

RECOMMENDATION II:

That upon completion of the agreement specified in Recommendation I, the Service Director for Planning and Building Control approve the planning application subject to the following conditions and any changes to the wording of the conditions considered necessary by the Service Director for Planning and Building Control:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing Block and Location Plan 0157_EX_000
Existing Ground Floor Plan 0157_EX_001
Existing Roof Plan 0157_EX_002
Existing Elevations 0157_EX_003 Rev 2

Proposed Ground Floor Plan 0157_PL_001 Rev 1
Proposed First Floor Plan 0157_PL_002 Rev 1
Proposed Roof Plan 0157_PL_003 Rev 1
Proposed Elevations 0157_PL_004 Rev 1
Proposed Landscape Plan 0157_PL_006 Rev 1

Swept Path Analysis 23398-MA-XX-XX-DR-C-7000 P01
Bat Scoping Survey Report (Avondale Ecology, November 2023)
Energy & Sustainability Statement (Pro Sustainability Ltd)
Design and Access Statement Nov 2023
Planning Statement Dec 2023

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 a) No development 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.

- 4 The flat roof of the development 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 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 Prior to occupation of the development, 3 long-stay cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the storing of cycles associated with the development. Cycle storage is provided in the rear garden of each dwelling and this is acceptable. Details of cycle parking including elevations of the cycle store shall be submitted to and approved in writing by the local planning authority.

Reason

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

- 7 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 Refuse and Recycling Collection Strategy, which includes details of the collection arrangements and whether or not refuse and recycling collections would be carried out by the Council or an alternative service provider, 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.

- 8 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages shown on Drawing No 0157_PL_001 Rev 1 Proposed Ground Floor Plan shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and London Plan 2021.

9 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.

10 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 Planning 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 Planning 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.

Reason

To ensure that the road is maintained in a suitable condition in order to minimise danger, obstruction and inconvenience to users of the highway.

11 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 D7 and H2 of the March 2021 London Plan and the 2016 Mayors Housing SPG.

12 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).

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

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies SI2 of the London Plan (2021) and the 2016 Mayors Housing SPG.

- 14 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

Reason: In the interest of good air quality in accordance with Policy DM04 of the Barnet Local Plan Development Management Policies (2012) and Policy SI1 of the London Plan 2021.

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of

Classes' A, B, C, D or E of Part 1 of Schedule 2 of that Order shall be carried out within the curtilage of the dwelling hereby approved.

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

- 16 Before works commence on site, a contaminated land method statement for the demolition and excavation shall be agreed in advance with a suitably qualified contaminated land consultant to ensure all risks of land contamination are dealt with. This method statement shall be implemented in its entirety through excavation works.

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) and Policy SD1 of the London Plan 2021.

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

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

- 18 The level of noise emitted from the heat pump plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and D14 of the London Plan 2021.

- 19 a) No development other than demolition works shall commence on site in connection with the development hereby approved until a report has been carried out by a competent acoustic consultant that assesses the likely noise impacts from

the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels, and has been submitted to and approved in writing 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.

b) The measures approved under this condition shall be implemented in their entirety prior to the commencement of the use/first occupation of the development and retained as such thereafter.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2016) and Policies D13 and D14 of the London Plan 2021.

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

- 21 Prior to occupancy the details the specification, location, including height, orientation, of the recommended ecological enhancement features including 2 x purpose built integrated bat roost boxes (within the newly constructed dwellings), 2 x sparrow terrace, 2 x hedgehog home, and 2 x insect hotel shall be submitted and approved by the local planning authority.

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

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

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

- 22 a) Prior to carrying out works above slab level, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that the hereby approved development can achieve full Secured by Design' Accreditation.
- b) Prior to the first occupation of the development a 'Secured by Design' accreditation shall be obtained for the development.

The development shall only be carried out in accordance with the approved details.

Reason: To protect the amenity of the area in accordance with Policies DM01 and DM04 of the Barnet Development Management Policies (adopted) September 2012, and Policy D11 of the London Plan 2021.

- 23 Prior to occupation details of the location of at least 3 x hedgehog highways (13cm x 13cm gaps) at the base of the boundary fencing are to be submitted and approved by the local planning authority. The approved hedgehog links must be installed in the base of the boundary fencing to ensure continued access for commuting hedgehogs through the garden.

Reason: To ensure the continued habitat connectivity for hedgehogs, common toads and wildlife in general through residential gardens.

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.

- 24 Prior to the commencement of works, a detailed Precautionary Working Method Statement for Reptile, nesting birds, and mammals (hedgehog and foxes) is required to be submitted and approved by the Local Planning Authority.

The document will need to outline the potential risk of encountering the species present, the required work methods including ecological supervision of vegetation clearance and refuge pile removal by an Ecological Clerk-of-Work, and what to do in the event that any of these species are encountered during the hereafter approved works.

Once approved by the LPA the development must be undertaken in accordance with the actions outlined within the thereafter approved document.

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.

- 25 a) Prior to the first occupation of the hereby approved development, details of the proposed green roof have been submitted to and approved in writing by the Local Planning Authority.
- b) The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and G5 and G6 of the London Plan 2021.

- 26 If the demolition hereby approved does not commence by September 2024 from the date of planning consent, the building shall be subject to a Material Changes Check if no updated bat emergence survey has been undertaken during this period.

