

Location **Block 25-28 Buckingham Court Watford Way London NW4 4TD**

Reference: **23/0342/FUL** Received: 26th January 2023
Accepted: 2nd February 2023

Ward: Hendon Expiry: 30th March 2023

Case Officer: **Mansoor Cohen**

Applicant: Mr Eddie Dujon

Proposal: Alterations to existing 6no. flats and associated facade changes. Construction of an additional floor and mansard roof above existing building to provide additional accommodation at third and fourth (loft) floor levels comprising of 4no. self-contained flats. Construction of a communal stair/lift core at rear. Associated amenity space, cycle storage, refuse store and off-street parking (Amended Plans and Description)

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:

BKNGM-P001
BKNGM-P002
BKNGM-P003
BKNGM-P004
BKNGM-E001
BKNGM-E002
BKNGM-L001
BKNGM-L201
BKNGM-P201 Rev A
BKNGM-P202 Rev A
BKNGM-P203 Rev A
BKNGM-P204 Rev A
BKNGM-P205
BKNGM-P206

BKNGM-P106
BKNGM-E201 Rev A
BKNGM-E202
BKNGM-T001

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 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4 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.

5 a) Notwithstanding the approved plans, before the development hereby permitted is first occupied details of cycle parking including the type of stands, location of cycle parking and type of store proposed to incorporate a minimum of 20 long stay cycle spaces and 2 short stay cycle spaces shall be submitted to and approved in writing by the Local 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 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, Policy DM17 of Development Management Policies (Adopted) September 2012 and Policy T5 of the London Plan.

6 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.

7 a) Prior to occupation of the development, a revised parking layout showing 14 spaces including 1 disabled space shall be submitted to and approved in writing by the Local Planning Authority.

b) The parking spaces shall be provided and retained in accordance with the details as approved under this condition. Thereafter, the parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that 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.

- 8 Prior to occupation of the development, details of a parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall only be operated in accordance with the approved parking management plan.

Reason: In the interest of highway safety in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 9 a) Prior to the first occupation of the development hereby permitted, full details of the Electric Vehicle Charging facilities to be installed in the development shall be submitted to the Local Planning Authority and approved in writing. These details shall include provision for not less than 4 of the car proposed parking spaces to be provided with active Electric Vehicle Charging facilities and a further additional 16 spaces of the proposed car parking spaces to be provided with passive Electric Vehicle Charging facilities.

b) The development shall be implemented in full accordance with the details approved by this condition prior to the first occupation of the development or the commencement of the use and thereafter be maintained as such in perpetuity.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with policy T6.1 of the London Plan 2021.

- 10 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.

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

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

- 12 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.
- b) The screens shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

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

- 13 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 G5 and G7 of the London Plan 2021.

- 14 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 SI1 of the London Plan 2021.

- 15 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 Policy D7 of the London Plan (2021) and the 2016 Mayors Housing SPG.

- 16 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 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. 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) and Policy SI 5 of the London Plan 2021

- 17 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement in carbon dioxide emissions of a minimum of 10% 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.

- 18 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. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. 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 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 is located in a backland development of two blocks of flats (Buckingham Court) to the west of Hendon Way. The application relates to the smaller of the two existing block of flats, which is two storey high on its the south elevation; three storey on its north elevation, due to the steep drop off of land across the site.

To the south of the site is the main block of Buckingham Court (three storeys); to the east the 1930s style housing facing Hendon Way; to the north modern detached flats (three storeys). The M1 motorway borders the site to the west.

There are no protected trees on site, or on adjacent land, nor does the application site lie within a conservation area or contain a locally or statutory listed building.

2. Site History

Reference: W11847

Address: 27A & 27B Buckingham Court Watford Way London NW4

Decision: Approved subject to conditions

Decision Date: 23 August 1999

Description: Continued use as two self-contained flats and retention of window on rear elevation.

Reference:W11847A/01

Address: 25 Buckingham Court Watford Way London NW4 4TD

Decision: Approved, subject to conditions

Decision Date: 05.10.2001

Description: Conversion of lower ground floor and garage into a self-contained unit.

Reference:W11847B/02

Address: 1 - 24 Buckingham Court 27 Watford Way London NW4 4TD
Decision: Approved, subject to conditions

Decision Date: 01.03.2002

Description: Replacement of existing timber single glazed windows and doors to all main elevations in PVCu double glazed units and communal doors in aluminium double glazed units.

