

Location Land Adjacent To 19-20 Warwick Close Barnet EN4 9SF

Reference: 23/2564/OUT Received: 13th June 2023

Accepted: 13th June 2023

Ward: East Barnet Expiry 8th August 2023

Case Officer: Emily Bell

Applicant: Davidson

Proposal: Demolition of commercial storage buildings and erection of 2 storey building with rooms in roof space to accommodate 8no. self contained flats. Associated refuse/recycling, cycle store, landscaping and off-street parking (Outline)

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:
OAKPL-16-01A
OAKPL-16-03 A
Land Adjacent to 19-20 Warwick Close Barnet EN4 9SF Phase II Arboricultural Impact Assessment (AIA) Ref: 101 805 dated 08/06/2023
Preliminary Ecological Appraisal Including a Protected Species Assessment at: Warwick Close, Barnet, London EN4 9SF June 2023
Planning Statement

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 Application for the approval of the reserved matters (Landscaping) must be made before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 3 The development to which this permission relates must be begun not later than two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 4 a) 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.

b) 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.

- 5 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.

- 6 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.

7 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.

8 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.

9 a) No development shall take place until details of the location, extent and depth of all excavations for services (including but not limited to electricity, gas, water, drainage and telecommunications) in relation to trees on and adjacent to the site have been submitted to and approved in writing by the Local Planning Authority.

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

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

- 10 No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until the temporary tree protection measures shown in 'Phase II Arboricultural Impact Assessment (AIA) (Ref. 101 805)' by Arbol EuroConsulting dated 08/06/2023 approved have been erected around existing trees on site.

The protection specified in 'Phase II Arboricultural Impact Assessment (AIA)(Ref. 101 805)' by Arbol EuroConsulting dated 08/06/2023 shall remain in position until after the development works are completed and no material or soil shall be stored within fenced areas and/or construction exclusion zones at any time. The development shall be implemented in accordance with the protection plan and method statement as approved.

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

- 11 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.

- 12 Prior to occupancy all details (including specification, location, and orientation) of biodiversity enhancement measures (including 2 x Schwegler 1FF bat roost boxes (or similar) per dwelling, 1 x House sparrow terrace (or similar) per dwelling, 1 x Woodstone swift box per dwelling, 2 x Hedgehog Home and 2 x insect hotel shall be submitted to and approved by the local planning authority.

The development hereby permitted shall not be occupied until all ecological enhancement features are installed/constructed in accordance with details shown on the thereafter approved plans and in accordance with guidance 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA).

Reason: To enhance biodiversity in accordance with section 197 of the Town and Country Planning Act 1990, Policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012), Policy DM16 of the Development Management Policies DPD (adopted September 2012) and Policy G6 of the London Plan.

- 13 Prior to the commencement of works details of an Invasive Species Management Plan showing the location of invasive species (Schedule 9 listed species Wildlife and Countryside Act 1980 (as amended) and details of any avoidance, treatment, removal, and biosecure disposal measures shall be submitted to and approved by the LPA and shall be undertaken throughout the hereafter approved works.

Reason: Pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with local planning policy DM01 & DM16. Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G5, G6 & G7 of the London Plan and 2021 Environment Act 2021

- 14 During works on site (including vegetation clearance, site preparation, demolition, and construction) the hereafter approved works shall be undertaken in strict accordance with the ecological mitigation measures within section 5.1.5 of the Preliminary Ecological Appraisal (PEA) (Skilled Ecology Limited, July 2023).

In the event of any bats being discovered all works must stop and the project ecologist and/or Natural England must be contacted immediately as an appropriate

licence will be required before the works can continue.

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

- 15 Prior to the occupancy of works details of a Low Impact Lighting Strategy shall be submitted and approved by the local planning authority. Any artificial lighting scheme designed for development including 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.

- 16 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.

- 17 Part 1

Before development commences other than for investigative work:

a) A desktop study (Preliminary Risk Assessment) shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study (Preliminary Risk Assessment) and Conceptual Model shall be submitted to

the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

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

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

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

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

Part 2

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

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

- 18 Before development commences, an air quality neutral assessment report shall be written in accordance with the relevant current guidance. This report shall be submitted to and approved by the Local Planning Authority.

The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

a) If the report shows that the site does not conform to the air quality neutral benchmark requirements then a scheme of offset measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

b) The approved measures shall be implemented in its entirety in accordance with details approved under this condition before any of the development is first occupied or the use commences and retained as such thereafter.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy GG3 and SI1 of the London Plan 2021.