The review shall be informed by the Material Changes Checks to:

- i) establish if there have been any changes in the suitability of the building to support roosting bats
and
ii) identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved bat mitigation measures within the Bat Scoping Survey Report (Avondale Ecology, November 2023) will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the submission of the Bat Class Mitigation Licence (BCML). Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To provide the Local Planning Authority with confirmation that the works will be undertaken legally under a Natural England licence. Pursuant to Section 41 and Regulation 53 of The Conservation of Habitats and Species Regulation 2017 and Section 9 of the Wildlife and Countryside Act 1981 (as amended).

- 27 Before the building hereby permitted is first occupied the proposed window(s) in the _rear_ elevation facing _no's 43 and 44 Jackson Road_ 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).

RECOMMENDATION III:

0 RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 01/09/2024, unless otherwise agreed in writing, the Service Director for Planning and Building Control REFUSE the application under delegated powers for the following reason(s):

The proposed development does not include a formal undertaking to secure a satisfactory refuse collection strategy, failing 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 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 There is a risk that nesting birds maybe negatively impact by the proposed clearance works should the works commence during the active nesting bird season. Nesting birds and their active birds' nests are protected from damage of disturbance under the Wildlife and Countryside Act 1981, as amended (section 1). Generally, trees, buildings and scrub may contain nesting birds between 1st March and 31st August inclusive. It is considered that nesting birds are likely to be present between the above dates. You are advised to seek the advice of a competent ecologist prior to undertaking any works which could affect nesting birds during the period outlined above.

- 5 Soft landscaping should be designed where feasible with areas of planting consisting of 70/30 native grass to flowering plants to provide high quality habitat for pollinating insects including bees, butterflies. An example of a potential species rich meadow seeding mix includes Boston Seed Dual Purposed Wildflower Meadow Seed Mix BSXM 70/30 and for the amenity lawn Emorsate Seed Strong Lawn Grass Mixture EG22. Any proposed tree and shrub planting should incorporate native species rich plantings and consist of native berry producing shrub species such as hawthorn, blackthorn, spindle, field maple, hazel, and hornbeam. A best practice approach would be to apply a formula to develop a diverse tree/hedge population - no more than 10% of any species, 20% of any genus or 30% of any family. These species will provide ideal foraging and sheltering habitats for a variety of species including nesting birds, invertebrates, and foraging mammals. A purpose-built wildlife friendly pond is recommended to be created for the benefit of amphibians. Such a pond should ideally be shallow along the margins, planted with a variety of wetland emergent and submerged plant species and free of fish to encourage the presence of a diverse array of invertebrates and amphibians. For further details on the construction of wildlife ponds refer to Wildlife ponds / RHS Gardening website. Night scented plants should also be incorporated into a detailed planting schedule where feasible. An extensive list of suitable plant species can be found on the RHS advice page <https://www.rhs.org.uk/advice/pdfs/plants-for-bats.pdf>. The provision of bat friendly planting is in

Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy G6 of the London Plan

6 A Planning Obligation under Section 106 of the Town & Country Planning Act 1990 (as amended) relates to this permission.

7 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 stockpiling 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.

The developer is informed that hoarding, scaffolding, crane and skips on or abutting the public highway

require a license. 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.

- 8 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.

- 9 The applicant is advised to engage a qualified acoustic consultant to advise on the scheme, including the specifications of any materials, construction, fittings and equipment necessary to achieve satisfactory internal noise levels in this location.

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve.

The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements.

The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels

and impacts that comply with the following standards, where appropriate:

- 1) BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- 2) BS 4142:2014 - Method for rating industrial noise affecting mixed residential and industrial areas;
- 3) BS 8223: 2014 - Guidance on sound insulation and noise reduction for buildings: code of practice;
- 4) Department of Transport: Calculation of road traffic noise (1988);
- 5) Department of Transport: Calculation of railway noise (1995);
- 6) National Planning Policy Framework (2012)/ National Planning Policy Guidance (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 site relates to a back land parcel of land that sits between the rear of Cranbrook Road (to the south and west), Jackson Road (to the north) and Churchmead Close (to the east). The land is accessed via an access road and right of way that links with Churchmead Close.

Properties on Cranbrook and Jackson Road primarily comprise tight residential two storey semi-detached and terraced dwellinghouses. Churchmead Close is a later development of houses grouped in three blocks.

The applicant site is currently occupied by a number of outbuildings/garage style structures and used for storage and has total area of c230sqm.

Levels rise slightly from south to north which results in the properties of Jackson Road sitting slightly higher than the applicant site.

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

The application site has a PTAL of 2 and is located in flood risk zone 1 (low risk).

A site visit was undertaken on the 9th of January 2024.

2. Site History

Reference: 22/3194/191

Address: Land To The Rear Of 35-51 Cranbrook Road

Decision: Lawful

Decision Date: 16.08.2022

Description: Use of site as Class B8 (Storage)

Reference: 22/3194/191

Address: Land Rear Of 43 Cranbrook Road East Barnet

Decision: Approved subject to conditions

Decision Date: 24.10.1973

Description: 7 garages and access road.

3. Proposal

This application seeks permission for the demolition of the existing buildings on site and the construction of a pair of semi-detached two storey dwellinghouses with green roofs.

