

Location Tudor Court 2 Crewys Road London NW2 2AA

Reference: 23/5069/FUL Received: 28th November 2023
Accepted: 1st December 2023

Ward: Childs Hill Expiry 26th January 2024

Case Officer: Daniel Wieder

Applicant: Mr J Frankl

Proposal: Additional storey at fourth floor level to provide 2no. self-contained flats. Alterations to the front façade. Associated alterations to the parking layout and refuse store, and new cycle stores [Amended Description/Plans]

OFFICER'S RECOMMENDATION

Approve subject to s106

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)

RECOMMENDATION I:

That the applicant and any other person having a requisite interest be invited to enter by way of an agreement into a planning obligation under Section 106 of the Town and Country Planning Act 1990 and any other legislation which is considered necessary for the purposes seeking to secure the following:

1. Paying the council's legal and professional costs of preparing the Agreement and any other enabling agreements;
2. All obligations listed below to become enforceable in accordance with a timetable to be agreed in writing with the Local Planning Authority;
 - A contribution of £2738.94 is required towards the amendment of the Traffic order that regulates the Controlled Parking Zone, to restrict future occupiers from obtaining parking permits.
 - A monitoring contribution of £101

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:

Location Plan PL00 Rev A
Existing Roof Plan PL01 Rev B
Existing Front Elevations PL02
Existing Rear and Side 01 Elevations PL03
Existing Side 02 Elevation PL04
Existing Section A-A and B-B PL05
Context Plan PL06
Proposed Third Floor Plan PL07 Rev E
Proposed Fourth Floor Plan PL08 Rev G
Proposed Roof Floor Plan PL09 Rev I
Proposed Bin/Bike Store PL10 Rev C
Proposed Front Elevation PL11 Rev G
Proposed Rear Elevation PL12 Rev G
Proposed Side 01 Elevation PL13 Rev E
Proposed Sections PL14 Rev E
3D Views PL15 Rev F
Energy & Sustainability Statement (The PES, 23/10/2023)
Design & Access Statement (February 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) Notwithstanding the details hereby approved, no development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policy D4 of the London Plan 2021.

4 a) Notwithstanding the details hereby approved, before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.

b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012); CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

5 a) Notwithstanding the details hereby approved, before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the details as approved under this condition and the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards, in the interests of promoting cycling as a mode of transport and to safeguard the visual amenities of the building and surrounding area, in accordance with Policy T5 and Table 10.2 of The London Plan (2021), Barnet's Local Plan Policies CS NPPF, CS1 and CS9 of Core Strategy (Adopted) September 2012, and Policies DM01 and DM17 of Development Management Policies (Adopted) September 2012.

6 Prior to occupation of the development the proposed parking spaces within the parking area as shown in drawing no. 'PL10 Rev C Proposed Bin/Bike Store' submitted with the planning application and the access to the parking area from public highway shall be provided and 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.

- 7 Before the building hereby permitted is first occupied the proposed window(s) in the side and rear elevation of the fourth floor, as indicated to be obscure glazed on drawing no. PL08 Rev G, 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).

- 8 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.

- 9 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.

- 10 a) Before development commences, a scheme of proposed air pollution mitigation measures shall be submitted to and approved in writing by the Local Planning Authority.

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

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

- 11 a) No development shall take place until a scheme of proposed noise mitigation measures against externally generated traffic/mixed use noise has been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the amenities of occupiers are not prejudiced by traffic/mixed use noise in the immediate surroundings, in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016), and Policies D13 and D14 of the London Plan 2021.

- 12 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).

- 13 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).

- 14 Notwithstanding the details shown in the drawings submitted and otherwise hereby approved, prior to the first occupation of the new dwellinghouses (Use Class C3) permitted under this consent, it shall 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 of the London Plan 2021.

- 15 Prior to the first occupation of each residential phase 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. Each residential phase of the development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policy SI2 of the

London Plan 2021.

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

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 17 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.

- 18 Notwithstanding the details provided, prior to the first occupation of the units, details of the proposed balustrade, and balcony screening at fourth floor level must be submitted to and approved in writing by the Local Planning Authority.

Development shall be carried out in accordance with the approved details before the development is occupied and permanently retained in accordance with the approved details thereafter.

