

Location **Rear Of 1 Weymouth Avenue London NW7 3JD**

Reference: **20/3146/FUL** Received: 13th July 2020
Accepted: 14th July 2020

Ward: Mill Hill Expiry: 8th September 2020

Case Officer: **Will Collier**

Applicant: MR Hikmet

Proposal: Erection of a two storey dwelling house. Demolition of the existing side extension and subdivision of the existing property. Associated landscaping

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:

Preliminary Roost Assessment Report by Syntegra Consulting, October 2021, ref. Ref: 21-8381
Bat Activity Survey Report, Ref 22_BAT2_06_26, 1 Weymouth Av

Existing Elevations, Drawing No. WAV-PL-EX_02
Existing Ground Floor Site Plan, Drawing No. WAV-PL-EX_01
Proposed Elevations, Drawing No. WAV-PL-PRO_05
Proposed Long Elevation, Drawing No. WAV-PL-PRO_07
Proposed First Floor Plan, Drawing No. WAV-PL-PRO_03
Proposed Ground Floor Plan, Drawing No. WAV-PL-PRO_02
Proposed Ground Floor Site Plan, Drawing No. WAV-PL-PRO_01D
Proposed Roof Plan, Drawing No. WAV-PL-PRO_04
Proposed Sections, Drawing No. WAV-PL-PRO_06
Tree Location Plan, Drawing No. SJA TL 00651-01
Energy Statement by Doherty Energy, E999-ES-00

Existing Location Plan, Drawing No. WAV-PL-LOC_01
Design and Access Statement
Planning Statement
Tree Survey Schedule

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) Notwithstanding the approved plans, 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.

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 Prior to occupation of the development, parking spaces and the access to the car parking spaces from public highway shall be provided in accordance with approved drawing WAV-PL-PRO_01D. Thereafter, the parking spaces shall be used only as agreed and not to be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012 and Policy T6.1 of the London Plan (2021)

- 7 a) Notwithstanding the approved plans, 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, in the interests of promoting cycling as a mode of transport and to safeguard the visual amenities of the building and surrounding area, in accordance with Policy T5 and Table 10.2 of The London Plan (2021), Barnet's Local Plan Policies CS NPPF, CS1 and CS9 of Core Strategy (Adopted) September 2012, and Policies DM01 and DM17 of Development Management Policies (Adopted) September 2012.

8 a) Notwithstanding the approved plans, 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.

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 G1, G6 and G7 of the London Plan (2021)

10 a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to 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 details approved under this condition.

Reason: To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy G7 of the London Plan 2021).

11 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 G7 of the London Plan (2021)

12 All vegetation clearance should be avoided during the active nesting bird season (March 1st to August 31st inclusive). If this cannot be reasonable avoided and any tree / vegetation clearance required to be removed during the active nesting bird season and cannot reasonable be avoided, then a nesting bird check must be conducted prior to commencement of clearance by a suitably qualified ecologist. Any active birds.

Reason: To ensure that the protection of nesting birds is not prejudiced during construction in accordance with Section 197 of the Town and Country Planning Act 1990 in accordance with Policy DM16 of the Local Plan Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy G6 of the London Plan (2021)

- 13 a) Before commencement of development, details on the specifications, location, aspect, and position of bat roost, bird nest boxes (see section c) and all enhancement measures shall be submitted by the applicant for approval by the Local Planning Authority.
- b) All approved works shall be undertaken in accordance with the measures outlined with the Bat Activity Report (ROAVR, June 2022, 22_BAT2_06_26).
- c) Prior to occupancy of works at least 1 x purpose-built bat roost box and 1 x purpose built swift box shall be installed on the newly constructed buildings, and 1 x Woodstone bird nest box shall be installed on a new suitable tree (or building) in line with the guidance of 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA) as appropriate.

Reason: Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan.

- 14 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).

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

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

16 a) Notwithstanding the approved plans, 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.

17 a) Notwithstanding the approved plans, 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.

18 Before the building hereby permitted is first occupied the proposed window(s) above ground floor level in the side elevation facing No 1 Weymouth Avenue 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).

