

**LOCATION:** 35 PENSHURST GARDENS, EDGWARE, MIDDX, HA8 9TN

**REFERENCE:** H/02713/08

**Received:** 28 July 2008

**Accepted:** 28 July 2008

**WARD:** Edgware

**Expiry:** 22 September 2008

**Final Revisions:**

**APPLICANT:** Mr A Gersh

**PROPOSAL:** Two storey extensions to the rear and both sides of the property.  
New front porch and front dormer window.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 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.

- 2 The materials to be used in the construction of the external surfaces of the building(s) shall match those used in the existing building(s).

Reason:

To safeguard the visual amenities of the building and the surrounding area.

- 3 The roof of the extension 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, without the benefit of the grant of further specific permission in writing from the Local Planning Authority.

Reason:

To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

- 4 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operation(s) shall not be undertaken without the prior specific permission of the Local Planning Authority: No new window in either flank elevation of the extensions.

Reason:

To protect the amenities of the neighbouring occupiers.

- 5 Before the building hereby permitted is occupied the proposed window(s) in the first floor flank elevation facing number 37 Penshurst Gardens 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, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

## **INFORMATIVE(S):**

1 The plans accompanying this application are:-

312/8, 312/1, 312/2, 312/7, 312/5, 312/11a, 312/12b, 312/13a, 312/15a, 312/14b, 312/16a and 312/23a.

2 The reasons for this grant of planning permission or other planning related decision are as follows:

i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (UDP) (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D5, D7, H27 and

Design guidance note 5: Extensions to houses, and:

ii) The proposal is acceptable for the following reason(s): -

The proposed development has an acceptable impact on the appearance of the property and the street scene and on the visual and residential amenities of the neighbouring occupiers. It complies with council policy and design guidance.

## **1. MATERIAL CONSIDERATIONS**

### Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2, D5, D7 and H27 and  
Design guidance note 5: Extensions to houses.

### Relevant Planning History:

None

### Consultations and Views Expressed:

Neighbours Consulted: 5

Replies: 3

Neighbours Wishing To

Speak 0

- loss of light to number 33
- bulk and size of extensions out of keeping with property
- loss of light and view to number 37

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site is a 2 storey single family detached dwelling house located on the north side of Penshurst Gardens.

The property is traditional in design with a projecting gable feature and ground floor bay window to the western side of the front elevation and a catslide roof.

The road consists mainly of large detached properties of varying design and style.

#### Proposal:

The applicant requests permission for the construction of 2 storey extensions to the rear and both sides of the property, a new front porch and front dormer window.

The extensions would create a double fronted property in appearance.

At ground floor, extensions would wrap around the western side of the property to the rear of the garage, across the rear elevation of the property and to the eastern side of the property in front of the existing utility room.

To the front of the Utility room, the extension would project forward and would include a bay window which would line up with the existing bay.

The ground floor rear extension would be 3m deep and would extend the full width of the property.

The proposed front porch would project to the line of the existing bay window feature and would be similar in style to the existing porch,

The first floor side extension to the eastern side would have a subordinate hipped roof and would be set in from the side boundary with the adjacent property by 1m. It would have, on the front elevation, a projecting gable to match the existing gable to the west side of the property.

A front dormer window is proposed to replace the existing smaller dormer window feature.

The proposed first floor extension to the western side would be located behind an existing projection and would project to the rear building line of the existing house.

The first floor rear extension would be 3m deep with a hipped roof.

#### Planning Considerations:

##### **Appearance**

The extension would create a double fronted property and has, at first floor, been amended to reduce the forward projection of the proposed first floor gable end. The extension in reduced form creates a double fronted property which is subordinate to the main house and which neither dominates the frontage nor detracts from the character of the original property. Given the variety of housing styles and sizes within the road and the presence of other double fronted properties, it is considered that the proposed frontage is acceptable in appearance terms.

The proposed detailing of the frontage- the mock Tudor timber and rendering, the bay window and the oak bracket between the overhung first floor and the ground floor- is considered to be sympathetic to the design of the main house and adds interest to the street scene.

The proposed porch would be similar in design to the existing porch and would project forward to the line of the existing bay window. It is considered that there would be no undue impacts on the appearance of the property or the street scene as a result of this part of the proposal.

The principle of the dormer window on the frontage, given the presence of front dormer windows along the street, is considered acceptable. It has, on request, been reduced in width and now complies with design guidance and is in keeping with the appearance of the property and the street scene.

The rear extensions would have a subordinate hipped roof and would be in keeping with the scale and appearance of the property.

### **Neighbouring amenities**

The adjacent property at number 37 has existing rear extensions and the proposed 2 storey rear extensions would have no undue impact on the amenities of the occupiers of this property.

The first floor rear extension has, on request, been reduced in depth at the westerly side closest to the boundary with number 33. It is hence considered that there would be no undue impacts on the amenities of the occupiers.

Proposed windows on the flank elevations would be conditioned to be obscure glazed to protect the privacy of the neighbouring occupiers.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

- loss of light to number 33: *addressed in main report*
- bulk and size of extensions out of keeping with property: *addressed in main report*
- loss of light and view to number 37: *addressed in main report*

### **4. EQUALITIES AND DIVERSITY ISSUES**

None.

### **5. CONCLUSION**

The proposed extensions comply with council policy and design guidance note 5: Extensions to houses.

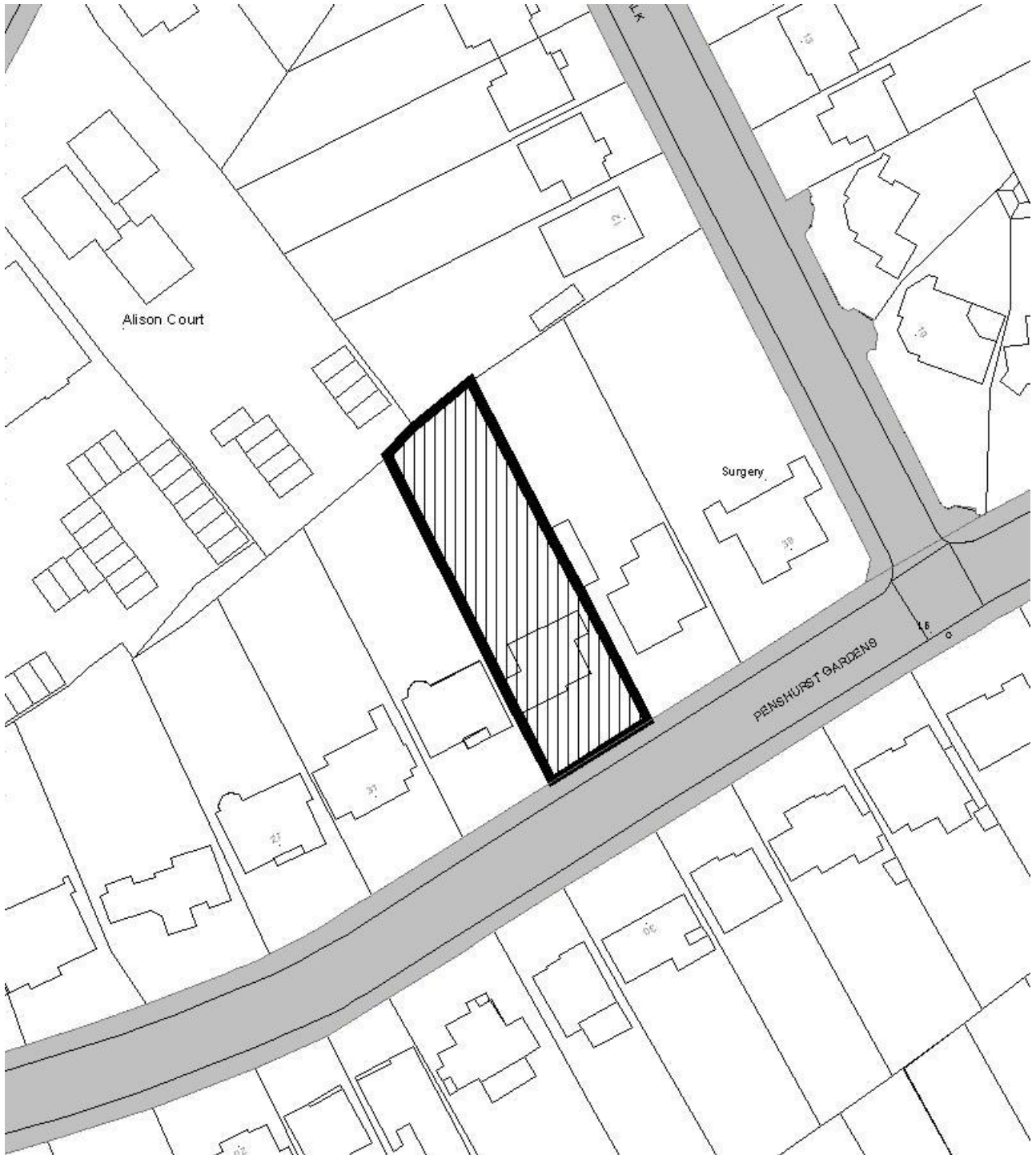
Approval is recommended.

**SITE LOCATION PLAN:**  
9TN

**35 PENSHURST GARDENS, EDGWARE, MIDDX, HA8**

**REFERENCE:**

**H/02713/08**



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2008

**LOCATION:** 265 Hale Lane, Edgware, MIDDX, HA8 8NW

**REFERENCE:** H/03587/08 **Received:** 26 September 2008  
**Accepted:** 22 October 2008

**WARD:** Edgware **Expiry:** 17 December 2008  
**Final Revisions:**

**APPLICANT:** Edgware Adath Yisroel Congregation

**PROPOSAL:** Installation of gates and railings at north west elevation and north east elevations.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 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.

- 2 No structure or erection with a height exceeding 1.05m above footway level shall be placed along the frontage(s) of Heather Walk and Hale Lane from a point 2.4m from the highway boundary for a distance of 2.4m on both sides of the vehicular access(es).

Reason:

To prevent danger, obstruction and inconvenience to users of the adjoining highway and the premises.