Reason: To ensure that the proposed development is not detrimental to the amenities of occupiers of neighbouring residential properties, nor harmful to the character and appearance of the area, in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

RECOMMENDATION III:

RECOMMENDATION III

That if the above agreement has not been completed or a unilateral undertaking has not been submitted by 25/010/2024, 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 meet the costs of amending the Traffic Order to restrict CPZ permits from future occupiers. The proposal would therefore not address the impacts of the development, contrary to Policy CS15 of the Local Plan Core Strategy (adopted September 2012), and the Planning Obligations SPD (adopted April 2013).

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 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.

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

OFFICER'S ASSESSMENT

1. Site Description

The application site relates to Tudor Court, a 3- 5 storey development, that occupies a prominent position in the streetscene, at the junction between Crewys Road and Cricklewood Lane, within the ward of Childs Hill.

Though not in a Town Centre, the application site does form part of the Cricklewood Lane Local Shopping Frontage.

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 3 - 4 and is located in flood risk zone 1 (low risk).

Officers visited the site on the 5th of January 2024.

2. Relevant Site History

The site has extensive planning history, which can broadly be grouped as follows:

- Applications for two storeys extension above the single storey commercial units to create 6 studio units (F/03198/14 (allowed at appeal), F/05718/13 (allowed at appeal) and 17/7387/FUL (subsequently varied under 18/3299/S73))
- Applications for a fourth-floor mansard roof extension to create 1 self-contained flat (15/06962/FUL (refused), 16/0639/FUL (allowed at appeal))
- Applications for further fourth floor mansard roof extensions to create 3 self-

contained flats (C01482B/07 (allowed at appeal), F/04046/12 and 17/3921/FUL)

Reference: C01482B/07

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Refused

Decision Date: 1 August 2007

Description: Mansard roof extension to provide three new residential units with associated extended parapet and cornice, walkway and guard rail and roof terraces. Cycle store.

Appeal Allowed

Reference: F/03629/10

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Refused

Decision Date: 13 May 2011

Description: Formation of 6 no. studio units: 3 at ground floor level (Crewys Road Elevation), 2 above shops at second floor level (Cricklewood Lane Elevation), 1 at third floor level (Cricklewood Lane Elevation). (OUTLINE APPLICATION)

Reference: F/04046/12

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Approved subject to conditions

Decision Date: 10 June 2013

Description: Extension to roof including new mansard roof to create 3no. Self-contained residential units. New cycle store to ground floor level.

Reference: F/03198/14

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Refused

Decision Date: 15 August 2014

Description: Two-storey side extension to provide 6 self-contained flats.

Appeal Allowed

Reference: F/05718/13

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Refused

Decision Date: 11 February 2014

Description: Two storey extension to provide 6no. studio flats.

Appeal Allowed

Reference: 15/06962/FUL

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Refused

Decision Date: 15 January 2016

Description: Mansard roof extension to form 1no self contained flat

Reference: 16/0639/FUL

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Refused

Decision Date: 30 June 2016

Description: Mansard roof extension to form 1no self contained flat

Appeal Allowed

Reference: 17/2155/NMA

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Approved subject to conditions

Decision Date: 27 April 2017

Description: Non material amendment to planning permission F/04046/12 dated 10/06/13 for `Extension to roof including new mansard roof to create 3no. self contained residential units. New cycle store to ground level.` Amendment to include removal of condition 8 (Code For Sustainable Housing)

Reference: 17/3921/FUL

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Approved following legal agreement

Decision Date: 8 March 2019

Description: Extension to roof including new mansard roof to create 3no. Self-contained residential units. New bin store to ground floor level and alterations to parking layout (RETROSPECTIVE)

Reference: 17/4356/NMA

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Withdrawn

Decision Date: 7 August 2017

Description: Non-material amendments to appeal decision APP/N5090/W/14/3001725 dated 06/05/15 (planning ref. F/03198/14) for 'Twostorey side extension to provide 6 self-contained flats.' Amendments include removal of condition 7 (Environmental Standard - Residential)

Reference: 17/5139/S73

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Approved subject to conditions