19 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-G of Part 1 and Classes A-C of Part 2 of Schedule 2 of that Order shall be carried out

Reason: To safeguard the character and appearance of the host property and surrounding area, the residential amenities of neighbouring occupiers and the health of existing trees, in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

Informative(s):

- 1 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.
- 2 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.

- 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 It is recommended that the soft landscaping for the amenity lawn consist of species rich seed mix or turf. This mix should consist of a ratio of 70/30 native grass to flowering plants as such flowering plant species and grasses provide high value to pollinating insects including bees, butterflies. An example of a potential species rich meadow seeding mix includes Boston Seed Dual Purposed Wildflower Meadow Seed Mix BSXM 70/30 and for the amenity lawn Emorsate Seed Strong Lawn Grass Mixture EG22.

Any proposed tree and shrub planting should incorporate native species rich plantings and consist of native berry producing shrub species such as hawthorn, blackthorn, spindle, field maple, hazel, and hornbeam. A best practice approach would be to apply a 10 / 20 / 30 formula to develop a diverse tree/hedge population - no more than 10% of any species, 20% of any genus or 30% of any family. These species will provide ideal foraging and sheltering habitats for a variety of species including nesting birds, invertebrates, and foraging mammals.

Night scented plants should also be incorporated into a detailed planting schedule where feasible. An extensive list of suitable plant species can be found on the RHS advice page <https://www.rhs.org.uk/advice/pdfs/plants-for-bats.pdf>. The provision of bat friendly planting is in Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan.

- 6 No artificial lighting near to or shining onto any boundary trees and shrubs is to occur pre/during and post development. Any artificial lighting scheme should be designed to minimize the impact it has on potential bat roosting and commuting. Lighting should be in line with the BCT lighting guidelines (Bats and Lighting in the UK (Bat conservation trust, 2018) <https://www.theilp.org.uk/documents/guidancenote-8-bats-and-artificial-lighting/>. Any such artificial lighting should be of low level, be on downward deflectors and ideally be on PIR sensors. Using LED directional lighting can also be a way of minimizing the light spill affecting the habitat. No up-lighting should be used. This will ensure that the roosting and commuting resources that the bats are likely to be using is maintained.

OFFICER'S ASSESSMENT

1. Site Description

The application site accommodates a large detached 2 storey dwellinghouse (5 bedrooms) at 1 Weymouth Avenue, Mill Hill within a large corner plot at the intersection of Weymouth Avenue and Watford Way. The site benefits from two vehicular accesses from Weymouth Avenue, one of which has been out of use.

The surrounding area is residential; characterised by mainly large detached two / 2.5 storey houses of traditional design, within large plots.

To the rear/north of the site is a large detached property orientated to face Watford Way, 58 Watford Way.

Opposite the site to the south is No. 2 Weymouth Avenue a large detached house that has been heavily extended.

The existing dwellinghouse is not listed, nor does the site lie in a conservation area.

2. Site History

Reference: 18/7681/FUL (Dismissed at appeal, ref. APP/N5090/W/19/3226783 dated 28 August 2019)

Address: 1 Weymouth Avenue

Decision: Refused

Decision Date: 27 February 2019

Description: Erection of 3no two storey dwellinghouses following demolition of single storey side extension to existing dwellinghouse. Associated amenity space, parking, cycle store and refuse/recycle store.

Reasons for refusal:

1. The proposed development by reason of its size, contemporary design, layout and siting would be a cramped and incongruous form of development on a back garden site, amounting to overdevelopment of the plot. As such it would fail to relate to the context of the site and the pattern of development in the immediate surrounding area and would harm the character and appearance of the streetscene and the locality in general, and the amenities of future occupiers contrary to policies 3.5, 7.4 and 7.6 of the London Plan (Adopted 2016), policy CS5 of the Barnet Core Strategy (Adopted September 2012), policies DM01 and DM02 of the Barnet Development Management Policies Document (Adopted September 2012) and the advice contained in the Barnet Residential Design Guide Supplementary Planning Document (Adopted 2016).