- 3 Before the development hereby permitted commences, details of the materials to be used for the railings and gates shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

- 4 A scheme of soft landscaping to the front and rear of the proposed railings and gates shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

## **INFORMATIVE(S):**

- 1 The plans accompanying this application are:  
Design and access statement, P/100 P/01 Revision A, P/02 Revision A, P/03 Revision A
- 2 The reasons for this grant of planning permission or other planning related decision are as follows:  
i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006).  
In particular the following polices are relevant:  
Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, GCS1, D1, D2, D7.  
ii) The proposal is acceptable for the following reason(s): -  
The proposed railings and gates are considered to have an acceptable impact on the character and appearance of the streetscene, general locality and local visual amenity. The proposal would provide new boundary treatment for a religious facility.
- 3 This application relates only to the railings and gates to the site perimeter and not to any changes to the exterior building itself shown on the plans.
- 4 Any alteration to the existing crossover or new crossovers will be subject to detailed survey by the Crossover Team in Highways Group as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. An estimate for this work could be obtained from London Borough of Barnet, Highways Group, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London. N11 1NP

## **1. MATERIAL CONSIDERATIONS**

National Planning Policy Guidance/ Statements:

None Specific

The Mayor's London Plan (consolidated with alterations since 2004):

3A.15, 3A.21

Relevant Unitary Development Plan Policies:

Adopted Barnet Unitary Development Plan 2006: GBEnv1, GBEnv2, GCS1, D1, D2, D7.

Supplementary Planning Design Guidance note no.9: Walls, fences and gates

Relevant Planning History:

<b>Application:</b> Planning	<b>Number:</b> W/00760/K/07
<b>Validated:</b> 19/10/2007	<b>Type:</b> APF
<b>Status:</b> DEC	<b>Date:</b> 12/12/2007
<b>Summary:</b> APC	<b>Case Officer:</b>
<b>Description:</b> Single storey extensions to north and east elevations in conjunction with use as synagogue.	

Consultations and Views Expressed:

Neighbours Consulted: 85	Replies: 18
Neighbours Wishing To Speak	

11 Letters of objection were received

6 Letters of support were received

1 Letter with no objection was received

The objections raised may be summarised as follows:

- Proposed fence would appear shabby and would be easily vandalised
- Unsightly and insensitive appearance
- Materials unsuitable
- Mature planting could improve appearance and security

The letters of support may be summarised as follows:

- Bringing back neglected site to use
- Not detrimental to amenity
- Would enhance surrounding area
- Failure to provide fence would be a security risk

Internal /Other Consultations:

- Highways - The proposal is installation of gates and railings around a site that will be used as a synagogue.

Sliding Gates

The use of sliding gates and the design of the boundary wall is acceptable as it provides visibility for pedestrians and cars.

**Recommendation:**

The proposal is acceptable on highways grounds.

- Metropolitan Police Service (H) - Comments will be reported to the Committee

Date of Site Notice: 30 October 2008



## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The site property has previously been used as a church and more recently permission has been granted for extensions in conjunction with works to the site for use as a synagogue. The site is located on the south-east of Hale Lane, adjacent to Heather Walk, with the north-east boundary of the site fronting Heather Walk.

### Proposal:

The proposed scheme has been amended, the proposed fencing and trellis have been replaced by railings to the north-west and north-east elevations, to a maximum height of 1.8m at all points.

Planning permission is sought for installation of gates and railings to north west and north east elevations.

The proposed railings would be 1.8m high. These would extend across the entire north-west and north-east frontages. The railings would be set back between 0.5m and 0.8m from the site boundary. A sliding gate is proposed to Heather Walk.

Landscaping is proposed with some soft landscaping to the front of the railings.

### Planning Considerations:

Policy D1 of the Adopted Barnet Unitary Development Plan states that all new development should represent high quality design and should be in keeping with the council's objectives of sustainable development and ensuring community safety.

The site is located on a prominent corner location, in an area in relative close proximity to Edgware town centre. The site locality is predominantly mixed residential in character. Levels across the site decrease to the north and site is especially prominent when viewed from the north east along Hale Lane. In addition to this, a number of windows on neighbouring properties have a view towards the site, notably properties on Kenlor Court and Heather Walk.

It is acknowledged that the applicant seeks to provide boundary treatments for security purposes for a religious facility. The impact of the proposal on the character and appearance of the streetscene must be considered.

The site frontages are currently open. There are examples of other boundary treatments in the locality, most notably Abbey Court which has a mixture of bricks and railings, which is a residential property, and 261 Hale which currently has a timber fence, though this site is not as open to view as the site property.

The proposal has been amended to railings of a height of 1.8m. The proposed railings are considered to have been considerably designed to allow some visibility of the site. The railings would reflect differences in levels across the site, maintaining a consistent height. Given that the site is particularly open to public view it is considered that such a reduction in height is necessary in order to ensure the railings are not significantly harmful to the appearance of the streetscene. It is not considered that the proposed development would unduly intrusive within the streetscene. The appearance of the railings and gates would be softened further by the provision of landscaping to the front of the proposed railings.

It is considered that the proposed railings as amended would not be significantly detrimental to the character and appearance of the streetscene and general locality.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

Addressed in body of main report. The proposal has been amended to remove the trellis and panel fencing.

### **4. EQUALITIES AND DIVERSITY ISSUES**

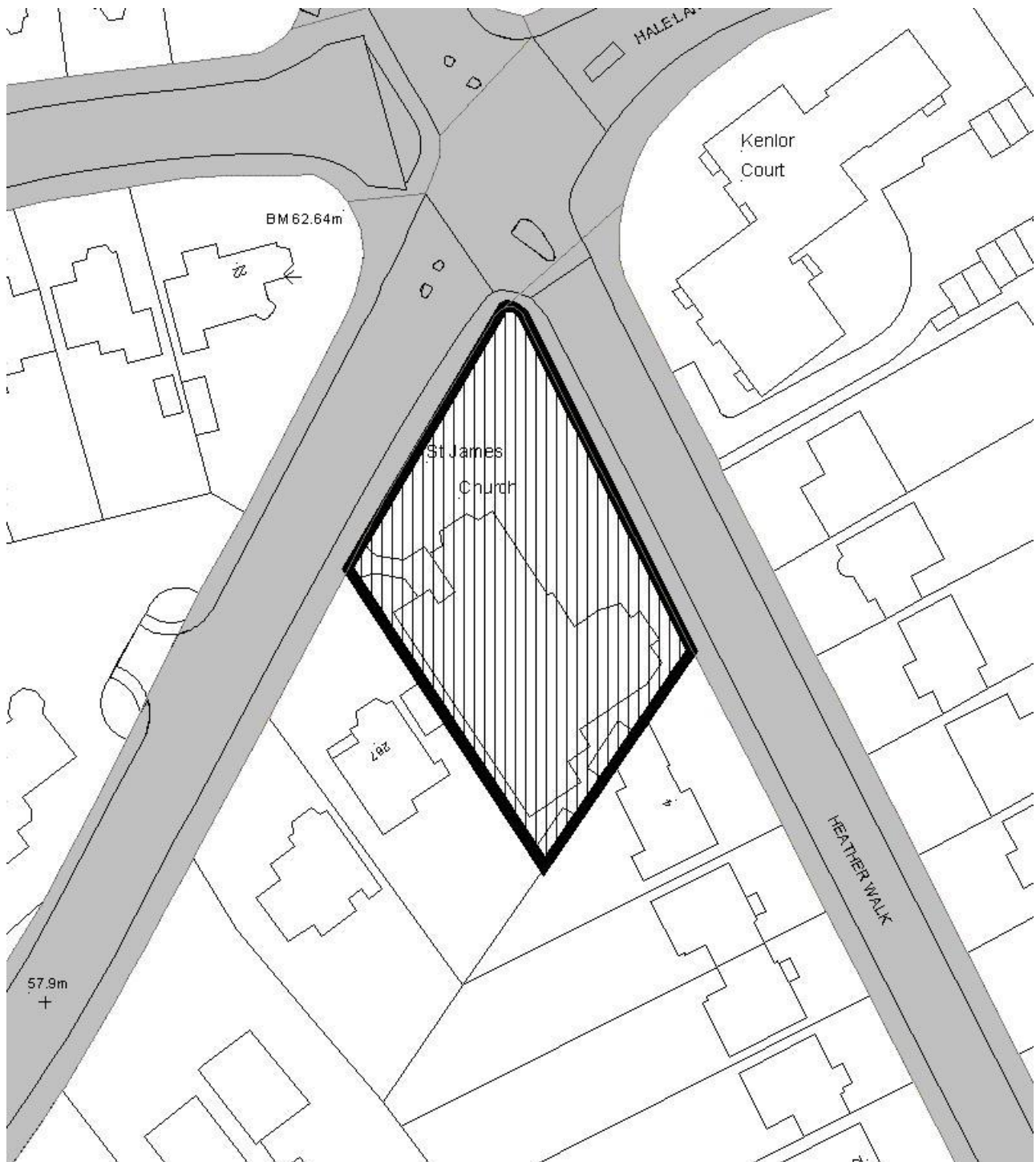
Applicant seeks permission for installation of railings and gates for synagogue.

### **5. CONCLUSION**

The application is recommended for **APPROVAL**.

**SITE LOCATION PLAN:** 265 Hale Lane, Edgware, MIDDX, HA8 8NW

**REFERENCE:** H/03587/08



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2008

**LOCATION:** MATILDA MARKS-KENNEDY SCHOOL, 60-68 HALE LANE,  
LONDON, NW7 3RT

**REFERENCE:** H/03516/08 **Received:** 19 September 2008  
**Accepted:** 10 October 2008

**WARD:** Hale **Expiry:** 05 December 2008  
**Final Revisions:**

**APPLICANT:** Mathilda Marks Kennedy School

**PROPOSAL:** Erection of perimeter fencing to North elevation including a line of wire mesh fencing.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 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.

- 2 Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

- 3 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

**INFORMATIVE(S):**

- 1 The plans accompanying this application are:- 814/00; 814/900; Design and Access Statement
- 2 The reasons for this grant of planning permission or other planning related decision are as follows: -
  - i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant: Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, GCS1, D1, D2 and D7 and Supplementary Planning Design Guidance Note No.9: Walls, Fences and Gates

ii) The proposal is acceptable for the following reason(s): -  
The development would not unduly affect the residential amenities of occupiers of adjoining properties and would be in keeping with the character and appearance of the locality.

## 1. MATERIAL CONSIDERATIONS

### National Planning Policy Guidance/ Statements:

Of relevance are a range of Government Planning Policy Guidance Notes (PPG's) and more particularly the recently issued Planning Policy Statements PPS1: Delivering Sustainable Development. National policy guidance/statements particularly relevant to the proposals include:

PPS1 – Delivering Sustainable Development

### The Mayor's London Plan (consolidated with alterations since 2004):

The Mayor's London Plan is now part of the development plan under the Planning and Compulsory Act 2004. It provides the strategic planning guidance and policies for the capital, which promotes sustainable growth and environmentally responsive development. Policies of relevance include:

3A.15 and 3A.21.

### Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, GCS1, D1, D2 and D7  
Supplementary Planning Design Guidance Note No.9: Walls, Fences and Gates

### Relevant Planning History:

<b>Application:</b>	Planning	<b>Number:</b>	W/01858/W/01
<b>Validated:</b>	25/06/2001	<b>Type:</b>	APD
<b>Status:</b>	DEC	<b>Date:</b>	03/08/2001
<b>Summary:</b>	AP	<b>Case Officer:</b>	
<b>Description:</b>	Details of materials to be used for external surfaces of building pursuant to condition 2 of planning permission W01858U/00, approved 29/01/01, for first floor rear extension.		

<b>Application:</b>	Planning	<b>Number:</b>	W/01858/Y/02
<b>Validated:</b>	31/10/2002	<b>Type:</b>	APF
<b>Status:</b>	DEC	<b>Date:</b>	21/02/2003
<b>Summary:</b>	APC	<b>Case Officer:</b>	
<b>Description:</b>	Demolition of existing single storey lean-to and erection of new single storey building on west elevation.		

<b>Application:</b>	Planning	<b>Number:</b>	W/01858/Z/03
<b>Validated:</b>	24/01/2003	<b>Type:</b>	LBC
<b>Status:</b>	DEC	<b>Date:</b>	21/02/2003
<b>Summary:</b>	APC	<b>Case Officer:</b>	

**Description:** Demolition of existing single storey lean-to and erection of new single storey building as west elevation.

Consultations and Views Expressed:

Neighbours Consulted: 27

Replies: 3

Neighbours Wishing To

Speak 0

The objections raised may be summarised as follows:

- Height
- Visually obtrusive nature of fencing
- Affect on trees and bushes near the intended line of fence - which should not be cut down as a result of this development
- Affect on wildlife
- Scale of proposal
- Proposed scheme will look like a 'prison boundary' not school
- Proposal unsightly
- Natural obstacles (trees) will prevent proposal from being built
- Maintenance of existing timber fence will become inaccessible and neglected
- Mesh fence not installed all the way round the site
- Letter from school misleading

Internal /Other Consultations:

- Development Team, Highways Group - No comments received

Date of Site Notice: 23 October 2008

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

The application site relates to Mathilda Marks Kennedy Jewish Primary School located on the north side of Hale Lane, which is predominantly residential in character. The site abuts Lilley Lane to the east and the rear gardens of Nos 26-32 Manor Drive to the north.

Proposal:

The application seeks permission for the erection of perimeter fencing to the north elevation which backs on to the rear gardens of nos. 26 - 32 (even) Manor Drive.

The proposed wire mesh fencing will measure 2.7 metres in height and 43.6 metres in length. The fencing will be placed behind the existing 1.8m high timber boundary fence.

Planning Considerations:

The proposed fence will secure the rear of the site to prevent access and protect the children attending the Jewish Primary School. There are identical fences to the proposal on the front (south) elevation facing Hale Lane and the east elevation facing Lilley Lane.

It is considered that the addition of an additional 0.9m of wire mesh fencing above the existing fencing will be relatively unobtrusive thereby minimising the visual impact and retaining the openness through the site as seen from the rear gardens of the occupiers of the neighbouring residential properties in Manor Drive.

There are existing trees along the boundary in the rear gardens in Manor Drive and there

are no plans to remove any trees on the school site as a result of this proposal. It is considered that the existing trees will soften the landscape, ultimately obscuring the fence whilst providing a secure boundary for the school.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

Largely addressed in the above report.

Party wall issues are not material planning considerations.

There is no evidence to suggest that the proposed development would have an adverse affect on wildlife in the area.

### **4. EQUALITIES AND DIVERSITY ISSUES**

It is recognised that the proposals would provide additional security to an educational facility.

### **5. CONCLUSION**

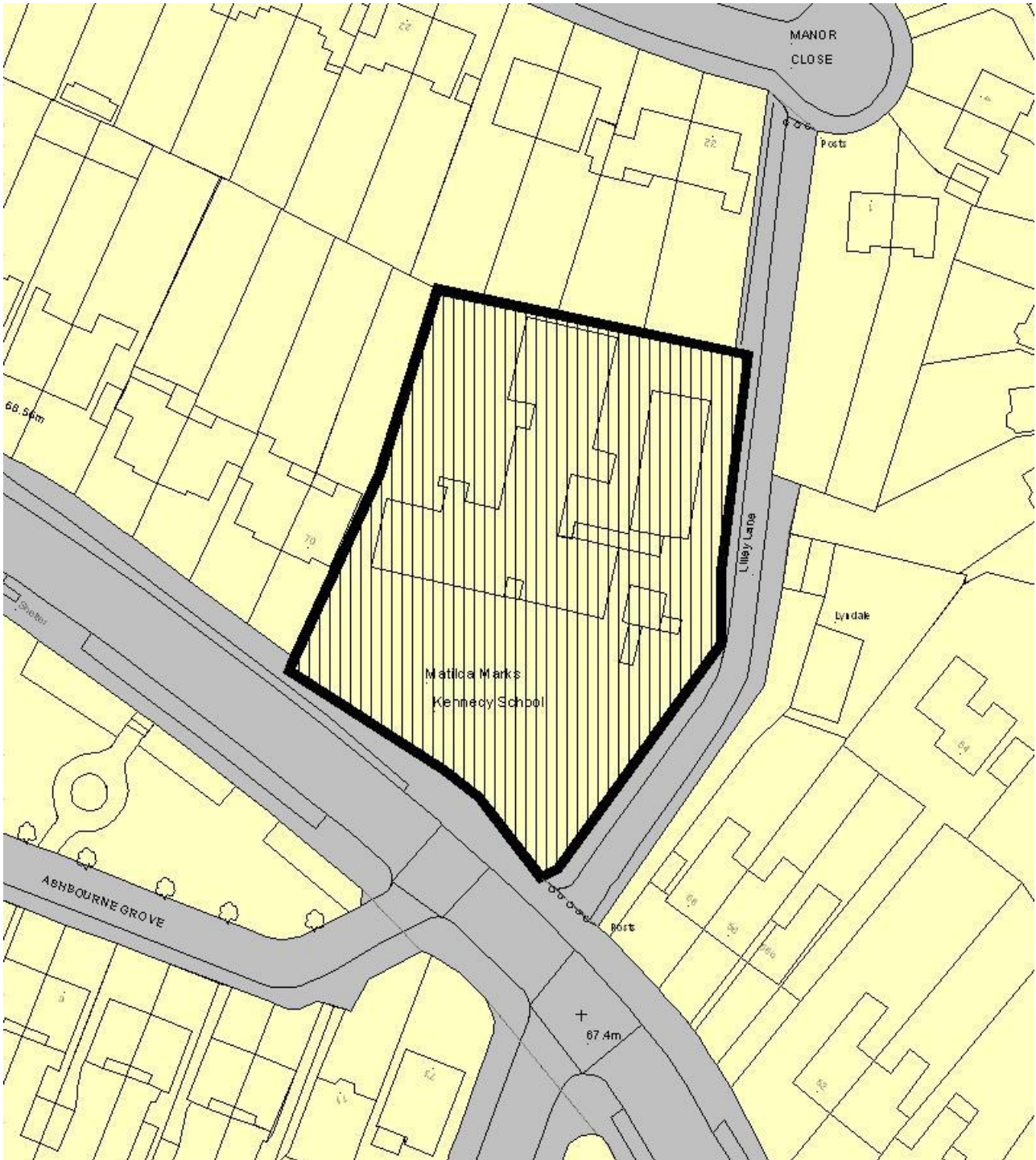
The proposal is considered to be in accordance with the Council's Unitary Development Plan Policies. The development would not detract from the character of the area, or the residential amenities of the neighbouring occupiers. Accordingly, it is recommended that the application be approved.

**SITE LOCATION PLAN:  
LANE, LONDON, NW7 3RT**

**MATILDA MARKS-KENNEDY SCHOOL, 60-68 HALE**

**REFERENCE:**

**H/03516/08**



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2008



**LOCATION:** 86 Hale Grove Gardens, London, NW7 3LU

**REFERENCE:** H/04086/08

**Received:** 31 October 2008

**Accepted:** 31 October 2008

**WARD:** Hale

**Expiry:** 26 December 2008

**Final Revisions:**

**APPLICANT:** Mr D Morris

**PROPOSAL:** Conversion of dwelling house into two self-contained flats following erection of single storey rear extension and porch.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 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.

- 2 Before the development hereby permitted is occupied the parking spaces/garages shown on Plan 2008/0257 Rev 1 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.

- 3 No structure or erection with a height exceeding 1.05m above footway level shall be placed along the frontage(s) of Hale Grove Gardens from a point 2.4m from the highway boundary for a distance of 2.4m on both sides of the vehicular access(es).

Reason:

To prevent danger, obstruction and inconvenience to users of the adjoining highway and the premises.

- 4 Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The hard surface shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality and to ensure the wider flood risk is minimised.

- 5 The materials to be used in the construction of the external surfaces of the building(s) shall match those used in the existing building(s).

Reason:

To safeguard the visual amenities of the building and the surrounding area.

- 6 Notwithstanding the details shown on plan '2008/0257 Rev 1', Before the development hereby permitted commences, 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 and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

- 7 The roof of the extension 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, without the benefit of the grant of further specific permission in writing from the Local Planning Authority.

Reason:

To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

- 8 Prior to the occupation of the units a copy of the Pre-completion Sound Insulation Test Certificate of Part E of the Building Regulations 2000 (or any subsequent amendment in force at the time of implementation of the permission) shall be submitted to the Local Planning Authority and shall indicate at least 3 decibels above the Performance Standard.

Reason:

To protect the amenities of future and neighbouring residential occupiers.

#### **INFORMATIVE(S):**

- 1 The plans accompanying this application are:-

Site plan, Design and Access statement, 2008/0257 Rev 1

- 2 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006). In particular the following polices are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEEnv1, D1, D2, D5, D7, CS2, CS8, M11, M12, M14, H23, H26, H27, IMP1, IMP2.