- 19 Before the building hereby permitted is first occupied the proposed window(s) in the flank elevations facing the rear of properties along Crescent Road and 19 and 20 Warwick Close shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of future occupiers and 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).

- 20 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).

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

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

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

b) The development shall be implemented in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted April 2013).

23 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).

24 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.

25 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new ground floor flats (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.

26 a) Prior to the first occupation or commencement of the use 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.

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 6.13 of the London Plan 2016.

27 Before the development hereby permitted is first occupied turning space and parking spaces and vehicle and pedestrian visibility splays at the access to the site shall be provided and marked out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and that area shall not thereafter be used for any purpose other than the parking and turning of vehicles.

Reason: To ensure that parking and associated works are provided in accordance with the Council's standards in the interests of pedestrian and highway safety and the free flow of traffic in accordance with Policy CS9 of the Local Plan Core Strategy (adopted September 2012), Policy DM17 of the Local Plan Development Management Policies DPD (adopted September 2012) and 6.1, 6.2 and 6.3 of the London Plan 2016.

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

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

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

- 5 Refuse collection points should be located within 10 meters of the Public Highway. Alternatively, the dustbins will need to be brought to the edge of public highways on

collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.

- 6 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.
- 7 Any gates must open inwards and not out onto the public highway for health and safety reasons.
- 8 Tree and shrub species selected for landscaping/replacement planting shall provide long term resilience to pest, diseases and climate change. A diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below:

An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine.

To ensure the replacement trees meet bio-security standards they should be purchased from a DEFRA accredited supplier that can be found here:
<https://planthealthy.org.uk/certification>

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

Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.

o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.

- 10 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.
- 11 Soft landscaping should consist 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.

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

- 12 In complying with the contaminated land condition parts 1 and 2, reference should be made at all stages to appropriate current guidance and codes of practice. This would include:
- 1) The Environment Agency CLR & SR Guidance documents (including CLR11 'Model Procedures for the Management of Land Contamination');
 - 2) National Planning Policy Framework (2012) / National Planning Practice Guidance (2014);
 - 3) BS10175:2011 - Investigation of potentially contaminated sites - Code of Practice;
 - 4) Guidance for the safe development of housing on land affected by contamination, (2008) by NHBC, the EA and CIEH;
 - 5) CIRIA report C665 - Assessing risks posed by hazardous ground gases to buildings;
 - 6) CIRIA report C733 - Asbestos in soil and made ground: a guide to understanding and managing risks.
- Please note that in addition to the above, consultants should refer to the most

relevant and up to date guidance and codes of practice if not already listed in the above list.

- 13 The Air Quality reports required under the Environment Act 1995 have highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out so habitable rooms are sited away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint by siting further away from source of poor air quality.

For developments that require an air quality report; the report should have regard to the air quality predictions and monitoring results from the most recent Review and Assessment report available from the LPA web site and Air Quality England. The report should be written in accordance with the following guidance : 1) Environmental Protection UK and IAQM Guidance: Land-Use Planning and Development Control: Planning for Air Quality, (Jan 2017); 2) Environment Act 1995 Air Quality Regulations; 3) Local Air Quality Management Technical Guidance LAQM.TG(16); 4) London Councils Air Quality and Planning Guidance (2007); 5) Mayor of London's Supplementary Planning Guidance for Sustainable Design and Construction (2014); 6) Section 6.2 of the Technical Guidance Note D1 (Dispersion) 'Guidelines on Discharge Stack Heights for Polluting Emissions' 7) The control of dust and emissions from construction and demolition, Best Practice Guidance London Councils, 2006; 8) The Control of Dust and Emissions during construction and demolition supplementary planning guidance July 2014; 9) Air Quality Neutral Planning Support Update April 2014 and 10) Guidance on the assessment of dust from demolition and construction, Institute of Air Quality Management, January 2014

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

OFFICER'S ASSESSMENT

1. Site Description

The application relates to a vacant site that is situated at the turning head of a cul de sac on Warwick Close. It is located near to the junction with Victoria Road and East Barnet Road.

The site is surrounded by the rear gardens of the properties on Crescent Road, Wilfred's Close and Victoria Close.

Warwick Close is predominantly a residential street with two storey dwelling houses on the southern side. On the northern side, the site is dominated by a three storey block of flats. Immediately to the front of the site is an area of hardstanding which accommodates

garages/stores.