Decision Date: 4 October 2017

Description: Variation to condition 7 pursuant to appeal decision APP/N5090/W/14/3001725 dated 06/05/2015 for "Two-storey side extension to provide 6 self-contained flats". Variations include Code for Sustainable Homes Technical Guide (October 2008) to be replaced with two new conditions relating to water efficiency and carbon dioxide emissions

Reference: 17/5417/CON

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Approved

Decision Date: 4 October 2017

Description: Submission of details of conditions 6 (Air Quality) pursuant to appeal decision APP/N5090/W/14/3001725 dated 06/05/15 (planning ref. F/03198/14)

Reference: 17/6966/CON

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Approved

Decision Date: 14 December 2017

Description: Submission of details of condition 8 (Construction Method statement) pursuant to appeal decision APP/N5090/W/14/3001725 dated 06/05/15 (planning ref. F/03198/14)

Reference: 17/7288/CON

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Approved

Decision Date: 28 December 2017

Description: Submission of details of conditions 3 (Refuse) pursuant to appeal decision APP/N5090/W/14/3001725 dated 06/05/15 (planning ref. F/03198/14)

Reference: 17/7387/FUL

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Approved subject to conditions

Decision Date: 27 April 2018

Description: Two storey extension to South, West and North elevations to provide 6no self-contained studio flats with extensions to two existing flats at second and third floor levels. Erection of an enclosed stair well, cycle store and alterations to existing refuse and recycling storage

Reference: 18/3299/S73

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Approved subject to conditions

Decision Date: 19 October 2018

Description: Variation of condition 1 (Plan Numbers) pursuant to planning permission 17/7387/FUL dated 27/04/2018 for "Two storey extension to South, West and North elevations to provide 6no self-contained studio flats with extensions to two existing flats at second and third floor levels. Erection of an enclosed stair well, cycle store and alterations to existing refuse and recycling storage." Amendments include creation of balconies for flats 11 and 19 and a small dog leg to both flats 11 would be internal and 19 would be external

Reference: 18/3536/CON

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Refused

Decision Date: 19 July 2018

Description: Submission of details of condition 9 (Air Pollution) pursuant to planning permission 17/7387/FUL dated 27/04/18

Reference: 18/4524/CON

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Approved

Decision Date: 22 August 2018

Description: Submission of details of condition 9 (Air Pollution) pursuant to planning permission 17/7387/FUL dated 27/04/18

Reference: 20/0194/CON

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Approved

Decision Date: 28 February 2020

Description: Submission of details of condition 2 (Refuse and Recycle Store) and 7 (Cycle Store) pursuant to planning permission 17/3921/FUL dated 08/03/2019

Reference: 20/0374/CON

Address: Tudor Court, 2 Crewys Road, London, NW2 2AA

Decision: Approved

Decision Date: 4 February 2020

Description: Submission of details of condition 4 (Balustrade, Screening and Guard Rails) pursuant to planning permission 17/3921/FUL dated 08/03/19

3. Proposal

This application seeks permission for:

- An additional storey at fourth floor level to provide 2no. self-contained flats;
- Alterations to the front façade;
- Associated alterations to the parking layout and refuse store, and new cycle stores.

The unit makeup is as follows:

- Flat 1: 1 person studio, 39sqm
- Flat 2: 1 bedroom 2 persons, 51.2sqm

2 windows in the side elevation of the existing fourth floor flat would be blocked as part of the proposal.

The additional fourth storey would sit adjacent to the existing fourth storey, extend across a width of c20m, and a depth of c6m. The fourth floor would add a height of 3.5m above the existing, though on the front elevation it would be set back c0.7m behind a c1m high parapet wall. 20 PV Solar Panels are proposed to be on top of the flat roof, which will also be a green sedum roof.

The stair/lift core would be extended upwards as well, with a width of c6.8m and a depth of c3m, whilst adding a height of c4.4m above the existing stair/lift core, rising to c5.1m for the lift overrun.

The proposal also includes alterations to the existing fourth floor, to change the cladding, enlarge the windows, and change the slightly pitched mansard facades to vertical walls, with a small 0.3m increase in height.

Alterations to the ground floor layout includes an enlargement of the refuse store, the relocation of 2 parking bays so that 21 bays remain, and the provision of 2 cycle stores to accommodate 16 bikes.