2. The proposed development would by reason of its size, design and siting, be overbearing and visually obtrusive and would result in loss of privacy, detrimental to the residential and visual amenities of the neighbouring occupiers of properties in Weymouth Avenue and Russell Grove contrary to Policy CS5 of the Barnet's Local Plan (Core Strategy) 2012 and Policies DM01 and DM02 of the Barnet's Local Plan (Development Management Policies) DPD 2012, SPD: Sustainable Design and Construction (Adopted 2016) and SPD: Residential Design Guidance (Adopted 2016).

Reference: W10998

Address: 1 Weymouth Avenue

Decision: Approved subject to conditions

Decision Date: 30.10.1996

Description: Part single, part 2 storey rear extension, garage extension to side.

3. Proposal

The proposal is for a two storey dwelling with demolition of the existing side extension and subdivision of the existing property; and associated landscaping.

Vehicular access to the proposed dwelling would be achieved by the demolition of a side extension to the existing dwelling and a newly created driveway located between the existing house and its side boundary. The driveway would be accessed via one of the existing crossovers from Weymouth Avenue located within the site frontage.

The proposal has been amended during the application stage to increase the width of the vehicular access in response to highways consultation feedback.

4. Public Consultation

Consultation letters were sent to 33 neighbouring properties and a site notice was displayed on 23rd July 2020.

Eight objections received, raising the following concerns:

- o Development in principle is not supported.
- o Loss of character
- o Private gardens are not previously developed land (NPPF).
- o Permission at 16/7727/FUL is not comparable.
- o Highway safety issues due to proximity of crossover to A1 junction.
- o Insufficient off-street parking
- o Backland development
- o Loss of privacy
- o Overdevelopment and cramped form of development.
- o Uphill Road properties are not comparable as they have no acute access issues.
- o Extension to existing dwelling is overbearing and unsightly.
- o Significant impact on neighbouring properties on Russell Grove.
- o Damage to trees

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

The Mayor's London Plan 2021

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

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

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM04, DM16, DM17

The Council's approach to extensions as set out in Policy DM01 is to minimise their 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)

- 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, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.

- 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.

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 Considerations

The issues in assessing the application are:

- Principle of development
- Impact on character
- Impact on neighbours
- Impact on future conditions of occupiers
- Impact on trees and ecology
- Highway safety

5.3 Assessment

- Principle of development;

The principle of the development for this site has previously been resisted (18/7681/FUL), however it should be noted that at appeal the planning inspector considered the principle to be acceptable (para. 13, APP/N5090/W/19/3226783) and on that basis, the principle of this development is accepted.

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the site's context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01 which states that all proposals should preserve and enhance the local character of the area, as well as policies CS05 (both of the Barnet Local Plan),

D1, D3 and D6 (of the London Plan).

The previous refused application for a terrace of three dwellings (18/7681/FUL) was considered to have an adverse impact on the character of the area, due to overdevelopment and cramped formation against the prevailing pattern of development in the area. By contrast, this current proposal is considerably smaller in scale, with only one detached dwelling proposed and a significantly reduced building footprint. It is therefore considered this current proposal has overcome the design and character reason for refusal.

The design of the proposed dwelling remains contemporary in style, introducing a modern architectural idiom into a conventional suburban setting. This is considered acceptable taking into account it is similar in architectural style to the previous scheme, which although refused, was considered acceptable by the planning inspector with respect to architectural style, who commented: "The new houses would be designed in a contemporary style that, nevertheless, would echo the character of more traditional houses in the use of materials" (para 11, APP/N5090/W/19/3226783) and "It is acknowledged that the introduction of a modern architectural idiom into a conventional suburban setting can be effective and the architectural language that is here proposed would not be unacceptable in principle" (para 13).

External materials consist of light brick at ground floor and clay plain tiles at first floor and for the roof. This is considered acceptable.

Giving weight to the appeal decision and the significant reduction in the scale of the scheme, the proposal is thus assessed to be appropriate in density, massing, and design, having no adverse impact on the character of the area and thus complies with Policy DM01 and other relevant planning policy in respect of design.

