

**Location** **Sherwood Court Garages Friern Park London N12 9LX**

**Reference:** **22/0766/FUL** Received: 4th February 2022  
Accepted: 4th February 2022

Ward: Woodhouse Expiry 1st April 2022

**Case Officer:** **John Sperling**

Applicant:

Proposal: Demolition of existing garages. Erection of a two storey detached dwelling with off street parking and amenity space (AMENDED DRAWINGS).

### **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:

13784-P-201  
13784-P-202  
13784-P-203  
13784-P-204  
13784-P-205 E  
13784-P-206 A  
13784-P-207 B  
13784-P-208 A  
13784-P-209 A  
13784-P-210 A

Ecological Assessment  
Design and Access Statement  
Energy Statement  
Arboricultural Report

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 The roofs of the building 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).

- 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 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/>

Reasons: In the interest of good air quality in accordance with London Plan policies 5.3 and 7.14.

- 7 Prior to occupation at least 2 x 1FF Schwegler bat boxes (or alternative brand), 2 x Schwegler 1B bird nest box, (or alternative brands) shall be installed on the newly constructed building and retained trees nearby in accordance with guidance with 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA)',

shall be installed at least 6m high on the S, SE, or SW orientation, ideally and with enough space for bats to fly under the box easily in accordance with guidance with 'Designing for Biodiversity A technical guide for new and existing buildings (RIBA)'. Photographs of the bat roost and bird nest box are to be submitted as evidence of compliance which shall be approved by the local planning authority. These installations shall be maintained and replaced as necessary for the lifetime of the building as directed by an appropriately qualified and licenced bat ecologist.

Reason: To enhance conditions for bats and nesting birds pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with policy DM16 of the Development Management Policies DPD (adopted September 2012), policies CS5 and CS7 of the Local Plan Core Strategy (adopted September 2012) and Policy G6 of the London Plan.

- 8 The development shall be implemented in accordance with the recommendations set out in the Ecological Assessment in respect of Low Impact Lighting

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

- 9 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

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

- 10 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details

as approved under this condition and the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in The London Plan (2021) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

- 11 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy SI 5 of the London Plan 2021

- 12 No works on public highway including creation or modification of a vehicular access as a result of the proposed development shall be carried out until detailed design drawings have been submitted and approved by the Highway Authority and works shall only be carried out in accordance with the approved plans.

The applicant will be expected to make an application to the Domestic Crossovers Team, for the creation of new accesses and reinstatement of the existing accesses and consequential damage to public highway as a result of the proposed development.

Reason: To ensure that the works on public highway are carried out to the satisfaction of the highway authority 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.

- 13 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.

- 14 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement in carbon dioxide emissions of a minimum of 10% when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

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

- 15 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-F of Part 1, or Classes A or C of Part 2 of Schedule 2 of that Order shall be carried out within the area of the application site hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers and the character and appearance of the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 16 Before the building hereby permitted is first occupied the proposed window(s) in the side and rear elevations as shown on drawing 13784-P-209A shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted October 2016).

- 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 Prior to commencement of any construction or demolition works a detailed application shall be submitted to Highway Authority for approval of the alterations to the vehicular access from public highway and the works shall be carried out in accordance with the approved plans.

Reason: To ensure that the access is satisfactory in terms of highway safety and 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.

- 19 Prior to occupation of the development the proposed parking spaces within the parking area submitted with the planning application and the access to the parking area from public highway shall be provided. The access to the parking spaces shall be maintained at all times. The parking spaces shall be used only as agreed and not be used for any purpose other than the parking and turning of vehicles in connection with approved development.

Reason: To ensure that the free flow of traffic and highway and pedestrian safety

on the adjoining highway is not prejudiced 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.

- 20 No structure including fences or planting exceeding 0.6 metres in height shall be erected to the left or right of the access within the visibility splay at the junction of private access and the public highway.

Reason: To preserve site line and in the interests of highway and pedestrian 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.

- 21 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 or rear elevation(s), of the building hereby approved, facing Sherwood Court, 134 Friern Park or 6 Torrington Grove.

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).

- 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 Prior to the first occupation of the development hereby approved the solar PV panels shall be provided in accordance with the details shown on the approved drawings.



