

**Location** **26 Renters Avenue London NW4 3RB**

**Reference:** **23/1497/FUL** Receive  
d: 5th April 2023  
Accepted: 20th April 2023

Ward: Hendon Expiry 15th June 2023

**Case Officer:** **Tania Sa Cordeiro**

Applicant: C/O UPP Architects + Town Planners

Proposal: Demolition of the existing dwelling and erection of 2no. two storey plus rooms in the roofspace semi detached dwellings. Erection of rear outbuildings. Associated amenity space, refuse and recycling and cycle storage

### **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:

Planning Statement, prepared by UPP and received on the 20th April 2023

Bat Emergency Survey Report, received on the 12th July 2023

Drg. 026RE-A-05-001 (Existing Section A-A)  
Drg. 026RE-A-05-002 (Existing Section B-B)  
Drg. 026RE-A-06-001 (Existing North Elevation)  
Drg. 026RE-A-06-002 (Existing South Elevation)  
Drg. 026RE-A-06-003 (Existing West Elevation)  
Drg. 026RE-A-06-004 (Existing East Elevation)  
Drg. 026RE-A-01-001 (Location Plan)  
Drg. 026RE-A-01-002 (Block Plan)  
Drg. 026RE-A-02-001 (Existing Front Visualization)  
Drg. 026RE-A-02-002 (Existing Rear Visualization)  
Drg. 026RE-A-03-001 (Existing Ground Floor Plan)  
Drg. 026RE-A-03-002 (Existing First Floor Plan)  
Drg. 026RE-A-03-003 (Existing Loft Floor Plan)  
Drg. 026RE-A-03-004 (Existing Roof Plan)  
The above plans were received on the 04th April 2023.

Drg. 026RE-A-01-001 Rev.3 (Proposed Location Plan)  
Drg. 026RE-A-01-002 Rev.3 (Proposed Block Plan)  
Drg. 026RE-A-02-101 Rev.3 (Proposed Front Visualization)  
Drg. 026RE-A-02-102 Rev.3 (Proposed Rear Visualization)  
Drg. 026RE-A-02-103 Rev.3 (Proposed 3DView)  
Drg. 026RE-A-02-104 Rev.3 (Proposed 3DView)  
Drg. 026RE-A-02-105 Rev.3 (Proposed 3DView)  
Drg. 026RE-A-03-101 Rev.3 (Proposed Ground Floor Plan)  
Drg. 026RE-A-03-102 Rev.3 (Proposed First Floor Plan)  
Drg. 026RE-A-03-103 Rev.3 (Proposed Loft Floor Plan)  
Drg. 026RE-A-03-104 Rev.3 (Proposed Roof Plan)  
Drg. 026RE-A-00-002 Rev.3 (Proposed Outbuilding)  
Drg. 026RE-A-05-101 Rev.3 (Proposed Sections)  
Drg. 026RE-A-06-101 Rev.3 (Proposed Elevation)  
Drg. 026RE-A-06-102 Rev.3 (Proposed Elevation)  
Drg. 026RE-A-06-103 Rev.3 (Proposed Elevation)  
Drg. 026RE-A-06-104 Rev.3 (Proposed Elevation)

The above plans were received on the 28th September 2023.

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 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.

- 7 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, B, C, D and E of Part 1 of Schedule 2 of that Order shall be carried out within the area of the site hereby approved.

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

- 8 Before the building hereby permitted is first occupied the proposed rooflight on the roof slope facing No 24 Renters Avenue shall be glazed with obscure glass only and shall be permanently retained as such thereafter.

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).

- 9 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevations.

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).

- 10 The roof of the ground floor projection 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).

- 11 No removal of trees, shrubs or vegetation shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To enhance the biodiversity value of the site beyond its current baseline. Pursuant to Section 9 of the Wildlife and Countryside Act 1981 (as amended), and 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.

- 12 Prior to commencement of the development the details the specification, location, including height, orientation, of the recommended ecological enhancement features including 1 x Woodstone Swift Boxes, 1 x Schwegler house sparrow terraces, and 2 x Beaumaruis Bat Box, 1 x bee brick (within the newly constructed dwelling), and 1 x hedgehog home, hotel shall be submitted and approved by the local planning authority.

All approved biodiversity enhancement features shall be installed on site prior to first occupancy in accordance with the thereafter approved enhancement plan.