Supplementary Design Guidance 5: Extensions to Houses, Supplementary Design Guidance 7: Residential Conversions, Supplementary Planning Document: Sustainable Design and Construction, Supplementary Planning Document : Planning Obligations, Supplementary Planning Document : Education, Supplementary Planning Document : Libraries

ii) The proposal is acceptable for the following reason(s):

The proposals would not have a detrimental impact on the character and appearance of the area, or unduly detract from the visual or residential amenities currently enjoyed by neighbouring occupiers. It accords with all the relevant policies.

3 Any alteration to the existing crossover or new crossovers will be subject to detailed survey by the Crossover Team in Highways Group as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. An estimate for this work could be obtained from London Borough of Barnet, Highways Group, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP

4 Any alteration to the existing crossover or new crossovers will be subject to detailed survey by the Crossover Team in Highways Group as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. An estimate for this work could be obtained from London Borough of Barnet, Highways Group, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP

5 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 Council of 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 email: [street.naming@barnet.gov.uk](mailto:street.naming@barnet.gov.uk) or by telephoning: 0208 359 7294.

## 1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:  
Planning Policy Statement 3: Housing

The Mayor's London Plan (consolidated with alterations since 2004):  
3A.1, 3A.2, 3A.4

Relevant Unitary Development Plan Policies:  
Adopted Barnet Unitary Development Plan 2006: GBEEnv1, GBEEnv2, D1, D2, D5, D7, H23, H26, M11, M12, M14, CS2, CS8

Supplementary Design Guidance 7: Residential Conversions  
Supplementary Planning Document: Sustainable Design And Construction.  
Supplementary Planning Document: Education  
Supplementary Planning Document: Libraries  
Supplementary Planning Document: Planning Obligations.

### Relevant Planning History:

<b>Application:</b> Planning	<b>Number:</b> H/03121/08
<b>Validated:</b> 18/08/2008	<b>Type:</b> APF
<b>Status:</b> DEC	<b>Date:</b> 10/10/2008
<b>Summary:</b> REF	<b>Case Officer:</b>
<b>Description:</b> Conversion of dwelling house into 3 self-contained flats following erection of single storey side and rear extension.	

84 Hale Grove Gardens  
W08394 – Single storey side/rear extension – Approved - 12/06/1987  
Site

80 Hale Grove Gardens  
W08355 - Conversion to two self-contained flats, provision of car parking and dustbin storage in front garden & single- storey rear extension. – Approved - 14/05/1987

### Consultations and Views Expressed:

Neighbours Consulted: 25	Replies: 0 so far
Neighbours Wishing To Speak	

No objections have been received so far, any objections received will be reported to the Committee.

### Internal /Other Consultations:

Environmental Health - Attach condition

### **Noise of traffic for small developments under 10 units**

Before development commences, a scheme of proposed noise mitigation measures shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied.

**Reason:** To ensure that the amenities of occupiers are not prejudiced by rail and road traffic noise in the immediate surroundings.

- Development Team, Highways Group - No objections are raised regarding this application.

Date of Site Notice: 13 November 2008

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The site property is a single storey terraced property on the east side of Hale Grove Gardens in a predominantly residential area.

### Proposal:

Planning permission is sought for the conversion of dwelling house into two self-contained flats following erection of single storey rear extension and porch.

It is proposed that the site property be converted into two self-contained units. The proposed units would be accessible from a common hallway.

The proposed rear extension would extend across the width of the property. It would be 3m deep on the side nearest 88 Hale Grove Gardens, 4m deep a distance of 2.7m from the boundary with 88 Hale Grove Gardens,

The proposed porch would be 0.9m deep, 2.7m wide and 2.6m high with 0.7m high mono-pitched roof.

Unit 1 would have two bedrooms and unit 2 would have one bedroom.

One parking space would be located to the front of the site property on the side nearest 88 Hale Grove Gardens. One parking space would be provided within the existing garage. Unit 1 would be approximately 76 square metres in area, Unit 2 would be approximately 41 square metres in area.

Approximately 80 square metres of private rear garden amenity space are provided.

### Planning Considerations:

#### Conversion to flats

The site locality consists of a mixture of single family dwellings, dwellinghouses converted to flats and purpose built flats. Properties at 52 and 58, Hale Grove Gardens having been converted. The property at 94 and 96 Hale Grove Gardens is a purpose built block of flats.

A previous planning application for 'Conversion of dwelling house into 3 self-contained flats following erection of single storey side and rear extension.' was refused on the grounds that '*The proposed conversion of the property into three self-contained flats would result in an over-intensive use of the property, resulting in additional activity, detrimental to the residential amenities of neighbouring occupiers, contrary to policies H23 and H26 of the Adopted Barnet Unitary Development Plan (2006) and Design Guidance Note Number 7: Residential Conversions.*'

In the officers report it was stated that '*Whilst several properties in the road have been converted to two flats, it is considered that the conversion of the property into 3 self-contained units especially when the neighbouring attached property is used as a single family dwelling house would by reason of the over-intensification of the property and by virtue of increased activity would give rise to noise and disturbance which would be detrimental to the residential amenities of surrounding properties.*'

It is considered that the proposed change of use to two flats would have the potential for significantly less noise and disturbance than that associated with use as 3 flats. Given the mixed character of the locality, the proposed conversion of the property into two flats is considered to have an acceptable impact on the established character of the locality.

The proposed amenity space complies with Council Policy and supplementary planning documents, which states that 5 square metres of amenity space area should be provided per habitable room for new flat developments. In this case, 25 square metres needs to be provided for the 2 units in total, and approximately an area of 80 square metres is provided.

Minimum floor standards are specified in the Sustainable Design and Construction Supplementary Planning Document. This states that one bedroom units should be at least 30-35 square metres in floor area, and two bedroom units should be at least 45-50 square metres in floor area. The proposed development meets these criteria.

The proposed development would have a ground floor bedroom adjacent to what is likely to be a living room at 88 Hale Grove Gardens, and a first floor living room adjacent to what is likely to be a bedroom at 88 Hale Grove Gardens. It is not considered that the proposed floor layout would have an unacceptable impact in terms of noise and disturbance to neighbouring properties, providing that satisfactory sound insulation is provided in accordance with the approve Supplementary Planning Document on Sustainable Design and Construction.

### Rear Extension

Council's policies and guidelines in respect of extensions to residential properties seek to ensure that they respect the scale, character and design of any building on which they are to be placed and are compatible with the character of the locality. Extensions will not be permitted if they do not have regard to the amenities enjoyed by neighbours.

The proposed rear extension would extend 3m beyond the rear wall of 88 Hale Grove Gardens on the side nearest that property, and 4m beyond a distance of 2.7m from the boundary. The proposed extension would be sited 3m from the boundary with 84 Hale Grove Gardens.

88 Hale Grove Gardens is located to the north of the site property.

84 Hale Grove Gardens has previously been extended to the rear by means of single storey rear extension. This appears to be approximately 2.8m deep.

It is not considered the proposed single storey rear extension would be significantly detrimental to the visual or residential amenities of neighbouring occupiers. It is considered the proposed extension would have an acceptable impact on the character and appearance of the general locality and site property.

The proposed porch would be 0.9m deep, 2.7m wide and 2.6m high with additional 0.7m high mono-pitched roof. There is an existing canopy to the front of the property though no planning history can be found. It is considered the proposed porch would have an acceptable impact on the character and appearance of the streetscene and general locality.

### Refuse

A condition has been attached requiring that appropriate siting of refuse storage be provided, notwithstanding that shown on the proposed plans.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

No objections have been received so far, any objections received will be reported to the Committee.

### **4. EQUALITIES AND DIVERSITY ISSUES**

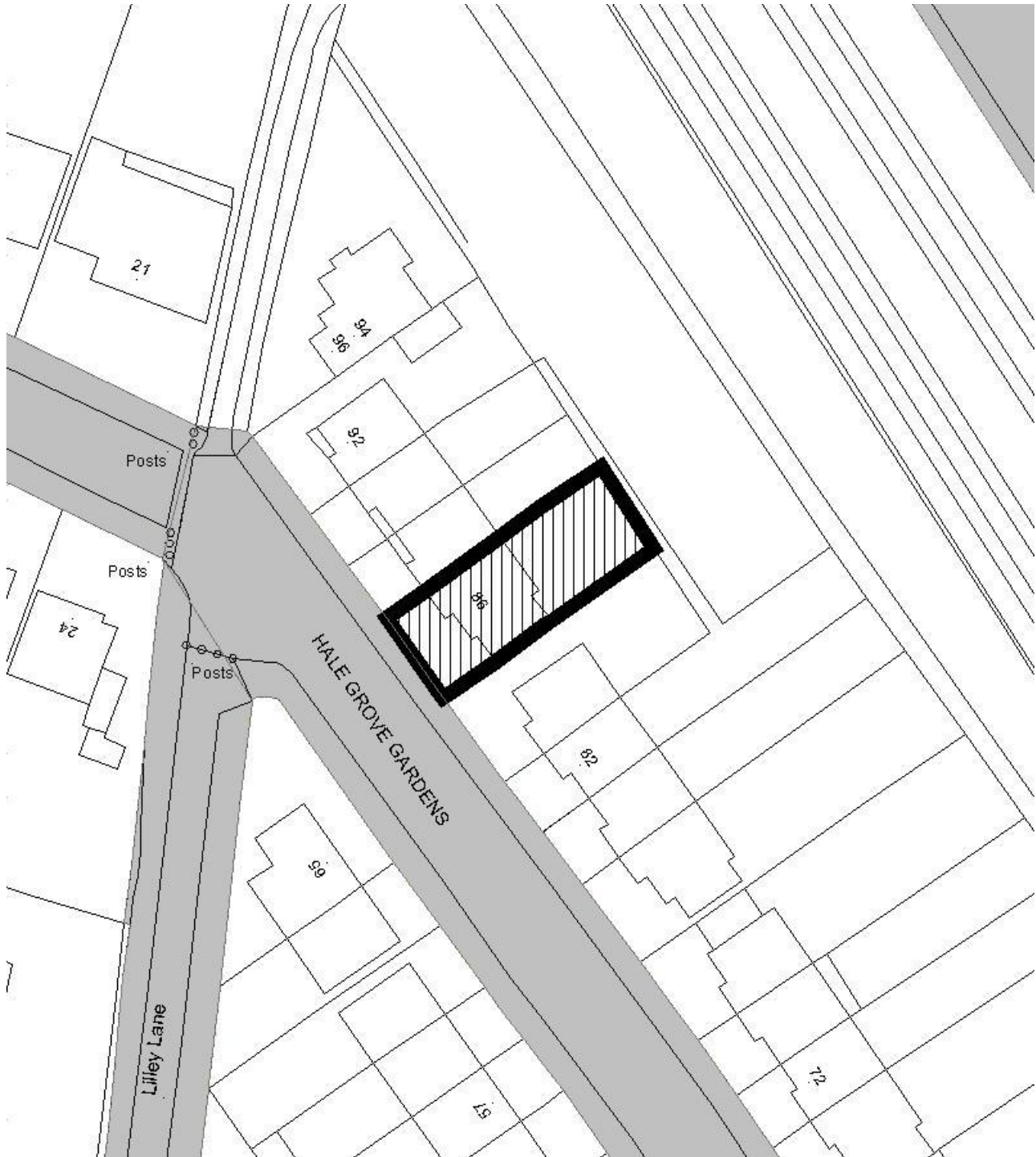
Applicant seeks to extend dwelling and convert to two self contained flats

### **5. CONCLUSION**

The application is recommended for **APPROVAL**.