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) and policies S1.2 of the London Plan (2021).

- 24 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.

- 25 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 at the site of the approved development, 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.

- 26 a) Notwithstanding the details submitted with the application, no development shall take place until details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers for Sherwood Court, together with a satisfactory point of collection have been 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 commencement of the development and maintained 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.

## **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 For any proposal new crossovers or modification to the existing crossovers, a separate crossover application must be submitted for approval to the Highways Authority. Details of the construction and location of the new crossover are required to be agreed with the highway authority. Any street furniture, road markings or parking bays affected by the proposed works following site investigation would be relocated at the applicant's expense.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team in conjunction with the highway tree section as part of the crossover application. The outcome of this assessment cannot be prejudged.

Please Note: A maximum width of a crossover allowed from a public highway is 4.8 metres.

Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW.

Works on public highway shall be carried out by the Council's contractors. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, 2 Bristol Avenue, Colindale, NW9 4EW.

- 3 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, NW9 4EW.

- 4 The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway require a licence. To make an application for these licences please contact the council's Highways Licence Team on 0208 359 3555 for any necessary Highways Licences or email [highwayscorrespondence@barnet.gov.uk](mailto:highwayscorrespondence@barnet.gov.uk).
- 5 The applicant is advised that if the development is carried out, only low level planting or landscaping (Below 0.6m in height) shall be provided at the entrance to the development to ensure that the visibility splays on either side of the access for the vehicles emerging from the development are kept clear of any obstruction which is likely to have a detrimental impact on highway and pedestrian safety.
- 6 Refuse collection points should be located within 10 metres 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.
- 7 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 For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.
  - o For major developments only: confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.
- 8 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.

- 9 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).

- 10 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](mailto:street.naming@barnet.gov.uk) or by telephoning 0208 359 4500.

- 11 The applicant shall carry out a "before" and "after" condition survey of the agreed route to be utilised by all construction traffic. The "before" survey shall be submitted to and approved in writing by Local Highway Authority prior to the commencement of the development. The "after" survey shall be completed three months before the completion of the development and thereafter submitted to and approved in writing by the Local Highway Authority. Any recommended works necessary to reinstate the condition of the agreed route to that identified within the "before" survey shall be implemented as approved following completion of the development.

## **OFFICER'S ASSESSMENT**

### **1. Site Description**

The application site relates to a set of 3no. attached garages which is part of Sherwood Court (132 Friern Park, N12 9LX). The site is an unkept plot located on the eastern side of Torrington Grove, close to the junction of Friern Park, within the Woodhouse ward.

The surrounding area is characterised as residential ranging from flatted development to the single family dwellinghouses of detached and semi-detached typologies.

The site is not located within a Conservation Area or any other area of special control. There are no TPO's on site.

### **2. Relevant Site History**

Reference: 21/8114/QCF

Address: Sherwood Court, Friern Park, London, N12 9LX

Decision: Pre-application advice issued

Decision Date: 21 June 2021

Description: Proposed new dwelling by demolition of existing unused garages adjacent to Sherwood Court, 131 Friern Park, North Finchley, N12 9LX

Reference: C09292

Address: Land At Rear Of Sherwood Court 132 Friern Park London N12

Decision: Withdrawn

Decision date: 20/02/87

Description: Two storey detached house with integral garage, vehicular access & driveway.

### **3. Proposal**

This application seeks approval for the 'Demolition of existing garages. Erection of a two storey detached dwelling with off street parking and amenity space.'

Overall, the proposed dwelling would measure a maximum depth of 7 metres, width of 9.8 metres and maximum height of 6.3 metres from the right flank wall.

The main bulk of the property would form a two storey massing with a single storey front projection, measuring a height of 2.7 metres, accommodating the front porch and front living room space. This would create a stepped front elevational appearance.

Fenestration is included to all elevations.

The overall footprint of the site is 197.34m<sup>3</sup> and the proposed dwelling would consist of 64.06m<sup>3</sup>, which is 32.4% of the site footprint.

The dwelling would provide 3 bedrooms for 4 persons and would benefit from approximately 62m<sup>2</sup> of private rear amenity space and front amenity space to include accommodation for 2no. car parking spaces.