The proposed dwellings would be 1 bedroom 2 person houses. The proposed development would measure a depth of c9.3m and a width at the rear of c11.3m. The building would be positioned towards the front of the site, adjacent to the access road, with a setback of c1m from the side boundaries at ground floor and a larger setback at first floor.

The development would have a flat green roof. As measured on the front elevation the ground floor flat roof would have a height of c3.6m and the first floor a height of c6.1m.

As shown on the existing section drawings the applicant site sits approximately 0.85m below the level of the gardens of Jackson Road, and a minor drop below the level of gardens of Cranbrook Road. The ground levels of the site would be lowered slightly in the proposed scheme, so that the proposed scheme sits c0.6m below the garden level of Cranbrook Road, and c1.4m below the garden level of Jackson Road.

Cycle storage, refuse storage, c40sqm of rear garden amenity space and 1no parking space is provided for each unit.

4. Public Consultation

Consultation letters were sent to 64 neighbouring properties.

A site notice was posted outside the site on the 14th of December 2023.

9 response was received, comprising 9 objections.

These comments have been summarised below:

- Changing the use of the site from commercial to residential would mean a loss of local employment.
- Emergency vehicle access issue to the new buildings.
- Access Road inappropriate to support such development.
- Infringement on privacy/ownership to have more vehicles coming up the access road. Changes nature of access road to a more public busier road.
- Detrimental to the owners of the right of way. The land would be used for the proposed cars to turn around on which is an infringement of ownership.
- The development would encroach on neighbouring land.
- Impact on privacy of neighbouring houses and gardens.
- Loss of light to neighbouring gardens.
- Additional noise and disturbance from this site.
- Overlooking multiple neighbouring gardens.
- Visual impact from neighbouring properties.
- Out of keeping with local context and distinctive local character.

- Oversupply of 1 bed units.
- The site is landlocked with no access for bringing in vital services.

Internal Consultees:

Highways, Environmental Health, Ecology, Waste & Recycling, London Fire Brigade and Met Police (Secure by Design) have been consulted throughout the lifetime of the application and their comments have been incorporated in the report below.

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 updated on 19th December 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 new London Plan which sets out the mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd of March 2021 and supersedes the previous Plan.

Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS14.
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM14,

DM16, DM17

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Barnet's New Local Plan (Reg 24)

Barnet's Draft Local Plan - Reg 24: The Reg 22 version of the draft new Local Plan was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission, the Local Plan underwent an Examination in Public (Reg 24). The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites.

As part of this stage (Reg 24), the Inspector in his Interim Findings and Next Steps letter of August 17th has set out how the Council can through making Main Modifications to the Local Plan address issues of legal compliance and deficiencies in soundness. These interim findings are a clear indication of what the Local Plan and the policies and site proposals within will look like at adoption, subject to making the Inspector's suggested Main Modifications. Whilst the Council moves forward to formal consultation on the Main Modifications (expected to commence in January 2024) the Interim Findings and Next Steps letter of August 17th shall be considered, in the interim, a relevant material consideration in the Council's decision making on planning applications.

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 the development in this location
- ii. The impact on the appearance and character of the area
- iii. The impact on the amenities of neighbouring occupiers
- iv. Whether the proposal provides satisfactory living accommodation for future occupiers
- v. Parking and highways

- vi. Refuse and recycling storage
- vii. Other material considerations

5.3 Assessment of proposals

The principle of development

The existing garages on site were approved under planning application N03786, in 1978. Condition 2 of this permission confirms that these garages were to be used for private vehicles and to remain as such. It is noted that a recent Lawful Development Certificate application, ref: 22/3194/191, in August 2022, confirmed the existing lawful use class of the site to be B8 General Storage.

Regard must therefore be had to Policy DM14 which effectively discourages the loss of existing B use class space, unless it can be demonstrated to the council's satisfaction that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of effective marketing has been undertaken.

In assessing the loss of these garages, it is prudent to consider however the planning history of the site, where these garages were not intended to be used in this way and were conditioned against it, and only became established itself as a B8 use class by virtue of time. Having regard to the landlocked nature of the site, with narrow access, and surrounded by residential properties, officers do not consider that this site is in any event appropriate for general storage and employment use. As such, on the balance of matters it is considered that the loss of these garages/outbuildings would be acceptable in principle.

In regard to the proposed use for the land, the NPPF states that: Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.

The NPPF Dec 2023, paragraph 124 states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

Policy H2 ("Small sites") stipulates that LPA's should pro-actively support well-designed new homes on small sites and "recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites".

Policy D6 of the London Plan (2021) states the density of a development should result from a design-led approach to determine the capacity of the site. This should consider site context, its connectivity and accessibility by walking and cycling, existing and planned public transport (including PTAL) and the capacity of surrounding infrastructure. Policy D6 stipulates that the proposed residential development that does not demonstrably optimise the housing density of the site in accordance with this policy should be refused.

The London Plan and Barnet Local Plan documents also recognise the need to increase housing supply. Policies CS1 and CS3 of the Barnet Core Strategy expect developments

proposing new housing to protect and enhance the character and quality of the area and to optimise housing density to reflect local context, public transport accessibility and the provision of social infrastructure.

Considering the surrounding residential context of the site, and that the loss of these storage units would not be objectionable, the LPA would in principle support the introduction of new dwellings on this site. The site would also make a contribution toward the housing need in the Borough and would make the most efficient use of the land, in accordance the London Plan and Local Plan policy.