Reason: To enhance the biodiversity value of the site beyond its current baseline. 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.

- 13 Prior to the commencement of works details of a Low Impact Lighting shall be submitted and approved by the local planning authority. Any artificial lighting scheme designed for development include off street lighting, shall be in accordance with Bats Conservation Trust Guidance Note 08/18 Bats and artificial lighting in the UK Bats and the Built Environment series.

Reason: To ensure that any protected species present are not adversely affected by the development in accordance with Policy DM16 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016), and the relevant statutory wildlife protection legislation.

- 14 a) Prior to occupation of the development, a parking layout plan showing the provision of 1 parking space, including the position and dimensions of all existing, redundant and proposed crossovers shall be submitted to and approved in writing by the Local Planning Authority. A s184 licence will need to be obtained by the applicant for all works on the public highway including the installation of the proposed access.

b) The designated parking spaces shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

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

- 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, 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.

- 16 Before the permitted development is occupied, all off-site highways works must be fully implemented and completed to the satisfaction of the Local Highway Authority.

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.

- 17 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 October 2016).

- 18 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 10% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2013 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

- 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 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.

- 21 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.

22 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).

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

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

- 24 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason: To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

- 25 The use of the outbuildings hereby permitted shall at all times be ancillary to and occupied in conjunction with the main buildings and shall not at any time be occupied as a separate unit(s) or dwelling(s).

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties 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 A two stage vegetation clearance (first cut down to 150mm followed by a second cut down to ground level 24 hour later) should be undertaken to reduce the risk of encountering any individual common amphibians or small mammals that may be present. An ecologist should be contacted in the event any such species are discovered during the vegetation clearance.

During construction, any excavations including holes, pipes and boreholes that need to be left overnight should be covered over or fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120 mm must be covered at the end of each work- day to prevent animals entering/becoming trapped.

Vegetation clearance should be undertaken in a sensitive manner to allow terrestrial mammals to disperse. Any trapped mammals found during the process should be carefully moved to the retained boundary habitats at the end site or adjacent habitats off site.

- 3 Soft landscaping should be designed where feasible with areas of planting consisting of 70/30 native grass to flowering plants to provide high quality habitat for 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

A purpose-built wildlife friendly pond is recommended to be created for the benefit of amphibians. Such a pond should ideally be shallow along the margins, planted with a variety of wetland emergent and submerged plant species and free of fish to encourage the presence of a diverse array of invertebrates and amphibians.

For further details on the construction of wildlife ponds refer to Wildlife ponds / RHS Gardening website.

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.

- 4 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](mailto:highways.development@barnet.gov.uk) or [nrswa@barnet.gov.uk](mailto: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.

- 5 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.
  
- 6 The applicant should apply for a Habitual Crossing License for construction vehicles to use the existing crossover. An application for this license could be

obtained from London Borough of Barnet, Development and Regulatory Services, 2 Bristol Avenue, Colindale London NW9 4EW.

- 7 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 Licenses or email [highwayscorrespondence@barnet.gov.uk](mailto:highwayscorrespondence@barnet.gov.uk) .
- 8 Any gates must open inwards and not out onto the public highway for health and safety reasons.
- 9 The applicant advised that if the development is carried out, where possible, the applicant should seek to improve the existing pedestrian visibility splays at either side of the vehicular crossover in accordance with Manual for Streets (MfS).
- 10 Reinstating the existing crossover to footway and construction of a new crossover will involve works on the public highway for which a s184 license will need to be obtained by the applicant. Also, the council's street lighting and tree departments must be consulted on the proposed crossover.
- 11 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](http://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](mailto:cil@barnet.gov.uk).

## **OFFICER'S ASSESSMENT**

### **1. Site Description**

The application relates to a two-storey detached dwelling housing, no. 26 Renters Avenue. The application site is a corner property and is located at the junction of Renters Avenue and Cheyne Walk, within the Hendon ward. The street is very residential in character, mainly comprising of a mixture of converted and purpose built flatted development; and single-family dwelling houses.

The site is not within a conservation area and is not a statutory or locally listed building.

The site lies within a PTAL rating of 3 which indicates the site has average accessibility to public transport.