The application was deferred from the 8th February 2023 Committee A due to insufficient information related to details for the refuse provision at Sherwood Court. Amendments were received and neighbours reconsulted. The provision will include five refuse bins and five recycling bins stored in a timber enclosure. All ten bins will be 240 ltr bins and the enclosure would measure 0.8 metres deep and 1.2 metres high. This addition to the scheme would not affect the refuse/recycling provision at the proposed site, which includes one refuse, one mixed recycling and one garden waste bin in timber enclosure. Officers view that the details are acceptable and resolve the concerns previously raised at Committee A held on 8th February 2023.

### **4. Public Consultation**

Consultation letters were sent to 84 neighbouring properties

8no objections was received. The comments may be summarised as follows:

- Overdevelopment and overcrowded nature of the plot

- The intersection of the Friern Park / Torrington Grove is already overbuilt / overpopulated
- Architectural style would harm the character of the area
- Restricted parking spaces for residents at Sherwood Court
- Increased congestion
- Overlooking
- Loss of privacy
- Loss of light
- Disruption from the construction process along Friern Park
- Detrimental impact on the environment.
- A tree has been removed near the boundary with No.6 Torrington Grove. Evidence of this tree is available on Google Street View
- Incorrect information in the submitted document
- Noise pollution
- Need to reposition existing bins
- Loss of trees
- Proposal conflicts with lease agreement for residents at Sherwood Court

Following receipt of amendments, a 14 day reconsultation was issued to residents on the 16th May 2022. 4no additional objections were received in this period and may be summarised as follows:

- Amended drawings fail to address concerns of residents, namely relating to the conflicting nature of the existing residents leases and the proposed use of the site.
- Loss of outdoor amenity space.
- No relocation for the bins that serve Sherwood Court
- Proposed extension of existing crossover reduces on-street parking capacity
- Air pollution
- Increased parking pressure

Following receipt of amendments relating to refuse/recycling details for Sherwood Court, a 14 day reconsultation was issued to residents on the 5th October 2023. 2no additional objections were received in this period and may be summarised as follows:

- Proposed dwelling situated in Drying Area, as stated in the lease grant
- Impacted parking provision
- Pollution from works
- Environmental impact
- Overdevelopment of the site

#### **.4.1 Internal Consultation**

Environmental Health - no objections subject to details being confirmed and satisfied via condition.

Highways - no objections to amended drawings subject to conditions.

Street Scene - no objection

Metropolitan Police Design Out Crime Officer - "In my opinion, the cycle store needs addressing. In its current position, it is assumed that this will not be protected behind any type of security rated gate - presumably it'll consist of a close board timber gate with one or two points of locking. I would advise that the proposed cycle store is moved to a secure shed (blue rectangle) located within the rear garden. The lockable garden gate can remain either in its proposed position or installed to the opposite side of the building, but this will

be the first secure line to help to protect the more vulnerable sides and rear of the site (against burglary) and any items within the garden. By placing a lockable garden shed with either a Sheffield stand incorporated or secure cycle anchors within, the lockable shed then provides a further line of defence and further delays an offender. This shed is also in better view by the future residents, than as currently located out of view at the side of the building."

## **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 20 July 2021 (updated 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, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

#### The Mayor's London Plan 2021

The 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 2041. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

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

#### Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02, DM07, DM08, DM17.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.



Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Barnet's 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 (2016)

- Sets out information for applicants to help them design developments which would receive favourable consideration by the Local Planning Authority. The SPD states that large areas of Barnet are characterised by relatively low-density suburban housing with an attractive mixture of terrace, semi-detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
  
- States developments 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 it states that developments should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

#### Sustainable Design and Construction SPD (adopted 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:

- Impact on the principle and character and appearance of the area;
- Impact on the amenities of neighbouring occupiers;
- Provision of suitable accommodation for future occupiers;
- Impact on Highways
- Refuse and Recycling

- Accessibility and Sustainability.

### **5.3 Assessment of proposals**

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

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.