4. Public Consultation

Consultation letters were sent to 263 neighbouring properties. An initial consultation period ended on the 2nd of January 2024. Following changes to the plans and proposal description a second consultation period was carried out between the 26th of April and 17th of May 2024.

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

25 response was received, comprising 24 objections and 1 representation.

Objections:

- Overdevelopment: There were originally 20 flats, the result of all these developments is an increase of more than 50% of the original building.
- Overcrowding and a strain on local resources. Sewer capacity is at its maximum and already made worse with constant overflowing and blockage issues after 4 flats above Tudor Court and 6 studio flats to 2A Crewys Road were added.

- Communal areas (bins and wastewater) are already overcrowded.
- Structural damage to building, cracking, water leaks due to previous development. Original structure not designed to withstand this sort of development.
- Poor conduct from developers in relation to previously consented developments
- Character:
- Flats added by previous permission, and central lightwell, already causing an unacceptable loss of light to residents. Lower flats would be deprived of sunlight.
- This proposed new build will result in complete absence for lower levels. The angle of the build will also result in loss of privacy for those whose windows are facing it.
- Cycle: The provision of cycle stores will result in loss of vital lawn amenity space for residents
- Parking: Proposed parking layout is impractical and can't be implemented
- Parking: The 21 parking spaces are inadequate for the now 29 flats, let alone an additional two units

Internal Consultees:

Highways, Environmental Health, and Waste & Recycling officers 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, DM03, DM04, DM08, DM16, DM17

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.

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 Local Plan 2012.

In order to address issues of legal compliance and deficiencies in soundness the Council has produced Main Modifications to the Local Plan (Appendix A - Schedule of Main Modifications.pdf (modern.gov.co.uk)). These Main Modifications were approved by Cabinet on March 12th 2024 and will now be subject to a 6 week period of formal public consultation commencing in May 2024. Whilst the Council moves forward to formal adoption of the Local Plan (subject to the outcome of the public consultation and the Inspectors Report) the Main Modifications shall be considered, in the interim, a relevant material consideration in the Council's decision making on planning applications.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted October 2016)
Sustainable Design and Construction SPD (adopted October 2016)

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

Pre-Amble

The original Tudor Court, based on plans contained within earlier applications such as F/05718/13, comprised 20 flats across ground, first, second and third floors, with 21 parking spaces.

As noted earlier, the site has extensive planning history, which can broadly be grouped as follows:

- Applications for two storeys extension above the single storey commercial units to create 6 studio units (F/03198/14 (allowed at appeal), F/05718/13 (allowed at appeal) and 17/7387/FUL (subsequently varied under 18/3299/S73))
- Applications for a fourth floor mansard roof extension to create 1 self-contained flat (15/06962/FUL (refused), 16/0639/FUL (allowed at appeal))
- Applications for further fourth floor mansard roof extensions to create 3 self-contained flats (C01482B/07 (allowed at appeal), F/04046/12 and 17/3921/FUL)

It is apparent from Google Streetview Historical Imagery, that the mansard fourth floor roof extensions were seemingly implemented first, as can be seen in images from 2017 and completed by April 2018. Images from 2019 show the construction of the two storeys to the side, above the single/two storey commercial units fronting Cricklewood Lane, to create 6 studio units, which was completed by the next image from Nov 2020.

It is apparent from the planning history, consultation comments, and the officers site visit that a number of associated alterations relating to these permissions, such as an enlarged refuse store, cycle parking provisions etc. have not yet been carried out.

The principle of development & its 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".

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."

Paragraph 124 of the NPPF says that planning policies and decisions should support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards) and can maintain safe access and egress for occupiers. The principle of residential development in this location is considered to be acceptable and would provide additional housing units through making more efficient and effective use of previously developed land, in areas of good public transport accessibility, which is a material consideration in the planning balance. However, given that the development would only provide a 1-person studio and 2-person 1 bed unit, which are viewed by Policy DM08 and the Emerging Policy HOU02 as the lowest need, only limited weight is given to this benefit.

In assessment of whether the additional fourth floor (i.e. fifth storey) would integrate with the streetscene and respect the prevailing character of its surroundings, regard must be had to the planning history of the site and numerous inspector appeal decisions that are a material consideration.

