part L of the 2013 Building Regulations in accordance with the requirements of Policy SI 2 of the London Plan (2021) and the 2016 Housing SPG's requirements.

In terms of water consumption, a condition would be attached to any permission 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 the London Plan (2021).

5.4 Response to Public Consultation

o Parking pressure

As discussed within the main body of the report, the applicant has submitted additional information in the form of a parking survey which demonstrates sufficient space for the overspill of parking spaces required by the development.

o Construction disturbance including noise, dirt and dust

Impacts of construction works are not a material planning application. Nevertheless, a condition will be attached including requirement of a Demolition and Construction Management Plan which will include measurements for dust control.

- o Loss of privacy to neighbouring occupiers from windows and balconies

Balconies have been removed from the application throughout the lifetime of the application. A condition will be attached to ensure side facing upper floor windows are obscure glazed in order to protect privacy of neighbouring occupiers. This is considered an appropriate condition given that side windows will serve bathrooms or act as secondary windows for habitable rooms.

- o Destroy trees and green space

The plans have been revised to ensure additional landscaping, in particular to the front of the site to ensure a visual buffer and to soften the proposed development within the streetscene.

- o Create additional noise and light pollution

Due to the mixed nature of the area, and taking into consideration the previous permissions across 31 and 33 Edgwarebury Lane which allowed 8no flats across the sites, the proposal is not considered to result in additional noise and disturbance from the proposed use. The design is not considered to result in detrimental light pollution.

- o Visually intrusive

The impact of the proposed building on the character and appearance of the streetscene and the impact on neighbouring properties has been discussed within the main body of the report.

- o Loss of single family dwelling

As detailed in the above assessment, the Core Strategy aims highlight the need for increased number of properties required in borough including a mix of dwelling sizes. Given the planning history on the site and surrounding character, this site is considered an acceptable location for the redevelopment into flats.

- o Single family dwellings characteristic in the street

It is noted that planning permission has been approved for the subdivision of each of the existing buildings at nos. 31 and 33 Edgwarebury Lane (refs. 18/6555/FUL and 20/2216/FUL) into 4no units. Therefore, the principle of the loss of a single family dwelling has already been approved at the site.

- o Garden area too small for 8 separate flats

As discussed within the main body of the report, the provision of outdoor amenity space is considered to be sufficient for the proposed flats.

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 the proposed development would have an acceptable impact on the character and appearance of the application site and the general locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for APPROVAL.