The site is located a short distance from New Barnet railway station and there are bus stops in the locality. These facilities support a PTAL 3 rating for the site and its immediate surroundings. In addition, the site is located a short distance from New Barnet town centre where there is a range of retail uses available.

The site is not located within a Conservation Area and there are no listed buildings which would be affected by the proposed development. The site is covered with dense vegetation, however, there are no Tree Preservation Orders relating to the site.

The site is located in the lowest area of flood risk (Flood Zone 1).

2. Site History

Reference: B/01145/14

Address: 19 Warwick Close, Barnet, EN4 9SF

Decision: Prior Approval Required and Approved

Decision Date: 1 April 2014

Description: Demolition of existing garages.

Reference: 22/0432/QCD

Address: Warwick Close

Decision: Pre-application advice issued

Decision Date: 13 March 2023

Description: Redevelopment of commercial storage yard and garden land to provide a block of 8no. apartments with associated access, landscaping and parking.

3. Proposal

Demolition of commercial storage buildings and erection of 2 storey building with rooms in roof space to accommodate 8no self-contained flats. Associated refuse/recycling, cycle store, landscaping and off-street parking (Outline). The application is in outline, with landscaping being the only matter reserved.

The proposed flats would be as follows:

Flat 1: 3 bed, 4 person over 1 storey with GIA of 78sqm

Flat 2: 2 bed, 3 person over 1 storey with GIA of 61sqm

Flat 3: 2 bed, 3 person over 1 storey with GIA of 62sqm

Flat 4: 2 bed, 3 person over 1 storey with GIA of 63sqm

Flat 5: 1 bed, 2 person over 1 storey with GIA of 51sqm

Flat 6: 1 bed, 2 person over 1 storey with GIA of 53sqm

Flat 7: 1 bed, 2 person over 1 storey with GIA of 54sqm

Flat 8: 2 bed, 3 person over 1 storey with GIA of 62sqm

8 parking spaces are provided.

4. Public Consultation

Consultation letters were sent to 77 neighbouring occupiers. 9 letters of objection and 1 letter of representation have been received, summarised below:

- o Overpopulated road
- o Security concerns regarding quality and height of fencing on plot perimeter and who would be responsible for maintaining these
- o Parking pressure
- o Loss of trees/green area
- o Development changes the nature of Crescent Road which have long gardens
- o Overlooking
- o Views from neighbouring properties
- o Disruption from construction
- o Flats are not family sized
- o Flats not in keeping with community that exists on the street
- o Area regularly floods
- o Safety from increased traffic
- o Impact on bats
- o Poorly sized flats

4. Internal Consultation

Highways: Consider 11 parking spaces should be provided (based on policy DM17, between 5-11 spaces would be required). More information requested on visibility splays and servicing.

Environmental Health: No objection subject to conditions

5. Planning Considerations

5.1 Policy Context

Revised 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 5th September 2023. 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 London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2050. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

The relevant planning policies are:

D4 - Good Design

D5 - Inclusive Design

D6 - Housing Quality and Standards

D7 - Accessible Housing

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, CS14.
- Relevant Development Management Policies: DM01, DM02, DM08, DM17.

Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)

Sustainable Design and Construction SPD (adopted October 2016)

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

5.2 Main issues for consideration

The main issues for consideration in this case are:

- i. The principle of flats in this location
- ii. Whether the proposal provides satisfactory living accommodation for future occupiers
- iii. Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality
- iv. The impact on the amenities of neighbouring occupiers
- v. Parking and highways
- vi. Cycle Storage
- vii. Refuse and recycling storage.

5.3 Assessment of proposals

Principle of flats in this location

The site comprises of low key sheds/outbuildings with no architectural merit, therefore the removal of these structures and redeveloping the site is acceptable. The wider area is residential in nature with a number of flatted developments within Warwick Close, and therefore the principle of a block of flats is acceptable at this site. Further, the site is located a short distance from New Barnet railway station and there are bus stops in the locality. These facilities support a PTAL 3 rating for the site and its immediate surroundings. In addition, the site is located a short distance from New Barnet town centre where there is a range of retail uses available. The location therefore is considered to be a suitable site for flatted development.

Whether the proposals would cause harm to the character and appearance of the existing building, the street scene and wider locality

The NPPF attaches great importance to the design of the built environment, stating that, "good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities" (para.124).

Policy DM01 states, 'development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets'.