As less than 10 units are being proposed, the development would not be required to make an affordable housing contribution.

Impact on the appearance and character of the area

The National Planning Policy Framework and the Development Plan encourages and supports the development of new housing where this is not constrained by the safeguards afforded to the green belt and open space and heritage assets and where the development preserves and complements the Borough's high-quality suburbs. The local planning authority should support development which would constitute sustainable development in the context of the NPPF.

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" (Section 12 Achieving well-designed and beautiful places, paragraph 131).

It stresses the need to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings and smaller developments. While it states that local authorities should not impose architectural styles or particular tastes, it reinforces that it is also important to consider local character and distinctiveness.

The Borough has an attractive and high-quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type and size of dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the site context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), D1 and D4 (both of the London Plan 2021). Policy DM01 states that development proposals should have due regard for the character and pattern of in the local area and respect the appearance, scale, mass height and pattern of surrounding buildings, spaces and streets.

Paragraph 6.6 of the Councils Residential Design Guidance (2016) SPD states, "the design and layout of new development should be informed by the local pattern of development. The continuity of building lines, forecourt depths, road layout, space about the building and rear garden areas are all likely to be significant factors when redeveloping

sites within existing residential areas, or at the interface of larger development sites and existing housing". The SPD recommends that all developments should protect and enhance the gardens at residential properties as the spaciousness of gardens makes an important contribution to Barnet's distinctiveness.

Paragraph 6.12 states that, "Proposals for new residential development should respond to the distinctive local building forms and patterns of development and respect the scale, massing and height of the surrounding physical context." Paragraph 6.13 goes on to state that, "New development should recognise the scale, massing and roof form of surrounding buildings and reflect these where they are a positive attribute of the area's character. Consideration should be given to the grouping of buildings, roof pitches, the detailing of eaves and gables, chimney stacks and the size/siting of any dormer windows. New development should reflect the existing building lines and rhythm of the street." It further states that, "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."

In review of the proposal, officers are satisfied that the scale, bulk and massing of the proposed development has been carefully considered and responds well to the constraints of this back land infill scheme. The massing of the development has been focused on the front of the site, away from neighbouring boundaries and fronting the access road. It is noted as well that the proposed scheme actually consolidates the massing of development on site, with a 15% reduction in footprint as compared to the 5 or so outbuildings in situ.

The pair of semi-detached dwellings would each benefit from a plot size of c7.3m which is broadly comparable to plot widths found within the surrounding streets.

The height of the proposed dwellings has been kept as low as possible, and the site itself will be lowered 0.5m to further mitigate the impact of the scheme.

A detailed soft landscaping scheme is proposed, including green roofs and raised planter beds on the first floor, which further softens the impact of the development.

Owing to the infill back land nature of the site, there is a certain degree of flexibility and opportunity with the design and appearance of the proposed development. A flat roof has been proposed which is considered to be acceptable; this will keep the height to a minimum whilst also reflecting and mimicking the style of outbuildings commonly found at the rear of sites.

With regards to the materiality and appearance, the applicant is proposing a contemporary approach, whilst reflecting the variety and dual tone found in pairs of semi-detached buildings in the area. A mix of brick and render materials are proposed, in varying hues and tones. With the opportunity provided by a standalone backland development site, officers consider that the scheme provides a development of visually attractive design and architectural interest. The success of the scheme will depend in a large part on the exact materials employed, and a condition will be attached requiring submission of such details prior to commencement of development.

As such, it is found that the established character and appearance of the existing dwelling would not be affected, should this proposal receive approval; therefore, in this regard, it is in compliance with Policy DM01, of Barnet's Development Management Policies DPD.

The impact on the amenities of neighbouring occupiers

Section 12 of the National Planning Policy Framework (2021) sets out guidance for 'achieving well-designed places'. Paragraph 130 of the Framework states that planning policies and decision should ensure that development "...create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users..." (part f).

Policy D3 of the 2021 London Plan seeks to deliver appropriate outlook, privacy and amenity through a design led approach.

Policy CS5 of the LB Barnet; Local Plan (Core Strategy) DPD (2012) and Policy DM04 of the LB Barnet; Local Plan (Development Management Policies) DPD (2012) seek to protect and enhance Barnet's character and identify the environmental considerations for development. Policy DM01 of Barnet's Development Management Policies Document DPD (2012) 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. The Residential Design Guidance SPD states that proposals should be designed to ensure the provision of sufficient privacy, minimisation of overlooking between surrounding dwellings and orientation of buildings to maximise sunlight and daylight. With regard to this application, the key concern is whether the proposal would result in any degree of overlooking to neighbouring sites and if overshadowing, loss of outlook and loss of light would occur as a result of the development.

Owing to the landlocked context of the site, significant regard must be had as to any potential harmful neighbouring amenity impact to the occupiers of dwellings on Jackson Road, Cranbrook Road and Churchmead Close.

Overbearing Impact/Loss of Light/Outlook:

As existing the site has a number of single storey structures that sit alongside the rear garden boundaries of neighbouring properties on Cranbrook and Jackson Road.

The proposed development has been carefully designed to reduce the bulk and massing alongside the boundaries that may be harmful to neighbouring occupiers.

From the side boundary with Churchmead Close the ground floor flank wall has been set off by 1m, and the first floor 2.5m. From the rear garden boundaries alongside Cranbrook Road, the ground floor has been set back 1m and the first floor set back ranging from 2.7-2.9m.