There are no Tree Preservation Orders on site. The property is in a Zone 1 Flood Risk Area, with low probability of flooding from rivers and the sea.

## 2. Site History

Reference: 23/1496/FUL

Address: 26 Renters Avenue, London, NW4 3RB

Decision: Pending consideration

Decision Date: N/A

Description: Conversion of the existing dwelling into 4no. self-contained flats including, part single, part two storey side and rear extension and conversion of the existing garage. Roof alterations including side and rear dormers, front rooflights and raising of the eaves Erection of a rear outbuilding and front porch. Associated refuse/recycling, amenity space, cycle storage and off-street parking

Reference: 23/1510/FUL

Address: 26 Renters Avenue, London, NW4 3RB

Decision: Pending consideration

Decision Date: N/A

Description: Demolition of the existing dwelling and erection of a new two storey building with rooms in the roofspace comprising 5no. self contained flats. Associated amenity space, parking, refuse and recycling and cycle storage

Reference: 22/2472/FUL

Address: 26 Renters Avenue, London, NW4 3RB

Decision: Approved subject to conditions

Decision Date: 2 March 2023

Description: Conversion of the existing dwelling into 4no. self-contained flats including, Part single, part two storey side and rear extension and conversion of the existing garage. Roof alterations including side and rear dormers and raising of the eaves. Associated refuse/recycling, amenity space, cycle storage and off-street parking

Reference: 22/4349/192

Address: 26 Renters Avenue, London, NW4 3RB

Decision: Lawful

Decision Date: 23 September 2022

Description: Erection of a rear outbuilding

Reference: W14192B/08

Address: 26 Renters Avenue, London, NW4 3RB

Decision: Approved subject to conditions

Decision Date: 2 May 2008

Description: Two storey front extension and first floor rear extension with new pitched roof over existing flats roof. Conversion of existing roof into habitable room area involving rear and side dormers.

Reference: W14192A/07

Address: 26 Renters Avenue, London, NW4 3RB

Decision: Refused

Decision Date: 18 December 2007

Description: Two storey front extension and first floor rear extension. Extensions to roof including side and rear dormer windows to facilitate a loft conversion.

Reference: W14192/05

Address: 26 Renters Avenue, London, NW4 3RB

Decision: Approved subject to conditions

Decision Date: 28 October 2005

Description: Two-storey front and first floor rear extension with new pitched roof over existing flat roof. New front porch. Single storey detached garage to the side.

### **3. Proposal**

Demolition of the existing dwelling and erection of 2no. two storey plus rooms in the roof space semidetached dwellings. Erection of rear outbuildings. Associated amenity space, refuse and recycling and cycle storage.

The application has been amended during its lifetime including a reduction in the size of the outbuildings and reduction in the width of the first-floor side wing.

The building will have a maximum depth of 12.21m and a maximum width of 10.4m to the front and due to its angular shape, it has a width of 14.7m to the rear.

The first floor is set back from the rear elevation and will align with the first floor projection with its neighbouring property at no.24 with a depth of 9.6m (10.5m including the front bay window).

They will have a crown roof with the ridge height measuring 8.6m, which sits lower than the adjacent neighbour at no.24. It will have an eaves height of 6m to match those of the neighbours at no.24.

Unit 1 will be 4b7p and Unit 2 will be 3b5p.

1no. outbuilding is proposed within each rear garden. They both have a maximum height of 2.5m.

### **4. Public Consultation**

Consultation letters were sent to 60 neighbouring properties.

11 objections and 1 letter of representation have been received.

Letter of representation has been summarised below:

- This proposal of 2 mid/large houses is less objectionable than the one to divide the existing house into 4 flats

Objections summarised below:



- There is only 1 parking space per property. The drives on the other houses on the street all have room for 2 cars. These are intended to be 2 x 4 bed houses
- The street is already over-saturated when it comes to parking spaces and will put more pressure on insufficient street parking
- Safety of parking
- Not in keeping with the character of these roads, neighbourhood and community
- The proposals call for the reduction of all green space around the property
- Multiple occupancy properties result in the proliferation of crime and other unwanted problems
- Loss of light
- Incongruous with the single family home layout of the neighbourhood
- The conversion will also be an over-use of the space and will likely have a detrimental impact on the value of homes in its vicinity
- House is on a dangerous corner, accidents can easily happen with additional cars coming out of there
- impact on drainage
- increase in occupational density

A site notice was posted on the 27.04.2023.