**SITE LOCATION PLAN:** 86 Hale Grove Gardens, London, NW7 3LU

**REFERENCE:** H/04086/08



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2008



**LOCATION:** Old Yosef Hal Synagogue, 48-50 Finchley Lane, London, NW4 1DJ

**REFERENCE:** H/03286/08

**Received:** 02 September 2008

**Accepted:** 02 September 2008

**WARD:** Hendon

**Expiry:** 28 October 2008

**Final Revisions:**

**APPLICANT:** Old Yosef Hal synagogue

**PROPOSAL:** Proposed gates and railings to the front and part side boundaries.  
Additional soft landscaping and new entrance lobby.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 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.

- 2 A scheme of hard and soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

- 5 Before the development hereby permitted commences, details of the materials to be used for the gates and railings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

- 6 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

### **INFORMATIVE(S):**

- 1 The plans accompanying this application are:- Site Plan; Design and Access Statement; Letter from CST dated 29/1/08; Accompanying photographs; 490/01 rev B; 490/02 rev A; 490/03.
- 2 The reasons for this grant of planning permission or other planning related decision are as follows:
- i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006). In particular the following polices are relevant:  
Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, GCS1, D1, D2 and D7.  
Supplementary Planning Design Guidance note no.9: Walls, fences and gates
- ii) The proposal is acceptable for the following reason(s): -  
The proposed development is considered to have an acceptable impact on the character and appearance of the property, streetscene and would not significantly harm the visual amenities of neighbouring occupiers. The proposal would provide additional security for a educational and religious facility within the Borough.

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Guidance/ Statements:

Planning Policy Statement 1 - Delivering Sustainable Development

### The Mayor's London Plan (consolidated with alterations since 2004):

The Mayor's London Plan is now part of the development plan under the Planning and Compulsory Act 2004. It provides the strategic planning guidance and policies for the capital, which promotes sustainable growth and environmentally responsive development. Polices of relevance include: 3A.14; 3A.15 and 3A.21.

### Relevant Unitary Development Plan Policies:

Adopted UDP (2006): - GBEnv1, GBEnv2, GCS1, D1, D2 and D7.

Supplementary Planning Design Guidance note no.9: Walls, fences and gates

### Relevant Planning History:

W02511U/08 - Proposed gates and railings to the front and part side boundaries. New entrance lobby - Refused - 31-3-08

W02511T/07 - Proposed gates and railings to the front area to replace the temporary timber hoarding – Refuse - 14-12-2007

W02511R/07 - Single storey side extension and formation of new first floor to provide additional 4 classrooms – Refuse - 24-09-2007

W02511P/01 - Lower ground, ground and first floor and nursery extensions to relocate existing synagogue, extensions and alterations to existing building to accommodate new primary school and provision of ancillary pool building to rear and 12 parking spaces - Approve after S106 - 05-07-2004

W02511N/01 - Extension and conversion of outbuilding to form two temporary classrooms - Conditional Approval - 29-05-2001

### Consultations and Views Expressed:

Neighbours Consulted: 56

Replies: 3 letters of objection and 1 letter of support

Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- Concerned with boundary treatment and construction on the boundary with pathway to the Church
- Existing site has significant level changes as the land falls away from the road which is not indicated on the plans
- Out of keeping with the character and appearance of the area
- Damage to man holes
- Possible subsidence
- Plans do not have any regard to the existing traffic congestion
- Lack of car parking
- Still appears to be a building site

Letter received in support may be summarised as follows:

- Would be an improvement on what is there at present

### Internal /Other Consultations:

- Met Police - No objection, comments are addressed within body of report

Date of Site Notice: 25 September 2008

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site relates to a mixed educational and religious facility, located on the south side of Finchley Lane, NW4. The immediate area is mixed in character and within close proximity to the local amenities in Brent Street. To the north, south and east of the application site are residential properties on Finchley Lane and First Avenue. The Hendon Baptist Church adjoins the site to the west.

### Proposal:

Proposal involves the installation of gates and railings on the front and part side boundaries which would replace the temporary timber hoardings. The proposals also

include soft landscaping and a new entrance lobby.

The proposed railings and gates would be 2.1m in height at its highest point and would be sited across the width of the property approx 45m, abutting the foot path of Finchley Lane. The proposed railings and gates would be designed with railings on top of a low built brick wall, with brick built piers evenly spaced out approx every 4m.

The proposal would face onto Finchley Lane and sited along the side boundary with Hendon Baptist Church. There would be four gates leading onto Finchley Lane, two would be vehicular access and one would be pedestrian access.

The proposed new entrance lobby would be 2m deep, 6m wide and 4m in height.

### Background

Previous application (ref. W02511U/08) was referred to the Hendon Area Planning Sub-Committee for decision who resolved to refuse the application for the following reason

- The proposed gates and railings, due to their height, size, design and siting would be visually intrusive in the street scene and detrimental to the character and appearance of the property and general locality contrary to policies GBEnv1, D1, D2 and D7 of the Barnet Unitary Development Plan (2006) and Supplementary Planning Design Guidance note no.9: Walls, fences and gates.

This previously refused scheme (ref. no. W02511U/08) had a proposed height of 2.4m. The proposal seeks to address the reason for refusal by reducing the height of the gates and railings to 2.1m in height and providing planting and soft landscaping behind the railings and to the front of the property.

### Planning Considerations:

Timber hoardings currently occupy the front perimeter of the site having been initially there for construction and safety purposes. The proposed gates and fences would replace these timber hoardings. Adjoining the application site is existing timber fencing along the boundary with no.52 Finchley Lane.

The proposed new entrance lobby is considered to be an acceptable addition to the building, would not be detrimental to the character of appearance of the property or harm any amenity currently enjoyed by neighbouring occupiers.

The proposal involves introducing planting behind the railings and other soft landscaping on part of the front forecourt. Currently the front forecourt of the building is largely hardsurfaced. The provision of high quality soft landscaping is considered to be of benefit to the site and would offer a softer appearance on the proposed railings and building behind. There are conditions attached to the permission requesting further landscaping detail and maintenance requirements.

A letter from CST (Community Security Trust) dated January 2008 was submitted along with the plans and the application documentation.

The letter stated that CST provides advice to the Jewish community on ways to protect and secure their buildings and that CST has an extremely strong partnership with all levels of the Police. It further states that the Od Yosef Hai is central to the immediate Jewish community and that the protection and safety of their community is of paramount importance. CST, following discussions with their Police and Government advisors, recommends that perimeter fencing should be of a height of at least 2.4m with anti-climb

features and that many Jewish locations in the Hendon area have installed fencing in this way without detracting from the local ambience and have provided the users with a justified feeling of safety and security. CST ask the planning committee to consider the importance of the safety and security of the local community in making a decision on the application.

The Metropolitan Police Crime Prevention Design Team do not object to the application and have no specific guidance on advising gates and railing sizes for similar mixed use facilities. They refer to guidance as stated in the Secured by Design criteria for schools. This broadly advises that boundary treatments usually abut public space and should respect the aesthetics of the area. It should have a minimum height of 2m, be robust and anti vandal resistant.

It is also recognised, that this part of Finchley Lane is predominantly characterised by low brick built walls fronting the road, sympathetic in height and design with soft landscaping to the front of residential properties.

However, given the reduction in height of the proposed gates and railings, provision of soft landscaping, and with regard to the security benefits the proposal would have to a community facility, it is considered that, on balance, that the proposal would not significantly detract from the character and appearance property, streetscene or the visual amenities of neighbouring occupiers

The proposal is therefore considered comply with adopted UDP policies and recommended for APPROVAL.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

Largely addressed within the body of the main report, but in addition:

- The application does not involve any changes to the functioning of the facility and would not involve any additional pressure for off street parking.
- Boundary treatment, subsidence and manhole issues are not material planning considerations. These are governed by the Building Regulations and Party Wall Act.

### **4. EQUALITIES AND DIVERSITY ISSUES**

The proposal would provide additional security to a religious and educational facility.

### **5. CONCLUSION**

The Council's UDP planning policies support in principle protecting and improving community facilities. This needs to be balanced against other planning policy objectives to protect the established streetscene and the visual amenities of neighbouring occupiers.

It is considered, on balance, the proposal would have a significant benefit to the users of the community facility and would not result in a significant harmful impact on the streetscene that would outweigh this benefit. In these circumstances the application is recommended for APPROVAL in this instance.

**SITE LOCATION PLAN:**  
London, NW4 1DJ

**Old Yosef Hal Synagogue, 48-50 Finchley Lane,**

**REFERENCE:**

**H/03286/08**



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2008

**LOCATION:** 19 SELBORNE GARDENS, LONDON, NW4 4SH

**REFERENCE:** H/03547/08

**Received:** 23 September 2008

**Accepted:** 25 September 2008

**WARD:** Hendon

**Expiry:** 20 November 2008

**Final Revisions:**

**APPLICANT:** Mr Steven Plautus

**PROPOSAL:** Erection of a detached outbuilding at the rear of the garden .

**RECOMMENDATION: Approve Subject to Conditions**

- 1 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.

2. The use of the building hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit.

Reason:

To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties.

**INFORMATIVE(S):**

- 1 The plans accompanying this application are:- SY/SG/001 rev A; SY/SG/002 rev A; SY/SG/003 rev A.
- 2 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006).