Paragraph 6.2 of the adopted Residential Design Guide states, "Respecting local character does not necessarily mean replicating it; however, great care should be taken when incorporating contemporary design into the existing urban fabric. New and old buildings can co-exist without negatively influencing the character of the area, but new development should always sit comfortably with its neighbours". Upon assessment of the site and its characteristics, there is no issue with the use of contemporary design and materials however they have to be based on an understanding of local characteristics.

The area is characterised by residential developments and therefore a residential use would be acceptable. The existing garages in question are not used for commercial purposes but were constructed for the residents at the neighbouring flatted development at Sherwood Court. Currently, the garage space does not fall under the ownership of the residents at Sherwood Court, as confirmed by evidence submitted by the applicant.

The pattern of development on this section of the street is predominantly comprised of buildings at the front of the road, albeit of differing designs due to various alterations, and private residential gardens to the rear.

The character and appearance of the proposed dwelling is noted to replace single storey garages which would notably alter the character of this part of Torrington Grove. The proposed dwelling is noted to maintain the front building line of the neighbouring properties along Torrington Grove and would be built to the front of the site, with provision of a private garden to the rear of the property.

The application is noted to include the provision for a family house in a sustainable residential location. However, any redevelopment of the site will need to accord with both national and local planning policies, including supplementary planning guidance.

With regards to the design and layout of the development, it is considered that considerations of design and layout must be informed by the wider context, having regard not just to the immediate neighbouring buildings but the townscape and landscape of the wider locality. The local pattern of streets and spaces, building traditions, materials and ecology should all help to determine the character and identity of a development. Higher densities should not be achieved at the expense of good quality design or the amenity of the surrounding area.

It is considered that the separation maintained between the amended proposed development and the neighbouring sites is consistent with the street and would not harmfully reduce the visual separation and visibility between properties so as to result in harmful impact on character grounds. In addition, the proposed front building line is noted to be consistent with other properties on Torrington Grove with front private amenity space

fronting the public pathway and the front white render of Sherwood Court would harmonise well with the proposed materials on the proposed dwelling whilst introducing brick detailing to provide a suitable level of variation on the front façade. This is considered to be consistent with The London Plan (2021) which advocates a sympathetic blend of contextually similar and contemporary styles. As such, the proposal is considered to reflect the established character of the streetscene and wider area whilst introducing design and materials which are already seen in the wider area.

Also, the proposed development is noted to sympathetically following the building line of the neighbouring properties relative to the declining gradient exhibited at Torrington Grove. It is noted that the proposed dwelling appears approximately 0.3 metres taller than the neighbouring dwelling of No.6 Torrington Grove so it is not considered to appear overly dominant or bulky in the streetscene. Alongside this, the two-storey element of the property would be set back from the ground floor element by approximately 0.8 metres, thus setting back and acceptably mitigating the prominence of the structure to avoid appearing harmfully bulky and dominant in the area. Further to this, the proposed flat roofed element would correspond with Sherwood Court and given its relatively minimal scale would not appear conflicting within the surrounding form of development.

The proposed front landscaping is considered to introduce a soft boundary to separate public and private realms and is considered to introduce an attractive and verdant feature within the character of the streetscene and wider area. It is noted the small boundary hedges are also seen at Nos 6, 11, and 15 Torrington Grove so this element is considered appropriate.

As such, it is considered that the proposed development would be acceptable in respect of the character and appearance of the host site, street scene and wider locality and complies with the policies and expectations outlined in Policy DM01.

#### Impact on the amenities of neighbouring occupiers

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

Any development, particularly on a constrained site should ensure that the amenities of neighbouring occupiers are respected. The Residential Design Guidance 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 furthestmost rear wall of the proposed dwelling is noted to be positioned 3.4 metres from the rear boundary. Relative to Flats 3 and 4 at 134 Friern Park, the site is separated by an access road of 2.5 metres. This is noted to conflict with the above guidance. However, the first floor rear facing Bedroom 3 would benefit from a narrow window which is suitably distanced from the neighbouring residents to avoid creating a harmful sense of overlooking. Further to this, with the main body of Nos 3 and 4 being distanced 6.6 metres from the closest boundary line the neighbouring residents are not considered to experience a harmful level of enclosure or outlook that would warrant the application for refusal.