## **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:

D3 and 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, CS9

Relevant Development Management Policies: DM01, DM02, DM03, DM04, 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

## **5.3 Assessment of proposals**

### **Principle of Development**

Barnet's Local Plan Residential Design Guidance (RDG) emphasises that development needs to recognise local patterns of development. This includes the perimeter block structure, which is characterised by the fronts of buildings facing onto the street and private spaces located at the rear, providing a clear distinction between public and private space.

Any development on this site should have due regard to the built form and pattern of development on Renters Avenue. The area is mainly characterised by residential developments, with a strong established pattern of development on this section of the

street. The properties on this street are predominantly comprised of two storey semi-detached buildings with hipped roofs, set back from the main road in a uniform pattern.

Furthermore, the site does not benefit from any architectural merit, therefore no objections are raised with the demolition of the existing house and constructing a pair of two storey semidetached residential properties.

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

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 proposal involves the demolition of the existing detached building and the construction of new pair of semi-detached buildings which has been designed to appear as a single family dwelling to reflect the neighbouring properties with its own individual front entrance door.

The pair of semi-detached properties will have a hipped roof with a crown roof. Whilst the eaves and ridge will increase in height, it will be comparable to the existing eaves and ridge height of its neighbour at no.24 and will respect the established building heights of the adjacent properties.

2no. rear dormers are proposed on the rear roof slope which are subordinate in scale and adequately integrates with the roof.

A single storey rear projection is proposed that will align with the single storey rear extension at the neighbouring property, no.24. Similarly, the first floor will align with the rear wall of no.24. Furthermore, the front elevation will maintain the same building line as its neighbouring properties.

It is noted that the proposal will increase in scale from the existing building, however the proposal as amended, is considered to be of an appropriate scale and would have an acceptable impact on the character and appearance of the host site and surrounding area.

The side wing at first floor level has been reduced in width to measure 1.3m and is set back approximately 2.4m from the front elevation. This reduction which helps to retain a degree of openness and separation along this elevation.

In addition, the scale and sitting of the proposed outbuildings have been amended and means it not likely to impact the character and appearance of the building to an unacceptable level.

#### 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.

The neighbouring property at no. 24 Renters Avenue benefits from a single storey rear extension. The proposed projections to the host property at ground and first floor level would not extend beyond the existing rear walls of the neighbouring property at no.24. Therefore, it would not create significant harm to the amenities of this neighbouring property, in terms of loss of light or outlook.

On the other side, it is noted that there is a bathroom window and a bedroom window facing the neighbours across the street. The bathroom window will be obscure glazed, however the bedroom window will be clear glazed. It is noted that the new dwellings are separated from its neighbours by a street, which acts as a natural buffer. The distance between this proposed window and the existing windows on the front elevation of the neighbours opposite the road is approximately 25m, which is considered to be acceptable and complies with the recommended distances set out within the Residential Design Guidance, which states that 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.

Due to the location of the host property on a corner site and the buffer distance between properties, no concerns are raised in terms of its impact on the amenities of these neighbouring properties.

To the rear 2no. subordinate dormers are proposed overlooking the rear gardens. Considering that these dormers will allow similar views as what currently exist, these dormers are not likely to create any additional harm to the residents located to the rear of the property in terms of overlooking and loss of privacy.

Two outbuildings are proposed, one for each house. The outbuildings will be used as storage for the use of the residents of the respective house. Therefore, it is not envisaged that there will be any impact on the amenities of the neighbours in terms of noise nuisance. Furthermore, due to the size and sitting of each outbuilding, it is not likely to impact the amenities of neighbours to an unacceptable level to warrant a refusal.

Whilst it is accepted that the scheme would result in additional comings and goings than the existing single-family dwelling, it is considered that given the character of the surrounding properties, officers do not consider that the increase in occupancy level would result in an unacceptable level of harm to the amenity of the neighbouring occupiers that would warrant a refusal.

Residential use is accepted on site, and it is considered that there would be no significant additional impact on the residential amenities of the neighbouring occupiers as a result of the proposal. Thus, it was found that the proposed development will have an acceptable impact to the neighbouring properties.