From the rear boundary with Jackson Road the ground floor is set back c7m and the first floor c8.5m.

The facing first floor windows of Cranbrook Road measure c27-30m from the first floor of the proposed development, the first floor windows of Jackson Road c25m, and the facing flank elevations of blocks on Churchmead Close have blank gable ends with no fenestration directly overlooking the site. Moreover, the level changes across the site, in comparison to Jackson Road, which sits approximately 1.4m higher than the applicant site, would minimise the impact of this development as viewed from Jackson Road, so that it is read more as a one and half storey building than a two storey.

It is also noted that a number of the rear gardens of neighbouring properties, abutting the site, benefit from outbuildings, reducing the impact of the development and increasing the

separation between the private amenity space and the site.

The scheme features numerous soft landscaping features, including green roofs and a raised planting bed at first floor, facing Cranbrook Gardens, which further screens the site and softens its appearance.

Whilst it is inevitable that the first floor of this development would be perceived by neighbouring occupiers, given the distances of the proposed building lines from the neighbouring boundaries, distances from the facing rear elevation windows of neighbouring properties, as well as having regard to the presence of numerous outbuildings in situ, level changes at the site and the proposed soft landscaping screening, officers are satisfied that the proposed development would not give rise to undue loss of light to neighbouring gardens and rear windows, loss of outlook from neighbouring windows, nor a general sense of overbearing impact to such a degree that would warrant refusal.

Overlooking/Loss of Privacy:

Barnet's Residential Design Guidance SPD (2016) and Sustainable Design and Construction SPD (2016) sets out guidance in respect of minimum distances to maintain privacy, Table 2.4 of the latter SPD states 'in new residential development there should be a minimum distance of 21 m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 m to a neighbouring garden'.

The proposed development does not include any windows on the side elevations facing Churchmead Close or Cranbrook Road. The proposed ground floor front and rear fenestration is not considered to give rise to any harmful overlooking or loss of privacy.

With regards to the first floor, the rear elevation fenestration is at a distance of c24m from the facing first floor level windows of properties on Jackson Road. Moreover, owing to the fact that the distances from the first-floor windows to the rear garden boundary of Jackson Road falls slightly short of the required 10.5m, these windows, which only serve a study, will be conditioned to be obscure glazed and non-openable up to a height of 1.7m. The front elevation windows will look out over the access road and not directly overlook any neighbouring windows.

With regard to general noise and disturbance as a result of the intensification of use of the site officers do not consider the level of activity and comings and goings, as a result of two 1bed 2 person dwellings would be materially worse than the existing use of the site and potential for activity, such that would warrant refusal.

Concerns have been raised by neighbouring occupiers in relation to the ownership and use of the access road. The applicant has subsequently submitted title deeds and evidence confirming that they have ownership of the site as outlined in red on the site location plan, and benefit from a right of way over the access road. The use of this right of way by occupiers of a residential development would be no different from the existing use of the right of way for the applicant to drive vehicles to the garages.

In assessment, officers are satisfied that the development is not considered to prejudice the residential amenities of neighbouring properties in terms of loss of light, outlook and privacy, therefore, in this regard, it is in compliance with Policy DM01 of Barnet's Development Management Policies DPD.

Whether the proposal provides a satisfactory living environment for future occupiers

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. All development proposals are expected to provide an adequate level of amenity for future occupiers, in accordance with the standards set out in the London Plan 2021, Sustainable Design and Construction SPD and Policy DM02.

The proposed dwellings would have a GIA of 58sqm and 60.78sqm respectively. Each house would have one double person bedroom at first floor, and a second smaller box room which is not considered to be a habitable bedroom, as they would fall under the minimum 7.5sqm floor area for a single person bedroom. These rooms are marked as a Study, and their rear windows are obscure glazed up to 1.7m.

Officers are satisfied that the proposed dwellings comply with the relevant minimum GIA standards and bedrooms sizes.

Internal Ceiling Height:

The London Plan 2021 stipulates a minimum internal ceiling height of 2.5m for at least 75% of the GIA needs to be provided to address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development.

The section drawings submitted demonstrate that the dwelling would comply with this requirement.

Glazing, Light & Outlook:

The London Plan 2021 Policy D3 Optimising site capacity through the design-led approach, section D5 states that development proposals should deliver appropriate outlook, privacy and amenity.

Policy DM01: Protecting Barnet's character and amenity, of Development Management Policies 2012, part e. Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

The Residential Design Guidance SPD (2016) section 7.5 states that all habitable rooms should contain at least one main window with an adequate outlook where nearby walls or buildings do not appear overbearing or unduly dominant. Section 7.8 states that providing good daylight to the home not only contributes to a more pleasant living environment, but also has the potential to reduce energy requirements for lighting and heating. Section 7.9 states that new development should be sited and designed to maximise daylight and sunlight as far as possible. North facing single aspect units are normally unacceptable.

Table 2.4 of the Sustainable Design and Construction SPD (2016) states that in all new development bedrooms and living rooms /kitchens should have a reasonable outlook with clear glazed windows. Table 2.4 also states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room and that bedrooms and living rooms / kitchens should have a reasonable outlook with clear glazed windows.

Both dwellings would be dual aspect, and provide a suitable degree of glazing, light and outlook to all habitable rooms and potential future occupiers.