With regards to the neighbouring residents at Sherwood Court, the first-floor of the dwelling is located at a distance of 4.45m. This distance is considered to mitigate the

impact on outlook and enclosure for the existing neighbouring residents. Alongside this, no first-floor habitable side windows (which are not obscure glazed) are proposed at the property so no opportunity for overlooking is considered to take place.

With regards to No.6 Torrington Grove, the proposed dwelling would not unacceptably project beyond the neighbouring front and rear walls and the proposal would only exceed the height of No.6 by approximately 0.3 metres so would not appear harmfully dominant relative to the neighbouring residents. The proposal is noted to be distanced 0.6 metres from the adjoining boundary, but No.6 is distanced approximately 2.3 metres from the boundary which is considered acceptable to offset the impact of the overall bulk and massing of the property. Bedroom 3 would be serviced with a first-floor window on the side elevation but would be high level and obscure glazed to avoid overlooking and privacy concerns.

As such, it is considered the proposed development would result in an acceptable impact to the existing residents in the nearby surrounding area and is therefore compliant with policy DM01 of Barnet's Local Plan.

#### Provision of suitable accommodation for future occupiers;

Section 8.4 of Barnet's Local Plan SPD: residential design guidance states: "in designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to outdoor amenity space that is not overlooked from the public realm and provides reasonable level of privacy".

In addition to this, section 2.4 of the SPD for sustainable design and construction states that "the impact of development on the availability of daylight / sunlight and privacy to the occupants of existing buildings and the occupants of new development is strongly influenced by design and contributes significantly to the quality of life. The amount of daylight available in buildings enhances people's quality of life and reduces energy use. The Mayor's Housing SPG standard 5.5.2 recommends that development should preferably have direct sunlight in living areas and kitchen dining spaces and all homes should provide for direct sunlight to enter at least one habitable room for part of the day. Overheating should be considered when designing for sunlight".

#### Space standards:

The proposed development involves the creation of a single family dwellinghouse containing 3no. bedrooms.

In accordance with policy D6 of the London Plan (2021) the proposed development should be of a high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose. Housing developments are required to meet the minimum standards of the London Plan.

The proposed development provides 96.59sqm of internal floor space. With the requirement being 93sqm the proposal meets this expectation.

The proposed 1x double and 2x single bedrooms would exceed the GIA requirement and satisfy the required width as mentioned above.

#### Floor to Ceiling Height:

The London Plan 2021 states that a minimum ceiling height of 2.5 metres is required for at least 75% of the gross internal area of a dwelling. The proposed internal height from floor level to ceiling would be 2.5 metres at both ground and first floor levels, thus satisfying the above requirement.

#### Outdoor Amenity Space:

The Sustainable Design Construction SPD highlighted the importance of good quality amenity space. Section 2.31 highlights that 'outdoor amenity space is highly valued and suitable provision will help to protect and improve the living standards of residents as well as contribute to maintaining and enhancing the wider character of the borough. Residential units with insufficient garden or amenity space are unlikely to provide good living conditions for future occupiers.

Barnet's Residential Design Guidance (2016) states that a habitable room is defined as the following:

"A room within a dwelling, the primary purpose of which is for living, sleeping or dining, including kitchens where the total area is more than 13m<sup>2</sup> (including fittings), or the dining space if it is divided from the working area by a moveable partition. Rooms exceeding 20m<sup>2</sup> will be counted as two."

According to this definition, the living area (27.8sqm) is the only habitable room which exceeds the minimum floor area as stated above. As such, the proposed dwelling benefits from 5 habitable rooms. According to the outdoor amenity space standard as laid out in Table 2.3 of Barnet's Sustainable Design and Construction SPD the dwelling must provide 55m<sup>2</sup> of space. Excluding the narrow garden space to the right flank the application proposes 58.23sqm which meets the above requirement.

It is noted the Police Design Out Crime officer advised the relocation of the cycle store to the rear portion of the rear amenity space to be placed in a secure shed. This is to protect the residents from burglary from the sides and rear of the proposed property. The officer continues to state that: 'By placing a lockable garden shed with either a Sheffield stand incorporated or secure cycle anchors within, the lockable shed then provides a further line of defence and further delays an offender. This shed is also in better view by the future residents, than as currently located out of view at the side of the building.