An additional fourth floor, over the eastern part of Tudor Court, was originally refused in 2007, reference C01482B/07, due to character and parking concerns, but later allowed at appeal (APP/N5090/A/07/2055006 on 28 January 2008). Amongst other points, the inspector found that "...the position of the building at the heart of the local centre has the visual strength to support a further storey, and the building as extended would sit

comfortably within the scale established by the existing buildings around the junction."

A near identical scheme was then later approved again under reference F/04046/12 and most recently 17/3921/FUL in 2018, which has now been implemented. The latest delegated report concluded that the fourth-floor extension sits proportionately at roof level and has an acceptable impact on the building cumulatively.

The current application is to extend the fourth floor across the remainder of the building, towards Crewys Road. This addition is considered to have an acceptable impact upon the existing building, given the fact that a fourth floor has already been established, as well as noting the heights of buildings in the immediate surroundings including a part 5, part 6 storey building directly to the east, a 4-storey building at 452 Finchley Road, and a 3-storey building opposite the site.

Whilst the height of buildings directly to the west of the site start descending to two storeys, the nature of development differs, as these are single family terraced dwellings of similar architectural style. The site in question serves the use of commercial and flatted development, which presents as a different form of development.

It is officers' opinion that the application site is read in conjunction with the part 5, part 6 storey development to the east (in which it is structurally connected to), and therefore the addition of a fourth floor to the remaining roof would not be excessive in size and would relate proportionately to the immediate character of the area.

In keeping with the existing fourth floor to the east, the proposed storey would be set back c0.7m from the parapet wall both on the front elevation and to the side facing Crewys Road, which helps to provide some visual relief and lessens any imposing impact, and also follows the step down of the building towards Crewys Road. This is aided by the proposed balcony for Flat 1, which is positioned on the corner of the fourth floor, between Cricklewood Lane and Crewys Road, and provides a sense of openness at this point.

The proposal includes alterations to the existing fourth floor, to change the near vertical mansard style roof to vertical facades with larger windows and different cladding. This would involve a c0.3m increase in height of the existing fourth floor flat roof. The fourth floor would thus have the same design across the entire building, with a metal cladding finish, lighter vertical cladding piers in line with the building below, and larger windows, though broken up into smaller panes. The new area of fourth floor roof is proposed to have a green sedum roof as well as c20 PV Solar Panels. Overall, the appearance of the new fourth floor storey, alongside the alterations to the existing fourth floor and its façade, is not considered to have a harmful impact on the character of the main building nor result in an inharmonious design. The slight increase in height to the existing fourth floor is minimal and the alterations to a vertical wall, instead of a slightly pitched mansard, is not considered to have a harmful visual impact.

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.

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 side elevation of the fourth floor facing Crewys Road would be c15.2m from the flank wall of the neighbouring property on the corner between Crewys Road and Cricklewood Lane. The side elevation of Flat 1 facing this building would be obscure glazed and a 1.8m high privacy screen employed alongside the balcony.

To the rear, facing No 4 Crewys Road, the fourth-floor windows would be approximately 27m from the neighbouring boundary. There are only 2 clear glazed windows on the rear elevation serving habitable rooms, a bedroom window of Flat 1, and a secondary living room window of Flat 2; there are also numerous clear glazed windows on the floors below facing No 4 Crewys Road, therefore alongside the distance these windows are not considered to introduce a harmful sense of overlooking or loss of privacy.

To ensure privacy for the occupiers of the existing fourth floor flats, who have a number of clear glazed windows on the side return facing west, the closet two windows of Flat 2, serving a bathroom and storeroom would be obscure glazed. The nearest clear glazed window would thus be c7m away with views at a very acute angle. It is also worth noting that a similar relationship exists on the lower floors, with a far closer relationship between perpendicular windows of different flats.

The addition of the fourth storey includes an increase in height of the lift and stair core at the rear of the building. This core has a depth of c3.1m and is at a distance of c10m from the side return of the main block. The proposal would increase the height of this projection by 4.7m facing the side return, to a height of c18m, directly in front of the windows of the existing fourth floor. Given the limited depth of this element however and noting that the very same arrangement has been approved and exists at the lower ground, first, second and third floors, where the lift shaft has the same relationship to the side return windows, officers would raise no objections in this regard.