Amenity Space:

One dwelling would benefit from a private rear garden amenity space of c40sqm. This would comply with the requirements of Table 2.3 of the Sustainable Design and Construction SPD (2016) for a house of up to four habitable rooms. The other would have a rear garden amenity space of c38.5sqm, which is a minor under provision, and a separate bin/cycle store of c2.7sqm. This under provision is considered to be de minimis and acceptable in this context.

Overall, officers are satisfied that the proposed dwellings would provide suitable degree of quality accommodation for future occupiers, in accordance with the relevant standards.

Highways and Parking

Policy CS9 of the Barnet Core Strategy identifies that the Council will seek to ensure more efficient use of the local road network and more environmentally friendly transport networks, require that development is matched to capacity and promote the delivery of appropriate transport infrastructure. Policy DM17 of the Barnet Development Management Plan document sets out the parking standards that the Council will apply when assessing new developments.

Highway officer has been consulted and his comments are as below:

The site is landlocked and accessed via Churchmead Close. The site has a PTAL rating of 2 (below average). However, 2 bus routes (307 & 184) can be accessed from stops within 4 -7 minutes walking distance from the site. Oakley Park rail station is about 11 minutes walking distance from the site. The site is not in a CPZ and there are no waiting restrictions near the site.

The site lies within a PTAL 2 zone, which means that there is low public transport accessibility to and from the site. For the proposed development, (2x1bed) a maximum of 0-2 spaces is needed. Based on the PTAL of 2, the provision of 2 spaces would be acceptable. Two parking spaces are proposed which is acceptable. Also, there appears to be sufficient forecourt space for vehicles to enter and exit the site in forward gear.

Each of the proposed dwellings would be provided with a parking space, contained within the site. A swept path analysis has also been submitted which demonstrates that there is sufficient space for vehicles to enter and exit in forward gear.

Highways thus raise no objections to the proposal subject to the attached conditions.

Refuse and recycling storage

Refuse storage is proposed in a dedicated bin store at the rear of each garden.

Given that the site is located almost 100m down an access road from the nearest public highway (Churchmead Close), the applicant has proposed that refuse and recycling will be brought to the public highway on collection day by a private contractor.

Generally, it would be expected that refuse collection and arrangements would be managed by the local authority. Owing to the constraints of the site however, and in consultation with the council's waste team and legal advisors, the proposed private contractor arrangements would be considered acceptable in this instance subject to the applicant entering into a legal agreement requiring a) a private contractor is hired to collect the waste in perpetuity and b) the council will be indemnified from any future legal

challenge vis-à-vis future occupiers not receiving full services from the council for their council tax.

Cycle Storage

The proposed development will need to provide 1.5 long-stay cycle parking spaces for each dwelling, in accordance with the London Plan Cycle Parking Standards.

A cycle store is provided at the rear of each garden which is considered to be acceptable in principle.

Should the application be approved, a condition would be recommended to secure its provision in accordance with the relevant London Plan standards.

Other Material Considerations

Ecology and Biodiversity

No objections to the application on ecological ground. The application is recommended for approval subject to conditions and informatives.

Ecology

- o No objections to the findings and recommendation Bat Scoping Survey Report (Avondale Ecology, November 2023) as none of the five buildings on site were found to potential roost features and were determined as have negligible suitability for roosting bat. If planning permission is granted and the demolition of the buildings does not take place by May 2024 then an updated material change check would need to be secured by means of planning condition. Further bat survey would be required in the event that the condition of the buildings is revealed to have deteriorated and thereby become suitable to support roosting bats.

- o The access route to the site is stated as possessing "densely vegetated in places and comprises scattered garages/storage units interspersed with scrub and ruderal vegetation including hazel *Corylus avellana*, bramble *Rubus fruticosus*, common nettle *Urtica dioica*, cleavers *Galium aparine*, pendulous sedge *Carex pendula*, tree mallow *Lavatera arborea*, elder *Sambucus nigra* and dogwood *Cornus sanguinea*. There are piles of debris/rubble. These habitats may support nesting birds, hedgehog *Erinaceus europaeus* and potentially reptile species (if present in the area) such as slow worm *Anguis fragilis*." A Precautionary Working Method Statement will need to be conditioned subject to planning approval to outlining the precautionary vegetation clearance and supervised removal of the refuge and log pile to remove the risk of injury or disturbance of nesting bird, reptile and hedgehog.

- o The clearance of areas of dense scrub, trees, or hedges to enable the access onto the consented construction area must be undertaken ideally outside of the active nesting bird season (March to August inclusive) or alternatively following the completion of nesting bird check by a suitably qualified ecologist to ensure that nesting birds and their active eggs will not be damaged or disturbed by vegetation clearance.

- o Ecological enhancement features recommended within the Bat Scoping Survey Report (Avondale Ecology, November 2023) will be secured by means of planning conditions subject to planning approval.

Biodiversity Net Gain

- Not applicable as mandatory Biodiversity Net Gain of 10% for minor developments as per Section 90 of the Town and Countryside Planning Act (inserted as S.90A and Schedule 7a Biodiversity Gain in England) as enacted by Schedule 14 of the Environment Act 2021 will not be enacted until April 2023.