The street is mixed in character comprising of two storey dwellings on the southern side of Warwick Close and a three storey block of flats to the northern side. The proposed building has been set in from all boundaries with landscape buffers introduced along the eastern and western boundaries to soften the appearance of the new building and to create a more engaging street scape. The two storey building with rooms in the roofspace is considered to respect the scale of buildings along the remainder of Warwick Close and is appropriate in scale and form for its context. The footprint of the building has been amended throughout the lifetime of the application, to include a reduction in massing at first floor level with the design now including a single projecting element within the middle of the building away from neighbouring boundaries. The Residential Design Guidance states that dormer roof extensions should be subordinate features on the roofslope. The dormers have been amended throughout the lifetime of the application to include a reduction in scale. On balance, the footprint, massing, height and design of the building is considered to be in keeping with its surroundings and would have an acceptable impact on the character and appearance of the site and wider area.

Whether the proposals would detrimentally impact on the amenities of neighbouring

occupiers

New developments should have due regard to the amenity of existing occupiers in neighbouring buildings. Any development should ensure that the amenities of neighbouring occupiers are respected. The Sustainable Design and Construction SPD advocates that there should be a distance of 10.5 metres between a new development and a neighbouring garden; careful consideration should be given to the siting of the building on the plot. In addition, any proposal should retain a distance of 21 metres between habitable windows.

The side windows facing towards the rear gardens of properties along Crescent Road would be sited in excess of 21m of habitable windows. It is noted that these windows would be closer than 10.5 metres to the neighbouring boundaries, however, these would serve non habitable rooms such as bathrooms or would serve as secondary windows and as such it is considered acceptable for these to be obscure glazed. Similarly, the plans indicate that the windows within the side elevation facing towards no. 19 and 20 Warwick Close would be obscure glazed in order to avoid overlooking and loss of privacy to neighbouring occupiers. A condition will be attached accordingly.

With regards to noise and light pollution, although the introduction of built form on currently open land would result in some additional light and noise to neighbouring occupiers, given the distance between dwellings, it is not considered that this would be wholly unacceptable to warrant refusal of the application and would not be out of character with the typical arrangement of a suburban setting.

Given the siting of the proposed building at the turning head of a cul de sac, the properties along Crescent Road would be separated from the development by long rear gardens at a distance in excess of 21metres. The height of the proposed building has been kept as two storeys with additional rooms in the roofspace, and the height is not considered to be overbearing given the separation distance. Similarly, the proposed building has been set off the boundaries of the site away from the neighbouring properties at nos. 5-8 St Wilfrids Close and 19-20 Warwick Close so as not to appear overbearing and ensure no loss of outlook or light. The height, scale and form of the proposed building is considered to ensure an acceptable impact to neighbouring occupiers.

Overall, it is considered that subject to the aforementioned condition, the proposed development would not compromise the amenity of the adjoining neighbours.

Whether the proposals would provide suitable living conditions for future occupiers of the proposed dwellings

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough.

Floorspace standards:

The London Plan sets a minimum Gross Internal Floor Area for flats based on a standard set for the number of bedrooms (b) and persons-bedspaces (p). A 3 bed, 4 person unit over 1 storey requires a GIA of 74sqm, a 2 bed, 3 person unit over 1 storey requires a GIA of 61sqm, a 2 bed, 4 person unit over 1 storey requires 70sqm, a 1 bed, 2 person unit over 1 storey requires 50sqm.

Table 3.3: Internal layout and design requirements of Barnet's Sustainable Design SPD (Oct 2016) states that bedrooms should meet the following requirements.

- Single bedroom: minimum area should be 7.5 m² and is at least 2.15m wide;
- Double/twin bedroom: minimum area should be 11.5 m² and is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.

The proposed units are as follows:

Flat 1: 3 bed, 4 person over 1 storey 78sqm
Flat 2: 2 bed, 3 person over 1 storey 61sqm
Flat 3: 2 bed, 3 person over 1 storey 62sqm
Flat 4: 2 bed, 3 person over 1 storey 63sqm
Flat 5: 1 bed, 2 person over 1 storey 51sqm
Flat 6: 1 bed, 2 person over 1 storey 53sqm
Flat 7: 1 bed, 2 person over 1 storey 54sqm
Flat 8: 2 bed, 3 person over 1 storey 62sqm

All proposed units would meet the required minimum space standards.

Outlook, light and privacy:

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

All units are considered to provide acceptable light and outlook for future occupiers.