#### Provision of adequate accommodation for future occupiers

In terms of the amenity for future occupiers, the Planning Authority would expect a high standard of internal design and layout in new residential development in order to provide an adequate standard of accommodation. Table 3.1 within Policy D6 (Housing

Quality and standards) of the London Plan 2021 provides minimum space standards for new dwellings.

The SPD standards for bedrooms require double bedrooms to provide a minimum floor area of 11.5sqm and single bedrooms a minimum floor area of 7.5sqm. The dwelling would meet these standards.

New residential units are expected to provide suitable outlook and light to all habitable rooms whilst not compromising the amenities of neighbouring occupiers. The Council Sustainable Design and Construction SPD stipulates that "the positioning of doors and windows should also be considered, and single aspect dwellings should be avoided". No concerns are raised with this respect.

With regards to outdoor amenity space, all new residential developments are expected to provide suitable, private and useable outdoor amenity space for future occupiers. Given the number of habitable rooms within the dwelling, a minimum of 70sqm to 85sqm would be required in accordance with Table 2.3 of the Sustainable and Design Construction SPD. Both units have been provided with individual rear gardens that exceed the space requirements for outdoor amenity space.

#### Parking and highways

Highways officers have been consulted as part of the application and their comments are included in this response. The site lies within a PTAL 3 zone, which means that there is moderate public transport accessibility to and from the site. In line with requirements set out on Policy DM17 of the Barnet Local Plan, the proposed development will require 4 parking spaces. The proposed provision of 2 parking space will mean that up to 2 vehicles could be displaced on-street. However, there are spaces on-street within a 200m distance from the site to accommodate this level of parking displacement.

The applicant is proposing to remove the existing crossover and install a new crossover at the front of the building. However, there is a tree that will need to be removed and a lighting column that will need to be relocated to facilitate this. All vehicular crossovers must be between 2.4-4.2m wide in order to safely accommodate access from the public highway. Also, a minimum gap of 2.4m will need to be ensured between adjoining crossovers. Reinstating the existing crossover to footway and construction of a new crossover will involve works on the public highway for which a s184 license will need to be obtained by the applicant. Also, the council's street lighting and tree departments must be consulted on the proposed crossover as part of a crossover application. This should be undertaken by the applicant separately. It is noted that Street Trees have been consulted and have indicated the value of this tree; no in principle objection is raised to its removal however this is subject to the required crossover application.

All off-site highway works shall be completed to the satisfaction of the local highway authority prior to occupation of the development.

Cycle parking needs to be provided in accordance with the requirement of the London Plan cycle parking standards. For this proposal, 4x cycle parking spaces are required. This has been secured by way of a planning condition.

### 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)

### **5.4 Response to Public Consultation**

- There is only 1 parking space per property. The drives on the other houses on the street all have room for 2 cars. These are intended to be 2 x 4 bed houses
- The street is already over-saturated when it comes to parking spaces and will put more pressure on insufficient street parking
- Safety of parking
- House is on a dangerous corner, accidents can easily happen with additional cars coming out of there

Highways officers have reviewed the application and are satisfied that the proposal would not have an unacceptable impact on the highway.

- Not in keeping with the character of these roads, neighbourhood and community
- The proposals call for the reduction of all green space around the property
- Multiple occupancy properties result in the proliferation of crime and other unwanted problems
- Incongruous with the single family home layout of the neighbourhood
- The conversion will also be an over-use of the space and will likely have a detrimental impact on the value of homes in its vicinity

Concerns have been mainly addressed within the body of the report. As stated above the principle of development has already been established via a previous approval ref. 22/2472/FUL for the conversion of the property into flats. Under the current scheme, the proposed development would provide 2 (1x 4 and 1x 3 bed) family sized two storey semidetached houses that would reflect the character of the area. Furthermore, adequate quantity of outdoor greenspace/ private garden has been retained for both dwellings.

- Loss of light

The siting of the dwelling and alterations to the property are such that it is not likely to result in loss of light to neighbouring properties.

- Impact on drainage
- Increase in occupational density

The proposal is for a pair of semi-detached properties. Unit 1 will be 4b7p and Unit 2 will be 3b5p, a total footprint of 12 people. The existing house is three bedroom and able to accommodate 6 people. Whilst there will be an uplift in the number of 6 people, however it is not likely to impact the current drainage system to an unacceptable level.

## **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.