Notwithstanding the requirement to install the cycle storage within a secure unit, the relocation of the unit to the rear garden would in this instance not be suitable as it would reduce the amount of outdoor amenity space at the site. As such, its existing location is considered appropriate. Details of the design can be secured by condition.

#### Lighting:

Barnet Councils Sustainable Design and Construction SPD under section 2.4 'Daylight, Privacy (minimum distance), Outlook and Light Pollution' highlights the need for development proposals to ensure that the availability of daylight/sunlight for new developments is adequate and contributes significantly to the quality of life of future occupiers.

Within the design principles section, the SPD highlights that all glazing to habitable rooms should normally not be less than 20% of the internal floor area of the room.

Overall, it is considered the proposed lighting would be acceptable, positively contributing to the amenity of future occupiers.

Outlook:

The London Plan Housing Supplementary Planning Guidance notes that units should demonstrate that all habitable rooms and the kitchens are provided with adequate privacy and daylight and that the orientation enhances amenity, including views. Furthermore, the Mayors Housing Supplementary Planning Guidance outlines that units must demonstrate that adequate privacy, daylight and orientation including views are adequate for habitable rooms.

The proposed outlook is considered acceptable.

Overall, the proposed development is considered to provide an acceptable standard of accommodation for the future residents.

#### Traffic, parking, cycle parking and refuse/recycling

The Highways department finds the proposed development to be acceptable, subject to conditions and informatives.

#### 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 S1 5 of the London Plan (2021) and a reduction of CO2 emissions in accordance with the requirements of Policy SI 2 of the London Plan (2021).

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

Consultation letters were sent to 84 neighbouring properties

8no objections was received. The comments may be summarised as follows:

- Overdevelopment and overcrowded nature of the plot
- The intersection of the Friern Park / Torrington Grove is already overbuilt / overpopulated
- Architectural style would harm the character of the area

The scheme has been amended to create an acceptable character impact. The flat roofed nature of the roof is noted to be similar to Sherwood Court and is considered sympathetic. Please see the main body of the report for further detail.

- Restricted parking spaces for residents at Sherwood Court
- Increased congestion

The Highways department finds the impact to be acceptable, subject to further information being submitted by condition.

- Overlooking
- Loss of privacy
- Loss of light

The impact to the neighbouring residents is considered acceptable, as addressed in the report.

- Disruption from the construction process along Friern Park
- Noise pollution

This is not a material consideration to be assessed under this planning application.

- Detrimental impact on the environment.
- A tree has been removed near the boundary with No.6 Torrington Grove. Evidence of this tree is available on Google Street View
- Incorrect information in the submitted document
- Loss of trees

The LPA acknowledges this and notes that this was completed prior to the submission of the application. Landscaping improvement measures are a condition of the approval of the scheme.

- Need to reposition existing bins

Sherwood Court is noted to benefit from sufficient space to accommodate for the existing bins.

- Proposal conflicts with lease agreement for residents at Sherwood Court

The LPA acknowledges this. However, details relating to the new ownership of the site in question was submitted and there is no planning reason to withhold consent in relation to land ownership issues.

Following receipt of amendments, a 14 day reconsultation was issued to residents on the 16th May. 4no additional objections were received in this period and may be summarised as follows:

- Amended drawings fail to address concerns of residents, namely relating to the conflicting nature of the existing residents leases and the proposed use of the site.
- Loss of outdoor amenity space.

The LPA acknowledges this concern. However, details relating to the new ownership of the site in question was submitted and there is no planning reason to withhold consent in relation to land ownership issues.

- No relocation for the bins that serve Sherwood Court

Sufficient space is noted to be available on site to accommodate for the bins as shown in amended plans.

- Proposed extension of existing crossover reduces on-street parking capacity
- Increased parking pressure

The Highways department finds the scheme to be acceptable.

- Air pollution

Environmental Health have raised no objections to the application subject to further information being submitted by way of condition.

## **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 proposed development is acceptable and is hereby APPROVED, subject to conditions.