In particular the following polices are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, D1, D2, D7, H27, and,

Supplementary Planning Design Guidance Note 5: Householder extensions

ii) The proposal is acceptable for the following reason(s): -

The proposed development is considered to have an acceptable impact on the character and appearance of the property, wider locality and would not significantly harm the visual or residential amenities of any neighbouring occupier

## **MATERIAL CONSIDERATIONS**

### National Planning Policy Guidance/ Statements:

Planning Policy Statement 1: Delivering Sustainable Development

### The Mayor's London Plan (consolidated with alterations since 2004):

None specific

### Relevant Unitary Development Plan Policies:

GBEnv1, D1, D2, D7, H27

SPD note 5: Householder extensions

### Consultations and Views Expressed:

Neighbours Consulted: 2

Replies: One letter of objection and one joint letter of objection with 10 signatories

Neighbours Wishing To Speak 0

The objections can be summarised as follows:

- The outbuilding will become flats
- Would impact on car parking problems in Selborne Gardens

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site relates to the rear of no.19 Selborne Gardens, NW4. The site is bounded by the M1 and railway lines to the west, residential neighbouring properties to the north, south and east with Watford Way beyond. Selborne Gardens is predominantly characterised by two storey semi detached properties largely in single family occupation with detached garages. Some of the houses have been converted into flats over the years.

### Proposal:

Proposal is for a single storey detached outbuilding. This would be 4m wide, 6.6m in length and 3m in height with a pitched roof.

### Planning Considerations:

The proposal is considered to be an acceptable addition to the property and would comply with all relevant planning policy and council design guidance.

Council's Adopted UDP states, "the erection of detached, ancillary buildings on residential property can help to improve people's quality of life. However, any such development must be constrained by the general requirement to protect and enhance the character of the area and respect the amenities of neighbouring occupiers".

It is recognised that most single family dwellings have permitted development rights allowing them to construct outbuildings without the need to apply for planning permission. Outbuildings under 2.5m in height within 2m from the boundary do not usually require planning permission. The proposal requires planning permission due to its height of 3m and 2m of the boundary.



There are slight level changes from the front to the back of the site as the land falls away to the rear garden.

The proposal would be sited along the boundary with neighbouring property no.21 Selborne Gardens and would be 3m in height to the top of the ridge. Neighbouring property no.21 Selborne Gardens has a detached garage on the boundary which would abut the proposed outbuilding.

There is a condition attached to the permission restricting the use of the outbuilding only to be used incidental to the main dwellinghouse and should not be use as a self contained unit.

Overall, given the size, siting, design and relationship to adjoining properties the proposed outbuilding is considered not to harm the character and appearance of the property, general locality and would not significantly harm the visual or residential amenities of any neighbouring occupier.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

All addressed within the body of the main report

### **4. EQUALITIES AND DIVERSITY ISSUES**

The proposal would provide improve extra living accommodation for a family house

### **5. CONCLUSION**

Approval is recommended

**SITE LOCATION PLAN: 19 SELBORNE GARDENS, LONDON, NW4 4SH**

**REFERENCE: H/03547/08**



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2008

**LOCATION:** 37 ASHLEY LANE, LONDON, NW4 1HH

**REFERENCE:** H/03535/08

**Received:** 22 September 2008

**Accepted:** 10 October 2008

**WARD:** Hendon

**Expiry:** 05 December 2008

**Final Revisions:**

**APPLICANT:** Mr Attar

**PROPOSAL:** Demolition of existing house and garage and the erection of a 2 storey building plus basement and roof penthouse comprising 7 No. flats with car parking.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 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.

- 2 Before the development hereby permitted is occupied the parking spaces/garages shown on Plan 4002 rev A 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.

- 3 No structure or erection with a height exceeding 1.05m above footway level shall be placed along the frontage(s) of Ashley Lane from a point 2.4m from the highway boundary for a distance of 2.4m on both sides of the vehicular access(es).

Reason:

To prevent danger, obstruction and inconvenience to users of the adjoining highway and the premises.

- 4 Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.

- 5 Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

- 6 Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway.

- 7 Before the development hereby permitted commences, 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 and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

- 8 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

- 9 Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties.

- 10 A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

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

- 14 The residential development is required to meet one of the following generic environmental standards (EcoHomes or Code for Sustainable Homes) and at a level specified at Section 6.11 (EcoHomes) or Section 6.14 (Code for Sustainable Homes) of the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007). Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies.

- 15 Prior to the occupation of the units a copy of the Pre-completion Sound Insulation Test Certificate of Part E of the Building Regulations 2000 (or any subsequent amendment in force at the time of implementation of the permission) shall be submitted to the Local Planning Authority and shall indicate at least 3 decibels above the Performance Standard.

Reason:

To protect the amenities of future and neighbouring residential occupiers.

- 16 No additional windows shall be inserted in any of the proposed elevations, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties.

- 17 Before development commences, a scheme of proposed air pollution mitigation measures shall be submitted to and approved by the Local Planning Authority. The approved mitigation scheme shall be implemented in its entirety before (any of the units are occupied / the use commences).

Reason:

To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity.

- 18 Before development commences, a scheme of proposed noise mitigation measures shall be submitted to and approved by the Local Planning Authority. This scheme shall include acoustic ventilators in windows to ventilate the rooms without being opened and acoustic, secondary or triple glazing in the windows of the elevations facing Great North Way and Ashley Lane. The approved mitigation scheme shall be implemented in its entirety before any of the units are occupied.

Reason:

To ensure that the amenities of occupiers are not prejudiced by road traffic noise in the immediate surroundings.

- 19 No development shall take place until details of the arrangements to meet the obligation for education, libraries and monitoring contributions in accordance with the relevant Supplementary Planning Documents have been submitted to and approved in writing by the local planning authority.

Reason:

To ensure the proper planning of the area and to comply with policies CS2, CS8, IMP1 and IMP2 of the adopted Unitary Development Plan and the adopted Supplementary Planning Documents on Education Facilities, Library Facilities and Planning Obligations.

#### **INFORMATIVE(S):**

- 1 The plans accompanying this application are:-Design and Access Statement, 4000, 4001, 4002 rev A, 4003, 4004, 4005, 4006, 4007
- 2 The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards. A list of possible options for mitigating poor air quality is as follows: 1) Use of passive or active air conditioning; 2) Use of acoustic ventilators; 3) Altering lay out – habitable rooms away from source of poor air quality; 4) Non residential usage of lower floors; 5) Altering footprint – setting further away from source of poor air quality.

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four

of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network. The report should be written in accordance with the following guidance: 1) NSCA Guidance: Development Control: Planning for Air Quality and the Planning Policy Statement 23: Planning and Pollution Control; 2) Environment Act 1995 Air Quality Regulations, Planning Policy Statement 23: Planning and Pollution Control, Annex 1: Pollution Control, Air and Water Quality; 3) Local Air Quality Management Technical Guidance LAQM.TG(03); 4) London Councils Air Quality and Planning Guidance, revised version January 2007.

- 3 Any alteration to the existing crossover or new crossovers will be subject to detailed survey by the Crossover Team in Highways Group as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. An estimate for this work can be obtained from the Highways Group, Building 4, North London Business Park, London, N11 1NP (telephone 020 8359 3018).
- 4 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 Council of 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 email: [street.naming@barnet.gov.uk](mailto:street.naming@barnet.gov.uk) or by telephoning: 0208 359 7294.

- 5 The reasons for this grant of planning permission or other planning related decision are as follows: -
  - i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006). In particular the following policies are relevant:  
Adopted Barnet Unitary Development Plan (2006): GSD, GEnergy, GBEnv1, GBEnv2, Gparking, GH1, GH2, Env12, Env13, D1, D2, D3, D5, D6, D7, D8, D9, M14, H16, H17, H18, H21, IMP1, IMP2, CS8
  - ii) The proposal is acceptable for the following reason(s): -  
The development would not unduly affect the residential amenities of occupiers of adjoining properties and would be in keeping with the character and appearance of the locality.

## 1. MATERIAL CONSIDERATIONS

National Planning Policy Guidance/ Statements:  
PPS1 Sustainable Development and Climate Change  
PPS3 Housing

The Mayor's London Plan (consolidated with alterations since 2004):  
3A.1, 3A.2, 3A.3, 3A.4

Relevant Unitary Development Plan Policies:  
GSD, Genergy, GBEnv1, GBEnv2, Gparking, GH1, GH2, Env12, Env13, D1, D2, D3, D5, D6, D7, D8, D9, M14, H16, H17, H18, H21, IMP1, IMP2. CS8  
Supplementary Planning Document : Sustainable Design And Construction.  
Supplementary Planning Document : Planning Obligations

### Relevant Planning History:

**Application:** Planning **Number:** W/00903/D/02  
**Validated:** 14/08/2002 **Type:** APO  
**Status:** DEC **Date:** 01/11/2002  
**Summary:** REFUSED  
**Description:** Demolition of existing building and erection of new building to accommodate 6no. self contained flats (outline).

**Application:** Planning **Number:** W/00903/E/04  
**Validated:** 30/04/2004 **Type:** APF  
**Status:** DEC **Date:** 24/06/2004  
**Summary:** REFUSED  
**Description:** Demolition of existing dwelling house and erection of new 3 storey detached building comprising 5 self-contained flats.

**Application:** Planning **Number:** W/00903/F/07  
**Validated:** 09/05/2007 **Type:** APO  
**Status:** DEC **Date:** 30/07/2007  
**Summary:** REFUSED  
**Description:** Demolition of existing house and garage and the erection of a 2 storey building and roof penthouse comprising 7 No. flats with car parking.

**Application:** Planning **Number:** W/00903/G/08  
**Validated:** 22/01/2008 **Type:** APF  
**Status:** DEC **Date:** 10/03/2008  
**Summary:** APPROVED SUBJECT TO CONDITIONS  
**Description:** Demolition of existing house and garage and the erection of a 2 storey building and roof penthouse comprising 5 No. flats with car parking.

### Consultations and Views Expressed:

Neighbours Consulted: 67

Replies: A petition with 26 signatories has been received from the Ashley Lane Residents' Association

Neighbours Wishing To Speak 1



The objections raised may be summarised as follows:

- Will increase traffic by 25%
- Car parking is inadequate and the inevitable on street car parking resulting would interfere with the free flow of traffic
- unduly obtrusive
- Would adversely effect the outlook and visual amenities of neighbours
- not in keeping with the architectural line of the road which is made up of houses
- the proposed lightwells increase the development's footprint considerably
- give rise to noise and disturbance
- Inclusion of a swimming pool in the grounds to the rear will attract additional traffic
- no undertaking to meet additional educational costs.