Soft landscaping

- o The LPA recommended the proposed soft landscaping of the rear gardens of the properties be expanded beyond 22 m² and 25 m² incorporate areas of mixed (30/70) native grass and flowering plants as such to provide high value to pollinating insects including bees, butterflies. E.g. Boston Seed Dual Purposed Wildflower Meadow Seed Mix BSXM 70/30 and for amenity lawns Emorsate Seed Strong Lawn Grass Mixture EG22.
- o The LPA also advises tree and shrub planting of high biodiversity value and native providence for the benefit of wildlife. These species should be native and berry/nut producing species such as hazel, oak, cherry, blackthorn and hawthorn.
- o Planting of night scented plants should also be included 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>.

Green roof

- The LPA welcomes the inclusion of a 41.5 m² and 45.7 m² green roof as part of the Proposed Roof Plan (Hyde-P-109, Peter Barber Architect, October 2023).
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- o The LPA recommended that the proposed green roofs be designed and installed in line with Buglife's Creating Green Roofs for Invertebrates A best practice guide (Gedge et al. 2019). The inclusion of equal ratio of composite flower such as ox-eye daisy (*Leucanthemum vulgare*), hawkbit (*Leontodon* sp.) and yarrow (*Achillea millefolium*) benefit pollinating fly and beetle species while tube shaped flowers such as viper's bugloss (*Echium vulgare*), white dead nettle (*Lamium album*) and birds foot trefoil (*Lotus corniculatus*) would benefit bumblebees, butterflies and moths.

Secure by Design

The Met Police Designing out Crime team were consulted throughout the lifetime of the application and commented as follows. As per their advice, a condition will be attached requiring the development to achieve SBD prior to occupation.

The site is located within the local ward of East Barnet and relevant crime statistics from the past 12 months (Dec 2022 - Nov 2023) from www.police.uk includes recorded 'violence and sexual offences' (335 - figure does not separate domestic-related assaults); reported anti-social behaviour (ASB) incidents (248); recorded 'vehicle crime' (205); recorded 'criminal damage' and 'arson' (87) and recorded 'burglary' (74) amongst other recorded offences. In respect of this and ASB, crime and disorder issues across the borough of Barnet, it is important that safety and security measures are 'designed in' to help to address these levels and types of crime. The 'Secured by Design' (SBD) scheme with police preferred security measures is specifically designed to help to protect against issues such as these.

From reviewing the planning submission, I can make the following comments and recommendations:

- Although this is a small site (two dwellings), there is no obvious reference to

security within the applicant's submitted documents. It is located in a more isolated location, at the end of a cul-de-sac, accessed via a narrow lane (Churchmead Close) from Church Hill Road (with its increased levels of activity and surveillance), therefore it is essential that sufficient safety and security measures are incorporated at design and construction stage. Its isolated location can allow a person to enter the site unrestricted and with assumed little other legitimate activity and overlooking (natural surveillance) in this specific area, there will be a clear need to incorporate sufficient and robust physical security measures. Recommendations regarding this can be made as a part of the Secured by Design process that includes free and impartial advice specifically aimed at crime prevention measures for the site.

- The design includes car ports. It is important that ease of access to these vehicles is restricted for residents use only, as vehicles parked here could become repeat targets for thieves or otherwise due to the isolated nature of this site. The applicant proposes some form of visually permeable shutter for these. One of the principles of crime prevention is to 'remove the target' ie. if a perpetrator cannot see what the potential pay-off is (eg. vehicle, contents within vehicle such as laptop/satnav etc) then do they risk detection by forcing entry for potentially no pay-off. On this basis and to help protect against crime, I would recommend that the applicant incorporates non-visually permeable (solid) garage shutters or doors, certificated to either LPS 1175 Issue 8:A1, STS 202 BR1 or PAS24:2022.

- There does not appear to be a secure side boundary to protect the more vulnerable sides and rear of each property. These areas of a property are more often than not targeted by burglars due to the increased levels of concealment and reduced levels of legitimate activity and natural surveillance in these areas. It is recommended that secure and lockable side gates of at least 1.8m height are incorporated as close to the front of the building line as possible. This will help to remove the currently unrestricted access to the side and rear of both properties.

- The cycle stores are located in each rear garden. The current unrestricted access into the rear garden and unknown type and status of other neighbouring boundaries (outside of applicant's control) make these stores more vulnerable to potential crime (cycle theft). Therefore I would recommend that any cycle stores for these dwellings are fully enclosed and security rated to 'Sold Secure' ratings (eg. Silver, Gold etc).

- Secured by Design guidance for residential dwellings ('Homes 2023' guide) includes some further recommendations to help to protect against ASB, crime and disorder. For instance, the incorporation of PAS24:2022 doors and windows that are defined as 'easily accessible', as per the definition of Approved Document Q. Any glazing in these areas should also include a protective laminate that can meet (or exceed) BS EN 356:2000 P1A. Further free guidance from an MPS Designing Out Crime Officer (DOCO) as a part of the SBD process is available to the applicant/LPA etc accordingly.

- It is recommended that each dwelling incorporates an intruder detection alarm that contains contacts on the relevant doors/windows that activates the intruder detection system if forced/attacked. A video doorbell for each property is also recommended.

The above recommendations help to form a part of Secured by Design guidance and proven crime prevention methods, and these can help to protect a site and its occupants from crime and disorder.

Should any planning permission be granted for this proposal then I would recommend that

its approval contains a relevant formal planning condition 'whereby the development must achieve Secured by Design (SBD) accreditation, prior to occupation'.