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 unit makeup of the development is as follows:

- Flat 1: 1 person studio, 39sqm
- Flat 2: 1 bedroom 2 persons, 51.2sqm

The proposed units would comply with the relevant GIA standards, bedroom standards meet the internal ceiling height requirements as demonstrated by the proposed section drawings, and provide suitable glazing, light and outlook to all habitable rooms and future occupiers.

Each unit benefits from a balcony, 4.8sqm and 5sqm respectively, fronting onto Cricklewood Lane. This provision would accord with the London Plan 2021 requirements, as well as the Council's Emerging Local Plan, which states that "a minimum 5m² of private outdoor space should be provided for 1-2 person dwellings". Given that the units are small non-family sized units, and are located atop a residential block fronting a local parade, the proposed outdoor amenity space is considered suitable.

Overall, officers are satisfied that the proposed dwellings would provide a 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.

As noted above, Tudor Court originally comprised 20 self-contained flats with on site parking of 21 spaces. Previous applications for an additional 6 studio units, and 4 self-contained flats, have been approved, with no additional parking provided on the basis that a S106 agreement to prevent the future occupiers of the development from being able to obtain parking permits for the Controlled Parking Zone would be sufficient. This approach has been upheld by inspectors at appeal and the Council's Highway's officers.

Highways officers have been consulted throughout the lifetime of the application, and noting the location of the proposed development in a PTAL of 3-4, with good transport links, and that the proposed units are small (1no studio and 1no 1bed), an amendment to the existing Traffic Management Order is required via a Section 106 Agreement in order to prevent the future occupiers of the development from being able to obtain parking permits

for the Controlled Parking Zone. Subject to such an agreement, it is considered that the proposal would not adversely harm the safe operation of the highway.

The proposal also involves alterations the existing parking layout to accommodate the required enlargement of the refuse store. The number of parking spaces - 21 - would remain the same, however 2 spaces would be relocated. 1 of the proposed new spaces has previously been approved in relation to a previous application as indicated on the 'Proposed Bin/Bike Store' plan, though never carried out. A number of objection comments have been received relating to the proposed parking layout and that it is unworkable. Highways officers have reviewed the plan however and have confirmed that the layout is acceptable.

Refuse and recycling storage

The Councils Street Scene officers have reviewed the application and commented as follows:

The original 20 flats prior to any extensions would have had a requirement of 3300lits of general and recycle waste.

Additional 4 flats requirement of: 610lits general waste and 610lits recycle waste

Additional 6 studio flats requirement of: 600lits general waste and 600lits recycle waste

Proposed 2 flats requirement of: 200lits general waste and 200lits recycle waste

Total requirement for all of the properties above would be:

4710lits general waste: this equates to 4 x 1100lit + 1 x 660lit bins

4710lits recycle waste: this equates to 4 x 1100lit + 1 x 660lit bins

The existing refuse store area, fronting Crewys Road, is proposed to be enlarged to accommodate the required refuse provision.

The proposal will thus make provision for adequate refuse arrangements for the proposed flats, and all the previously added units, and subject to a condition requiring its implementation, is considered to be acceptable in this regard.

Cycle Storage

In accordance with Policy T5 Cycling of the new London Plan (2021), new development should provide secure, integrated, convenient and accessible cycle parking facilities. Based on table 10.2 of the London Plan, the development would require the provision of 2 cycle spaces for the proposed dwellings (1 cycle space per studio and 1 person 1 bedroom unit, 1.5 cycle spaces per 2-person 1 bed dwelling, and 2 cycle spaces per other sized dwellings).

The proposed additional 2 units would require the provision of 2.5 cycle spaces, in accordance with the London Plan Cycle Parking Standards.

As above, noting that the cycle parking has not been provided in relation to the previously built 6 studio units, and 4 fourth floor units, a total of 16 parking spaces would be required for all additional units beyond the original Tudor Court flats.

The proposed application makes provision for 2 Sheffield Stands which each accommodate 8 parking spaces. The proposed locations of the stands are 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 and require submission of details relating to its design, appearance, and dimensions.