Reference: 21/4491/PNV

Address: Buckingham Court, Watford Way, London, NW4 4TD

Decision: Prior Approval Required and Refused

Decision Date: 11 October 2021

Description: Additional storeys at third and roof level to create 4no self-contained flats. Associated cycle storage

Appeal Decision: Dismissed ref: APP/N5090/W/21/3288953, dated 8 November 2022

Reference: 21/5769/PNV

Address: Buckingham Court, Watford Way, London, NW4 4TD

Decision: Prior Approval Required and Refused

Decision Date: 11 October 2021

Description: Additional storeys at third floor and roof level to create 4no self-contained flats. Associated cycle storage+

Appeal Decision: Allowed, ref: APP/N5090/W/22/3290749, dated 8 November 2022

3. Proposal

The application seeks planning permission for 'Alterations to existing 6no. flats and associated facade changes. Construction of an additional floor and mansard roof above existing building to provide additional accommodation at third and fourth (loft) floor levels comprising of 4no. self-contained flats. Construction of a communal stair/lift core at rear. Associated amenity space, cycle storage, refuse store and off-street parking (amended plans and description)'.

During the course of the application, amendments were received principally removing the initially proposed front and rear extensions and alterations to the internal/external layout of the site.

The proposal as amended largely replicates the scheme allowed at appeal reference 21/5769/PNV save for the following:

- An enlarged stair core to the north (rear) elevation to incorporate a lift shaft
- Relocation of all residential entrances to the stair core
- Alterations to internal layouts of existing and proposed flats

The proposal as previously includes 14 off street parking spaces to the west side of the existing building along with associated cycle and refuse storage.

The proposal would result in the following overall unit:

Unit G1 (ground floor) - 2b3p

Unit G2 (ground floor) - 2b3p

Unit 1.01 (first floor) - 2b3p
Unit 1.02 (first floor) - 2b3p
Unit 2.01 (second floor) - 2b3p
Unit 2.02 (second floor) - 2b3p
Unit 3.01 (third floor) - 2b3p
Unit 3.02 (third floor) - 2b3p
Unit 4.01 (Loft floor) - 1b2p
Unit 4.02 (Loft floor) - 1b2p

4. Public Consultation

Consultation letters were sent to 72 neighbouring properties. 7 responses were received, comprising of 7 letters of objection. Following amended plans re-consultation took place on 15.03.23, no further comments were received.

The objections are summarised as follows:

- Increased noise and disturbance
- Loss of outlook
- Concerns of overlooking and loss of privacy
- Overbearing development
- Concerns of traffic, parking and pedestrian safety

4.1 Other Consultees

Highways - No objections subject to conditions

Environmental Health - No objections subject to conditions

Waste team - No objection subject to further details

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 National Planning Policy Framework (NPPF) was updated on 20 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. 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, is indivisible from good planning, and should contribute positively to making places better for people'. 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.

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, CS3, CS4, CS5.

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

Barnet's Draft 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

- o Sustainable Design and Construction SPD (adopted October 2016)
- o Provides detailed guidance that supplements policies in the adopted Local Plan and sets out how sustainable development will be delivered in Barnet.
- o Residential Design Guidance SPD (adopted October 2016).

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Principle of the development;
- Impact on the character and appearance of the area;
- Impact on the amenities of neighbouring occupiers;
- Provision of suitable accommodation for future occupiers;
- Impact on local highway

5.3 Assessment of proposals

Principle of development

The existing building is a purpose built flatted development hosting six units, the proposal therefore to provide additional units would be consistent with the existing use and therefore acceptable in principle subject to the considerations as set out below.

Impact on the character and appearance of the area

High quality design underpins the sustainable development imperative of the NPPF, as well as London Plan (2021) Chapter 3 'Design'. Policy CS5 of Barnet's Core Strategy (2012) seeks to ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high- quality design. Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The proposed additional two storeys consisting of an additional floor and mansard roof replicated the extant scheme allowed at appeal under application reference 21/5769/PNV. It is noted that officers had not objected to the additional storeys but rather the stair core which was considered to be unsympathetic and unduly obtrusive addition. To this end, the Inspectors decision which forms a material consideration in the assessment of this application commented as follows:

"Whilst the stairwell would be of a rather utilitarian design it would remain subordinate to and would be set below the overall height of the extended building, which in itself is of a standard and modern design with the evidence indicating that matching materials would be used. It would be set to the rear elevation and would not be especially prominent in public views, particularly when taking account of the setting of the building behind Watford Way and the extensive and sometimes tall tree screening to the west adjacent to the M1. Stairwells are a feature of the area and the evidence indicates the presence of one close to the site on the block of flats immediately to the south. The proposal would therefore be acceptable with regard to the external appearance of the building."