- Whether harm would be caused to the living conditions of neighbouring residents.

It is important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan policy D6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

The proposed dwelling, taking into account its reduced scale and siting, would be sufficiently distanced from neighbouring properties to avoid any adverse loss of the outlook, privacy or light at such properties. Furthermore, it is considered sufficiently distanced away from the rear of the existing dwelling (No. 1) to avoid having an overbearing impact on it (separated by 21 metres instead of 16 metres previously).

The reduced number of dwellings would also be acceptable to the amenity of neighbouring occupiers by virtue of the less intensive occupation of the site.

The proposal is therefore assessed to have no adverse impact on neighbouring dwellings.

- Whether harm would be caused to the living conditions of future occupiers.

Any proposal for the site which includes an element of residential dwelling use will need to demonstrate that it is providing suitable amenities for its future occupiers in the relevant regards (for example, daylight, sunlight, outlook, privacy and internal and external amenity space).

All residential accommodation is expected to meet the minimum space standards as advocated within the Sustainable Design and Construction SPD and the London Plan 2021. Double bedrooms should provide a minimum floor area of 11.5 sq m and single bedrooms a minimum floor area of 7.5sqm, in line with the National standards.

The proposed dwelling would have four bedrooms on the first floor (7 persons), each one is assessed to be compliant with the London Plan in terms of space standard. Furthermore, its Gross Internal Area (GIA) of 165 sq metres would well exceed the required GIA of 115 sq metres according to the London Plan.

The proposed dwelling would also have sufficient outlook and ceiling heights (exceeding 2.5 m).

The proposed building would have eight habitable rooms and thus require 85 sq metres of amenity space according to the Sustainable Design and Construction SPD. The garden would be 550 sq metres and thus well exceed this requirement.

- Highways and parking provision.

The proposal is for the demolition of the existing side extension and construction of a new 1x 4+bed single family dwelling with the retained provision of 4x off-street car parking spaces and 4 cycle parking spaces. The applicant is proposing to retain use of 2 car parking spaces for residents of the existing dwelling and 2 spaces for residents of the new development. The applicant is also proposing 2 cycle parking spaces for the existing property and 2 for the new property. The existing vehicular access is to be retained and a new road to the new property's car parking area constructed.

The Council's Highways Officer has been consulted on this application and a wider vehicular access route has been proposed in revised plans, together with amendments to the parking area, which have been accepted by Highways.

- Trees and Ecology.

The council's tree officer has commented there are three good quality trees on the site (T2 yew at the front, T12 silver birch along the north boundary, T27 beech in rear garden. The remaining trees provide considerable level of visual tree amenity on the site due to the very tree'd nature of the site. It is proposed that two trees are felled in order to make way for the new vehicular access road.

The council's tree officer has been consulted who has no objections subject to conditions.

The council's ecologist has also commented that the the existing dwelling and a number of trees on the site have potential for bat roosting, and thus advised the applicant should carry out a preliminary bat roost assessment.

The submitted Preliminary Roost Assessment report (dated October 2021) found evidence of 'moderate potential' for bat roosting in the existing dwelling and potential roosting in two trees proposed for felling (T8 and T12). It was therefore recommended that two further bat activity surveys should be undertaken on the existing building and these two identified trees before the determination of the planning application. At the ecologist's advice, two endoscope assessments were carried out on these trees which found no evidence of bat

roosting.

The ecologist has confirmed in final comments that the scheme is acceptable subject to conditions.

5.4 Response to Public Consultation

The comments raised in objections have addressed in the body of the report. Further comment on matters unaddressed in the assessment are provided below.

o Highway safety issues due to proximity of crossover to A1 junction.
Response - the council's highways team has been consulted on the application who have found no objections concerning highway safety, subject to mitigating conditions listed in this report.

o Insufficient off-street parking -
Response - parking spaces are compliant with Policy DM17 and the London Plan 2021.

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, the proposal is assessed to have no adverse impact on the character of the area and to have no adverse impact on amenity of neighbouring properties. The proposal is therefore recommended for APPROVAL subject to conditions.