Internal /Other Consultations:

- Highways - H, Development Team - Response will be reported in the Addendum to this report.

Date of Site Notice: 23 October 2008

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

The application site relates to 37 Ashley Lane a detached property situated on the north-west side of Ashley Lane, corner of Great North Way. The area is characterised by large detached residential properties in Ashley Lane and a mixture of residential and flatted schemes on Great North Way. The site backs onto Christopher Court a residential development of 14 self contained units built approx. 3 years ago. The house is currently in residential use.

Proposal:

Following the previous grant of planning permission the house has been demolished. The application differs from the extant permission solely with the introduction of a basement level which would accommodate 2, 2 bedroom flats. Lightwells to front and rear would allow natural daylight to the basement units.

7 car parking spaces would be provided on the front forecourt area. Existing vehicular access would be used via Ashley Lane.

The proposed building would be of an art-deco style reflecting the design of the application property and that of adjoining house. Communal garden area is proposed at ground level to the rear.

Planning Considerations:

In light of the extant permission, approved by this Committee on 05.03.08, the main issues to be considered in this application would be the impact of the proposed lower ground floor on the character and appearance of the area, and its impact upon neighbouring residential amenity.

The application site benefits from a large front garden. The proposed front light wells would be sited approx. 18m from the back edge of footpath. In view of their location, and discrete perimeter enclosures, it is considered that the introduction of the basement accommodation and associated lightwells would not detract from the appearance of the proposed block or the character of this part of Ashley Lane.

To the rear the perimeter wall enclosing the light well closest to no.35 Ashley Lane, would

project less than a metre beyond the rear building line of no.35. the second lightwell, sited approx 12m from the boundary with no.35, would project approx. 27m beyond no 35's rear building line. Whilst the lightwells would bring the development to within a minimum of approx. 11.5m from the boundary with Christopher Court it is considered that as the additional footprint is below ground level, the additional footprint would have no discernible impact on the amenities currently enjoyed by the occupiers of Christopher Court.

7 car parking spaces would be provided for the 7 flats. Sufficient space would remain to allow an adequate area for landscaping to front.

In view of the above, it is recommended that the revised application be approved.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

Largely addressed in the body of the report.

There is no swimming pool proposed in the rear garden area.

1 space is proposed for each additional dwelling which complies with parking standards.

### **4. EQUALITIES AND DIVERSITY ISSUES**

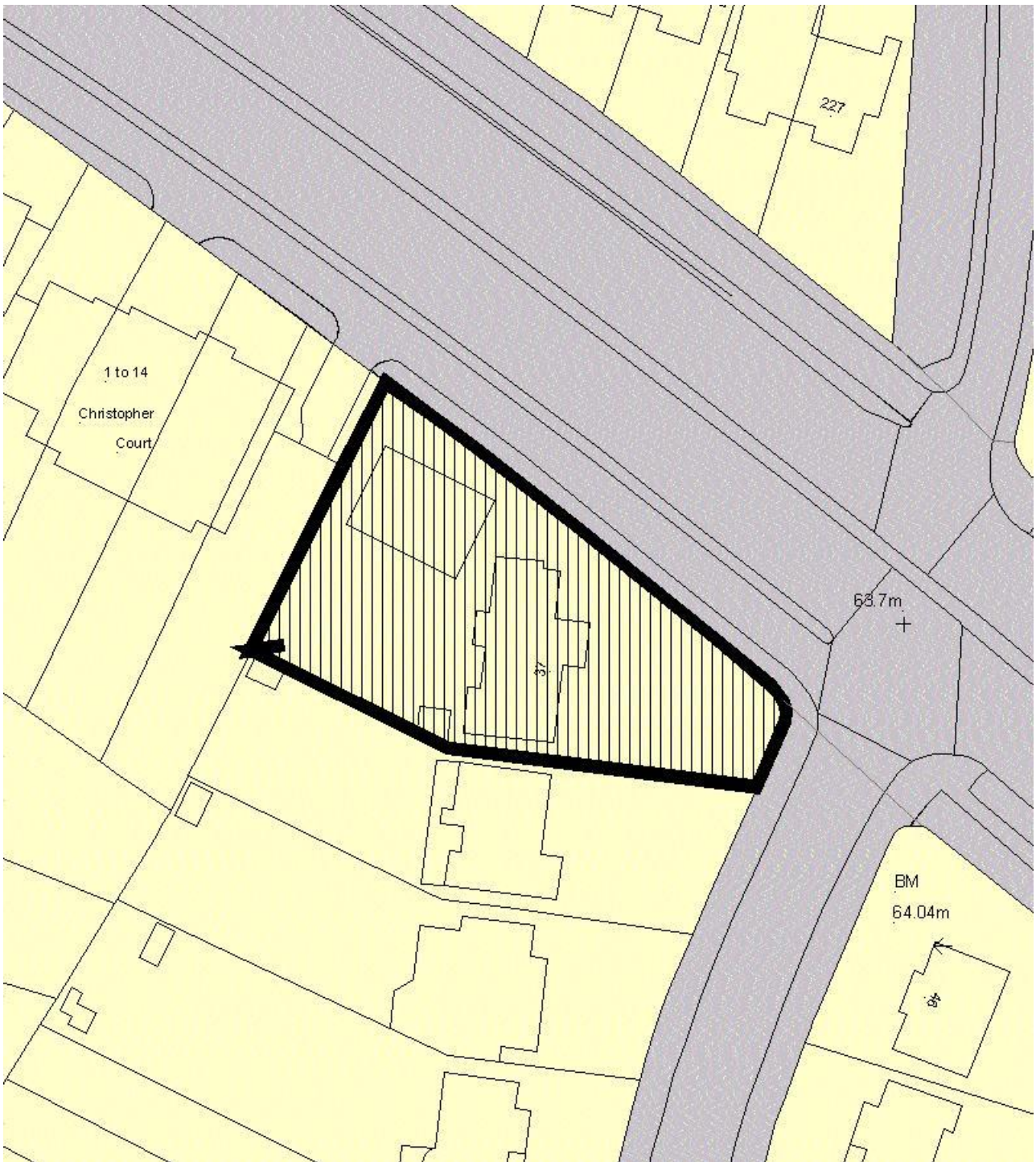
The proposal would provide 5 new flats, thereby increasing the range of accommodation in the borough.

### **5. CONCLUSION**

The revised proposal is considered acceptable in terms of the impact on the character and appearance of the locality and the amenities of neighbouring occupiers. It is also considered that the redevelopment of the site would accord with current Government Guidance in Planning Policy Statement Note 3 (PPS3), which seeks to increase the number of residential units by increasing densities in existing built environments. The development is accordingly recommended for APPROVAL.

**SITE LOCATION PLAN: 37 ASHLEY LANE, LONDON, NW4 1HH**

**REFERENCE: H/03535/08**



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2008

**LOCATION:** 44- 46 Ashley Lane, London, NW4 1HG

**REFERENCE:** H/04052/08

**Received:** 29 October 2008

**Accepted:** 29 October 2008

**WARD:** Hendon

**Expiry:** 24 December 2008

**Final Revisions:**

**APPLICANT:** Excelsior Properties Ltd

**PROPOSAL:** Demolition of existing properties an erection of a two storey building with rooms in the roofspace to accommodate 7 self-contained flats. Provision of underground car parking.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 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.

- 2 No structure or erection with a height exceeding 1.05m above footway level shall be placed along the frontage(s) of Ashley Lane from a point 2.4m from the highway boundary for a distance of 2.4m on both sides of the vehicular access(es).

Reason:

To prevent danger, obstruction and inconvenience to users of the adjoining highway and the premises.

- 3 Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access and the amenities of adjoining occupiers and the health of any trees on the site.

- 4 Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the visual amenities of the locality.

- 5 Before the development hereby permitted is brought into use or occupied the site shall be enclosed except at the permitted points of access in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the appearance of the locality and/or the amenities of occupiers of adjoining residential properties and to confine access to the permitted points in the interest of the flow of traffic and conditions of general safety on the adjoining highway.

- 6 Before the building hereby permitted is occupied the proposed window(s) in the south elevation facing 42 Ashley Lane 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, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

- 7 Before the development hereby permitted commences, 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 and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

- 8 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days unless previously approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties.

- 9 A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

To ensure a satisfactory appearance to the development.

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

Reason:

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

- 13 The residential development is required to meet one of the following generic environmental standards (EcoHomes or Code for Sustainable Homes) and at a level specified at Section 6.11 (EcoHomes) or Section 6.14 (Code for Sustainable Homes) of the adopted Sustainable Design and Construction Supplementary Planning Document (June 2007). Before the development is first occupied the developer shall submit certification of the selected generic environmental standard.

Reason:

To ensure that the development is sustainable and complies with Strategic and Local Policies.

- 14 Prior to the occupation of the units a copy of the Pre-completion Sound Insulation Test Certificate of Part E of the Building Regulations 2000 (or any subsequent amendment in force at the time of implementation of the permission) shall be submitted to the Local Planning Authority and shall indicate at least 3 decibels above the Performance Standard.

Reason:

To protect the amenities of future and neighbouring residential occupiers.

- 15 Before the development hereby permitted is occupied, details of the ramp and a revised parking layout should be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that parking and associated works are provided in accordance with the councils standards in the interests of highway safety and the free flow of traffic.

- 16 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order), the following operation(s) shall not be undertaken without the prior specific permission of the Local Planning Authority: no new windows in the proposed elevations.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

- 17 Before development commences other than for investigative work:

- A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.-
- If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. This shall be submitted to, and approved in writing by, the Local Planning Authority prior to that investigation being carried out on site. The investigation must be comprehensive enough to enable:-
  - a) a risk assessment to be undertaken,
  - b) refinement of the Conceptual Model, and
  - the development of a Method Statement detailing the remediation requirements.

The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority. If the risk assessment and refined Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.

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

#### Contaminated Land Condition Part 2

Where remediation of contamination on the site is required completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be

submitted to, and approved in writing by the Local Planning Authority before the development is occupied

Reason: To ensure the safety of existing and future occupiers and prevent pollution of ground water.

CON00 Condition for noise from traffic

Before development commences, a scheme of proposed noise mitigation measures shall be submitted to and approved by the LPA. This scheme shall include acoustic ventilators in windows to ventilate the rooms without being opened and acoustic, secondary or triple glazing in the windows of the elevations facing the Great North Way. The approved mitigation scheme shall be implemented in its entirety before the use commences.