The proposed stair core would be 1.2m wider than the approved scheme to facilitate the lift shaft, however, it would be centrally located within the façade and as previously would be set below the overall height of the extended building thus reading as a subordinate addition.

Returning to the additional storeys, this would match the existing building in design and materials simply extending upwards, the mansard roof would add some design variance and visual interest. Given its backland siting with minimal public visibility, it is considered that the upwards extension would integrate acceptably with the existing building and not cause harm to the character of the area.

The dormer windows within the mansard roof whilst many in number, would all be visually contained within the respective roofslope and feature as subservient additions.

The relocation of the residential entrances to the stair core would provide a degree of cohesiveness in the functioning of the building and as such acceptable.

In conclusion, the proposed enlargements would successfully integrate with the existing building and thus not cause harm to the character and appearance of the host site, neighbouring site and locality.

- Impact on the amenities of neighbouring occupiers:

Policy DM01 of Barnet's Local Plan and policy 7.6 of the London Plan) seeks to protect the amenity of neighbouring properties with regard to loss of privacy, overshadowing, overbearing and loss of outlook. This will include taking a full account of all neighbouring sites.

The subject site is bound by flatted development to the north and south, dwellings of nos 309- 321 Watford Way to the east and the M1 to the west.

In respect of the two blocks of flatted development to the north and south, the proposal does not extend the footprint any closer to these sites save for the stair core to the north elevation, however, a substantial distance in excess of 21m would be maintained to the north common boundary and the relationship to the east which maintains approximately 21m would not materially differ from existing.

In respect of properties along Watford Way, the proposal would result in additional windows at third and loft floor levels facing these neighbouring properties, however, the existing east elevation is already fitted with a range of windows and openings which serve habitable rooms as existing. The proposal would maintain a distance of 6.8m between the east elevation and the boundary of the rear gardens serving the neighbouring properties which falls modestly short of the 10.5m guidance stipulates. As such, whilst the proposal would result in some limited additional overlooking, this is not considered to result in a substantially different relationship than present. It is highlighted that the flank to flank distances between the respective properties would exceed 21m and therefore compliant with guidance. This view was also shared by the Inspector who stated as follows:

"The building is already fitted with a range of windows and openings to the east facing elevation. The provision of windows within the eastern elevations of the two new floors would result in some limited additional overlooking and very limited loss of privacy to the rear elevations of properties from No.s 307-321 Watford Way which are set to the east of the site. However, such loss would be very minor given the distances between the building which is the subject of the appeal which the evidence indicates to be well in excess of 20m. At such distances, views from the new floors into the properties to the east would be extremely limited. There would be some overlooking towards the gardens but given the properties on this section of Watford Way are two storey and given the arrangement on the eastern elevation of the appeal building, it will be possible to see from existing properties into adjacent gardens at present. The proposal would therefore be acceptable with regard to impact on the amenity of the existing building and neighbouring premises including overlooking and privacy."

Furthermore, given the separation distances, it is not considered that undue overshadowing or loss of light would occur as a result of the development.

In respect of increased activity and associated noise and disturbance, given its relatively remote siting from neighbouring properties and the character of the locality which consists of larger scale flatted development, it is not considered that this would result in demonstrable harm to neighbouring occupiers.

Quality of accommodation

Floor space standards:

The Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. Policy D6 of the London Plan (2021) and the Sustainable Design and Construction SPD (2016) provides the minimum space standards for new dwellings.

The units would provide the following space standards:

Unit G1 (ground floor) - 2b3p - 67sqm (required 61sqm)
Unit G2 (ground floor) - 2b3p - 69sqm (required 61sqm)
Unit 1.01 (first floor) - 2b3p - 67sqm (required 61sqm)
Unit 1.02 (first floor) - 2b3p - 69sqm (required 61sqm)
Unit 2.01 (second floor) - 2b3p - 67sqm (required 61sqm)
Unit 2.02 (second floor) - 2b3p - 69sqm (required 61sqm)
Unit 3.01 (third floor) - 2b3p - 67sqm (required 61sqm)
Unit 3.02 (third floor) - 2b3p - 69sqm (required 61sqm)
Unit 4.01 (Loft floor) - 1b2p - 57.6sqm (required 50sqm)
Unit 4.02 (Loft floor) - 1b2p - 57sqm (required 50sqm)

All the proposed units would exceed the minimum space standards as set out above.