A full breakdown of the required recommendations for the development to meet SBD accreditation can be provided to the applicant/LPA etc via ongoing consultation with an MPS DOCO and reference to www.securedbydesign.com (design guides), whereby this consultation would remain free of charge throughout.

These comments do not constitute full or final SBD consultation for the applicant. It is important that where applicable, SBD consultation with a police DOCO is sought by the agent/developer at each stage of the design, building and construction process, to ensure that the development can remain SBD compliant. This should also help to remove any potential issues further down the line. It is likely that the agent/developer will need to request continuing consultation with a DOCO to ensure that security rated and third party certificated products (in name of fabricator) and where specified, comply with SBD guidelines. I remain able to assist with this advice as and where necessary. As there is often a delay between planning proposals and any eventual construction (dependent upon planning approval), advice and the incorporation of this to achieve SBD accreditation will be provided from the most recent SBD guide available. Any security recommendations must also remain fire-safety compliant.

Environmental Health

An Energy & Sustainability Statement (Pro Sustainability Ltd) has been submitted by the applicant to addresses the relevant planning policies with regards to Barnet's Local Plan and London Plan 2021.

EH officers have been consulted throughout the lifetime of the application, whom had no objections to the proposed development subject to the attached conditions.

The development is not likely to be significantly impacted by poor noise and air quality conditions given its location. It's also not likely to cause poor air quality given the lack of proposed gas connections. This would also make the development air quality neutral for building emissions. It appears that each dwelling is proposed to have 1 car parking space which, if in line with London Plan Guidance, makes the development air quality neutral for transport emissions.

Water, Sustainability and Accessibility

Water usage:

Other related standards may also be relevant, but as a minimum all new housing will be expected to achieve a mains water consumption of 105 litres per head per day or less.

Relevant planning policies on these matters include policy SI5 of the London Plan (2021); policy CS13 of the Barnet Core Strategy (2012); and policy DM02 of the Barnet Development Management Policies document (2012).

A condition would be attached to require the dwellinghouse to receive water through a water meter and be constructed with water saving and efficiency measures to ensure a maximum of 105 litres of water is consumed per person per day, to ensure the proposal accords with Policy SI 5 of the London Plan (20 21).

Carbon dioxide emissions:

Applications should include a commitment to the scheme proposed achieving a specific level of improvement in carbon dioxide emissions beyond the 2013 Building Regulations. The scheme would be expected to achieve at least 10% as detailed in Policy SI2 of the London Plan 2021. Relevant planning policies on this matter include policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies SI2 and SI3 of the London Plan (2021).

In respect of carbon dioxide emission reduction, the proposed scheme has to be designed to achieve CO2 reduction to comply with the requirements of Policy SI 2 of the London Plan 2021 and a condition will be attached to ensure compliance with the Policy.

Accessibility:

The application scheme is required by Policy D7 of the London Plan (2021) to meet Building Regulation requirement M4(2). A condition would be attached to ensure compliance with these Policies.

Fire Safety

Policy D12(A) of the London Plan states that all development proposals should achieve the highest standards of fire safety from the outset.

The applicant has submitted a Fire Safety Statement, within the Design and Access Statement, appropriate for the scale and nature of the development.

The applicants statement includes the following: "The site is directly accessed from the Access Road via Churchmead Close, with space for the fire brigade to access the front of the site. As this is a narrow site, we intend to install a dry riser that the fire brigade can plug into in the event of a fire. The two dwellings have their own front doors on to the street providing direct access to the dwelling for the fire officers. The furthest point of the top floor is only around 32m away from the fire appliance stopping position. Therefore this is within the 45m maximum distance required under Part B and BS 9991. Therefore, this scheme complies with the requirements for fire brigade access."

The London Fire Brigade have been consulted throughout the lifetime of the application. They raised no specific objection to the scheme and advise the applicant to ensure the plans conform to Part B of Approved Document of the Building Regulations and that the application is submitted to Building Control/Approved Inspector who in some circumstances may be obliged to consult the Fire Authority.

Offices thus raise no objections to the scheme in this regard.

5.4 Response to Public Consultation

- The main planning considerations have been addressed within the body of the report.
- Use of the site: The loss of the garages and the use of the site for residential purposes has been assessed above and considered to be acceptable.
- Unit Mix: The use of the site for small 1 bed 2 person residential units is considered appropriate for the site and accords with London and Local Plan Policy for development on brownfield small sites.

- Access Road Ownership: The applicant has confirmed that the red line site boundary for the development encompasses land fully within their ownership, and they have a right of way over the access road. This is unchanged from the existing arrangements and officers see no reason to object on these grounds.
- Character: The design and appearance of the proposal has been assessed above. Noting it is a backland standalone site, though its appearance would differ somewhat from the surrounding properties, it is not considered to result in harm to the prevailing character of the area.
- Amenity Impact: The potential for overlooking, loss of privacy, light, and visual overbearing impact has been assessed above and the scheme has not been found to be unacceptable in this regard.
- Emergency Access: The London Fire Brigade has been consulted throughout the lifetime of the application who confirmed the proposal would need to comply with the relevant building regulations. There is no planning consideration to object to the proposal on these grounds.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for APPROVAL.

Site Location Plan:



BLOCK PLAN
1:500