Other Material Considerations

Ecology

The importance of trees, ecology and landscape is recognised at every policy level, Nationally NPPF chapter 15; regionally London Plan policy G6 and locally within Barnet Council's adopted policies DM01, DM04, DM15 & DM16 all require developers to consider, trees, ecology and landscape which builds biodiversity.

Policy DM16 requires that "when considering development proposals the council will seek the retention and enhancement, or the creation of biodiversity". The proposal would need to demonstrate how the policy would be met.

The proposal by its very nature would have no harmful impact on any existing trees or ecology. The new section of the fourth floor would include a green sedum roof. The LPA welcomes the inclusion of the green roof. The LPA recommends that the final design of the green roof be informed by 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.

Environmental Health

EH officers have been consulted throughout the lifetime of the application, whom had no objections to the proposed development in principle subject to the attached conditions. The introduction of Solar Panels are welcomed as a sustainable energy source.

Their comments are as follows:

There does not appear to be any works occurring at ground level so there will be no issues with contaminated land. This location is likely to experience relatively poor air quality and noise, therefore mitigation is needed.

Apart from solar panels, I do not see much in the way of external plant in this application - should air handling/extraction/ventilation plant be proposed for use, then conditions are required. I have suggested these below.

The construction work has the potential to cause noise and dust/pollution disturbance to local residents and people already living within the building. I have recommended a construction method statement condition.

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 dwellings 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 (2021).

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(3) and M4(2). A condition would be attached to ensure compliance with these Policies.

5.4 Response to Public Consultation

- The main planning considerations have been addressed within the body of the report.
- Overdevelopment: Officers do note the previous developments that have been implemented, increasing the number of flats from 20 to 29, however each application must be assessed on its own merits. The continuation of the fourth storey across the rest of the building has been assessed to be acceptable from a character and design perspective, and the introduction of two new units, a 1-person studio and 2 person 1 bed flat, is not considered to contribute to an overdevelopment of the site such that would warrant refusal.
- Character: The additional storey and alterations have been assessed above, and it is considered that the development would not have a harmful impact on the character of the surrounding area.
- Neighbouring Amenity: Comments have been made regarding the two-storey extension and stairwell/lift core that already impacts light to a number of residents. Whilst this is noted, officers must have regard for applications F/05718/13 (allowed at appeal), F/03198/14 (allowed at appeal), and 17/7387/FUL (subsequently varied under 18/3299/S73). The existing relationship and distances between the windows on the side return and the new storeys and lift shaft have previously been approved, and it is considered that the proposed development would not give rise to any worse amenity impact than the existing relationships, and as such would not warrant refusal in this regard.
- Waste: The proposal includes enlarging the existing refuse area to accommodate sufficient bins to cater for all existing flats on site, as well as the proposed. The

Councils Waste team have confirmed that the plan is acceptable, and a condition will be attached to secure its provision and implementation.

- Cycle Parking: The proposal includes provision of sufficient cycle parking space for all existing flats on site, as well as the proposed. With regards to the positioning of the cycle store, it is acknowledged that the store would be located on some of the grass area, however, officers consider this to be the least harmful position for the location of the store, and on the balance of matters would not find the proposal unacceptable in this regard.
- Car Parking: The application is recommended for approval subject to a legal agreement preventing the future occupiers of the 2 units from obtaining CPZ parking permits, and on that basis a car free development is considered to be acceptable. Officers have no control over existing parking arrangements between the leaseholders, and the newly built units, and the fact that occupiers of these newly built units are parking on site is not a material planning consideration. The enlarged bin store requires the rearrangement of two parking spaces. Highways officers have reviewed the site plan and have confirmed it is acceptable.
- Structural Concerns, Leaks etc.: Concerns regarding the developers' behaviour in relation to previous consents, existing structural issues and damage caused by previous developments are not strictly material planning considerations.
- Construction Issues: A certain degree of disturbance from construction is always inevitable. A condition requiring the submission of a Demolition and Construction Method Statement will be imposed to control disturbance arising from the construction process.

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 subject to conditions.

In accordance with Section 100ZA of the Town and Country Planning Act 1990, the agent has agreed to the pre-commencement conditions.

Site Location Plan:



Location Plan

1 : 1250