Outlook, light and privacy:

All units would either be dual or triple aspect dwellings and are considered to provide an adequate level of daylight, sunlight and outlook.

Floor to ceiling heights:

The proposed plans demonstrate that floor to ceiling heights would measure at least 2.5m across 75% of the respective floor area and therefore in compliance with the London Plan requirements.

Stacking:

Policy DM04 of the Development Management Document (2012) part d. states that proposals will be refused if it leads to an unacceptable level of noise and disturbance unless the scheme can demonstrate any mitigation measures. According to the Residential Design Guidance "the vertical stacking of rooms between flats should as far as practical ensure that bedrooms do not overlap living rooms, kitchens and bathrooms on other floors."

Stacking both horizontally and vertically between units is like for like and therefore considered acceptable.

Outdoor amenity space:

Barnet's Local Plan expects that sufficient and functional outdoor space should be provided for all new homes and flats wherever possible. Barnet's Sustainable Design and Construction SPD advises that 5sq.m should be provided per habitable room for flats.

Accordingly each flat would require 20sqm of outdoor amenity space with the exception of the two top floor flats which require 15sqm.

It is noted that existing site presents little in the way of useable outdoor amenity provision with the provision of a raised terrace area and garden space to the north (rear) elevation of the building.

The proposal would provided private amenity space by way of the raised terrace area to the two first floor flats in excess of the requirement. The proposal would also retain some of the rear garden area, approximately 60sqm, as communal space for all flats.

The site is in close walking proximity to Sunny Hill Park on the adjacent side of Watford Way. Furthermore, weight is attached to the extant appeal scheme which presents a plausible fallback position. Having regard to all these matters, it is considered that the proposal would be acceptable in respect of outdoor amenity space.

Impacts on the highway

Buckingham Way is accessed from Watford Way(A41) which is part of the red route network managed by Transport for London (TfL). Buckingham Way is a private road and most of the surrounding roads on the west side of the A41 are private. However roads on the opposite side of A41 are in a CPZ operates Mon-Fri, 10am - 5pm and an event day CPZ that operates between 1pm-6pm. The site lies in an area with a PTAL score of 1b (low). There are 2 bus routes (186, 113) which can be accessed from stops within 5 minutes walking distance of the site.

The proposed comprises extensions and internal alterations to 6 flats and construction of an additional floor to provide 4 self-contained flats including 14 car parking spaces, 18 cycle parking spaces, bin storage. The proposals will result in a total of 2x1 bed and 8x2bed which will attract a maximum parking provision of 8-14spaces. Highways consider the provision of 14 spaces to be acceptable given the site's low PTAL score of 1b. Highways also recommend that 1 disabled bay is provided which can be accommodated within the existing parking layout.

It also noted that the same provision and layout formed part of the extant appeal scheme.

Highways also state that a parking management plan for the site which sets out proposals for parking enforcement and allocation of spaces is required and recommend a parking management plan condition is applied to any approval. This can be imposed in the event of an approval.

There are no changes to existing access arrangements and no off-site highway works are proposed.

Electric vehicle charging points should be provided in accordance with London Plan standards. 20% active and 80% passive. This equates to 4 active and 16 passive points to be secured by way of a planning condition.

Cycle parking:

Based on London Plan standards, a minimum of 20 long stay and 2 short stay new cycle parking spaces are needed for the new and existing units. A total of 20 spaces will be provided within dedicated stores to the rear of the building which is accordance with the requirements.

Details of the two short stay spaces have not been provided, however the site is capable of accommodating this requirement which can be secured through a condition.

Refuse/Recycling:

Dedicated refuse/recycling stores would be provided along the access road leading into Buckingham Court.

The councils waste team consider the location of the stores acceptable and further details of the number of bins and store details will be secured through a condition.

5.4 Response to Public Consultation

Mainly addressed in the body of the report.

It is noted that the objections raised were in relation to the initial proposal, no further objections were raised following re-consultation of the proposed plans and it is considered that the revised scheme addresses the previous comments particularly given its comparability to extant appeal scheme.

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 host site and locality. The proposal would not result in an adverse impact to neighbouring or future occupiers. The application is therefore recommended for APPROVAL.