Stacking:

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

The proposal results in reasonable stacking.

The London Plan (Policy D6) states that the minimum floor to ceiling height must be 2.5 metres for at least 75% of the Gross Internal Area for each dwelling.

The plans indicate that the units would meet this requirement.

Amenity Space:

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

Flats 1 and 2 would be provided with private amenity space of approximately 22sqm and 26sqm respectively. Flats 7 & 8 within the second floor would have balcony areas measuring 8sqm. These flats and all remaining flats would have access to a communal amenity area with approximately 200sqm. This is considered to provide an acceptable level of amenity for future occupiers.

Parking and Highways

The site has a PTAL rating of 3, which is moderate. The plans propose 8no parking spaces,

which equates to 1no space per dwelling. Policy T6.1 of the London Plan (2021) states that new development should not exceed the maximum parking standards set out in Table 10.3. The proposed 8no parking spaces would meet the requirements of the London Plan. Despite the highways comments, the London Plan standards are the standards that should be applied.

Trees and Ecology

Policy DM01 of the Adopted Barnet Development Management Policies advises that trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate. High quality landscape design can help to create spaces that provide attractive settings for both new and existing buildings, contributing to the integration of a development into the established character of an area. The council will seek to retain existing wildlife habitats such as trees, shrubs, ponds and hedges wherever possible. Where trees are located on or adjacent to a site the council will require the submission of a tree survey with planning applications indicating the location, species, size and condition of trees. Trees should be retained wherever possible and any removal will need to be justified in the survey. Where removal of trees and other habitat can be justified appropriate replacement should consider both habitat creation and amenity value.

The Council's arboricultural officer has reviewed the proposal and confirmed that any proposed outdoor amenity space should incorporate soft landscaping. This can be secured by way of a condition. There are a number of trees belonging to LBB Homes situated along the northern site boundary, however, upon a site visit by the arboricultural officer, it is not considered that the proposal would invite unacceptable pressure to these trees. Any risk to trees during development could be mitigate to an acceptable extent via tree protection measures. There are no objections to the proposal with regards to trees, subject to conditions.

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

The applicant submitted a Preliminary Ecological Appraisal with the application. None of the buildings on site were found to be of suitability for roosting bats. A low impact lighting strategy will be secured by way of a condition to minimise the risk of external light spill on commuting and foraging bats and biodiversity. Overall, the proposals are considered to have an acceptable impact on ecology and the proposal is acceptable, subject to conditions.

5.4 Response to Public Consultation

o Security concerns regarding quality and height of fencing on plot perimeter and who would be responsible for maintaining these, this is a civil matter not a planning consideration.

A condition will be attached for the applicant to submit details of boundary treatments and enclosures. With regards to maintenance of the fence, this is a civil matter.

- o Parking pressure
- o Overpopulated road
- o Safety from increased traffic

As discussed within the main body of the report, the proposal provides 8no spaces which is compliant with London Plan standards.

- o Loss of trees/green area

The Council's arboricultural officer has reviewed the proposal and raised no objections, subject to conditions requiring details of replacement soft landscaping across the site.

- o Development changes the nature of Crescent Road which have long gardens
- o Overlooking
- o Views from neighbouring properties

Impact on neighbouring occupiers addressed in the report. Loss of a view is not a material planning consideration. Given the distances to neighbouring dwellings and gardens and the 2 storey height of the building, it is considered impact on outlook would not be so harmful as to render the scheme unacceptable.

- o Disruption from construction

Noise and disturbance from construction activities are not a material planning consideration.

- o Flats not in keeping with community that exists on the street

As detailed within the main body of the report, the street is mixed in character with both semi-detached single family dwellings and blocks of flats. The proposal is therefore not considered to have an adverse impact on the character of the street.

- o Area regularly floods

The site is located in the lowest area of flood risk (Flood Zone 1).

- o Impact on bats

The applicant submitted a Preliminary Ecological Appraisal with the application. This was reviewed by the Council's ecological officer, who found that no further protected species surveys will be required as none of the buildings were found to be of suitability for roosting bats. Conditions will be attached to any approval to include details of a low lighting strategy for bats, as well as biodiversity enhancement measures.

- o Poorly sized flats
- o Flats are not family sized

All flats would meet the required minimum space standards of the London Plan (2021). One family sized 3 bed flat is provided as part of the development.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, the application is recommended for APPROVAL.

MapServe



EXISTING LOCATION PLAN 1:1250 @ A4

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