Reason: To ensure that the amenities of occupiers are not prejudiced by rail and/or road traffic and/or mixed use noise in the immediate surroundings.

- 18 The level of noise emitted from the air conditioning and ventilation plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of the nearest room of an existing neighbouring property at the time of this decision notice.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulses (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 the nearest room of an existing neighbouring property at the time of this decision notice.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

- 19 Before development commences, a report should be carried out by a competent acoustic consultant and submitted to the LPA for approval, that assesses the likely noise impacts from the development of the plant. The report shall also clearly outline mitigation measures for the development to reduce these noise impacts to acceptable levels.

It should include all calculations and baseline data, and be set out so that the LPA can fully audit the report and critically analyse the contents and recommendations.

Reason: To ensure that the amenities of neighbouring premises are protected from noise from the development.

- 20 Before development commences, a scheme of proposed air pollution mitigation measures shall be submitted to and approved by the LPA. The approved mitigation scheme shall be implemented in its entirety before the use commences.

Reason: To ensure that the amenities of occupiers are protected from the poor air quality in the vicinity.



- 21 The second floor, rear facing, roof area of the building hereby permitted, as annotated on plan no: 1499/P/03E, 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, without the benefit of the grant of further specific permission in writing from the Local Planning Authority.

Reason:

To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

### **INFORMATIVE(S):**

- 1 The plans accompanying this application are:-

01B, 02D, 03D, 04A, 05B, 07, 08 and Design and Access Statement.

- 2 a. Use of current guidance

Reference should be made at all stages to appropriate current guidance and codes of practice at March 2004 this would include:

The Environment Agency CLR Guidance documents;

BS10175:2001 Investigation of potentially contaminated sites – Code of Practice;

The Environment Agency (2001) Secondary Model Procedure for the Development of Appropriate Soil Sampling Strategies for Land Contamination;

And Guidance for the safe development of housing on land affected by contamination, Environment Agency R&D Publication 66.

b. Maps

Clear site maps should be included in the reports showing previous and future layouts of the site, potential sources of contamination, the locations of all sampling points, the pattern of contamination on site, and to illustrate the remediation strategy.

c. Raw Data

All raw data should be provided in a form that can be easily audited and assessed by the council. (e.g. trial pit logs and complete laboratory analysis reports)

d. Decision Process

Details as to reasoning, how conclusions were arrived at and an explanation of the decisions made should be included. (e.g. the reasons for the choice of sampling locations and depths).

- 3 Noise Report - For Information

You are 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 details of acoustic consultants can be obtained from the following contacts:

Institute of Acoustics: telephone number 01727 848195

Association of Noise Consultants: telephone number 01763 852958

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:

Dept of Environment: PPG 24 (1994) Planning Policy Guidance - Planning & Noise.

BS 7445 (1991) Pts 1, 2 & 3 (ISO 1996 pts 1-3) – Description & measurement of environmental noise.

BS 4142:1997 – Method of rating industrial noise affecting mixed residential and industrial areas.

BS 8223 :1999 – Sound insulation and noise reduction for buildings: code of practice.

Dept of Transport: Calculation of Road Traffic Noise (1988).

Dept of Transport: Calculation of Railway Noise (1995).

Dept of Transport: Railway Noise & Insulation of Dwellings

#### 4 Air Quality Condition - For information

The Air Quality Stage 4 Review and Assessment for the London Borough of Barnet has highlighted that this area currently experiences or is likely to experience exceedances of Government set health-based air quality standards.

A list of possible options for mitigating poor air quality is as follows:

Use of passive or active air conditioning

Use of acoustic ventilators

Altering lay out – habitable rooms away from source of poor air quality

Non residential usage of lower floors

Altering footprint – setting further away from source of poor air quality

For developments that require an Air Quality report; the report should have regard to the air quality predictions and monitoring results from the Stage Four of the Authority's Review and Assessment available from the LPA web site and the London Air Quality Network.

The report should be written in accordance with the following guidance:

NSCA Guidance: Development Control: Planning for Air Quality and the Planning Policy Statement 23: Planning and Pollution Control.

Environment Act 1995 Air Quality Regulations, Planning Policy Statement 23: Planning and

Pollution Control, Annex 1: Pollution Control, Air and Water Quality

Local Air Quality Management Technical Guidance LAQM.TG(03)

London Councils Air Quality and Planning Guidance, revised version January 2007.

5 Any alteration to the existing crossover or new crossovers will be subject to detailed survey by the Crossover Team in Highways Group as part of the application for crossover under Highways Act 1980 and would be carried out at the applicant's expense. An estimate for this work could be obtained from London Borough of Barnet, Highways Group, NLBP, Building 4, 2nd Floor, Oakleigh Road South, London N11 1NP

6 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D3, D5, D7, M14, H16, H17, H18,

ii) The proposal is acceptable for the following reason(s): -

The development would not unduly affect the residential amenities of occupiers of adjoining properties and would be in keeping with the character and appearance of the locality.

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Guidance/ Statements:

PPS1 Sustainable Development and Climate Change

PPS3 Housing

### The Mayor's London Plan (consolidated with alterations since 2004):

3A.1, 3A.2, 3A.3, 3A.4

### Relevant Unitary Development Plan Policies:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D3, D5, D7, M14, H16, H17, H18,

Supplementary Planning Document : Sustainable Design And Construction.

Supplementary Planning Document : Planning Obligations

### Relevant Planning History:

W06533B/07 Demolition of existing properties and erection of a two storey building plus rooms in the roofspace to accommodate 7 self contained flats. Provision of car parking at basement level. Refused 7.1.08 for the following reason:

1. The proposed development by reason of its size, siting, height, bulk and design would be unduly obtrusive and detrimental to the character and appearance of the street scene

and the visual and residential amenities of the neighbouring occupiers contrary to policies GBEnv1, GBEnv2, D1, D2, D3, D5, D7 and H16 of the Barnet Adopted Unitary Development Plan (2006).  
Appeal lodged. Dismissed.

W06533A/07 Demolition of existing properties and erection of three-storey building with rooms in the roofspace to accommodate 9 No. self contained flats and provision of car parking at basement level. Refused 7.11.07.

Consultations and Views Expressed:

Neighbours Consulted: 74

Replies: 3, plus a petition with 28 signatories from the Ashley Lane Residents' Association

Neighbours Wishing To Speak 1

The objections raised may be summarised as follows:

- Increased access and egress from the site which is likely to be relatively blind
- c) significant loss of privacy to adjoining neighbours
- development will cause chaos to neighbouring property
- detrimental to the aesthetic appearance of the area
- obtrusive affect on outlook and visual amenities of neighbours
- Conflicts with the objectives of policies GBEnv2 and D5 which serve to protect adjoining occupiers' amenities
- proposal should be based on an understanding of local characteristics, preserve or enhance local character and respect the appearance, scale, bulk, height and pattern of surrounding buildings, surrounding streets and movement patterns, with the overall quality of the area
- obligation to protect neighbouring amenities and all other criteria in policy D3
- significant increase in traffic, volume of traffic would be increased by approx 25%
- Underground car parking facilities are inadequate. The inevitable on-street car parking would result in interference with the free flow of traffic
- out of character
- give rise to noise and disturbance
- insufficient undertaking to meet extra education costs arising
- the Inspector's ground for dismissing the appeal are just as pertinent to this application
- development cannot proceed without disruption to neighbouring property

Internal /Other Consultations:

- Highways - H, Development Team - The proposal is acceptable on highways grounds

Date of Site Notice: 06 November 2008

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

The application site relates to 44 and 46 Ashley Lane 2 detached properties situated on the north-east side of Ashley Lane corner of Great North Way. Access to the site would be via Ashley Lane. The area is characterised by large detached residential properties in

Ashley Lane and a mixture of residential and flatted schemes in Great North Way. The houses are currently in residential use.

Proposal:

It is proposed that the existing houses be demolished and replaced with a 2 storey block with accommodation in the roof space. Seven self-contained flats are proposed in total consisting of 3x2 bedroom flats on ground level, 3x2 bedroom flats on first floor level and 1x3 bedroom flat within the roofspace.

14 car parking spaces and cycle storage would be provided within a basement area. A ramp is proposed along the boundary with the adjoining neighbouring property. Vehicular access would be via Ashley Lane.

The proposed building would have mansard style roof. The mansard roof would be set in from the edge of the parapet and relates well within the street scene. Communal garden area would be provided at ground level rear. In addition private terraces are proposed to plots 4, 5, 6 at first floor level and plot 7 within the roof space. Plots 1, 2 and 3 on ground level would make use of the communal garden area.

The proposal is identical to that refused and dismissed on appeal, except that the rear second floor terrace has been deleted from the scheme.

Planning Considerations:

The Inspector's comments in dismissing the appeal can be summarised as follows: The Inspector states that "the height of the building would be similar to that of the neighbouring house at No 42, taking account of the fall in levels between the 2 properties he states that the development would not appear unduly bulky or out of scale in this context. Therefore satisfied that the development would respect the scale, design and architectural style of neighbouring properties and compatible with the street scene causing no harm to the character and appearance of the area and no conflict with any of the development plan policies to which he has been referred to.

He further states that the limited height of the block and its similar overall bulk compared with the 2 existing houses on the appeal site, he does not consider the new building would cause any appreciable reduction in light or appear unduly intrusive or overbearing to the adjoining occupiers at 8 Garrick Rd or 42 Ashley Lane. Nevertheless, he concludes that while overlooking from upper floor windows would be reduced to an acceptable degree consistent with an urban location, his concerns remains over the intrusive effect of the rear section of the proposed second floor terrace. He considers that although, the proposed side privacy screens would reduce the impact on neighbours to some extent, the potential for a significant degree of overlooking into the adjoining gardens would remain, as well as the likely disturbance caused by people gathering in what would be a considerable external area and he concludes on this issue that the proposed development would be harmful to neighbouring residents' living conditions in terms of its adverse impact on privacy, in conflict with the objective of UDP policies GBEEnv2 and D5 to protect adjoining occupiers' amenities.

The current proposal has been amended omitting the second floor terrace from the scheme which is considered to address the concerns raised by the Planning Inspectorate. It is therefore considered that the application has overcome the Inspector's sole objection to the proposal and accordingly it is recommended that the application be approved.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

The objections have been largely addressed in the Inspector's appeal decision and the report above.

### **4. EQUALITIES AND DIVERSITY ISSUES**

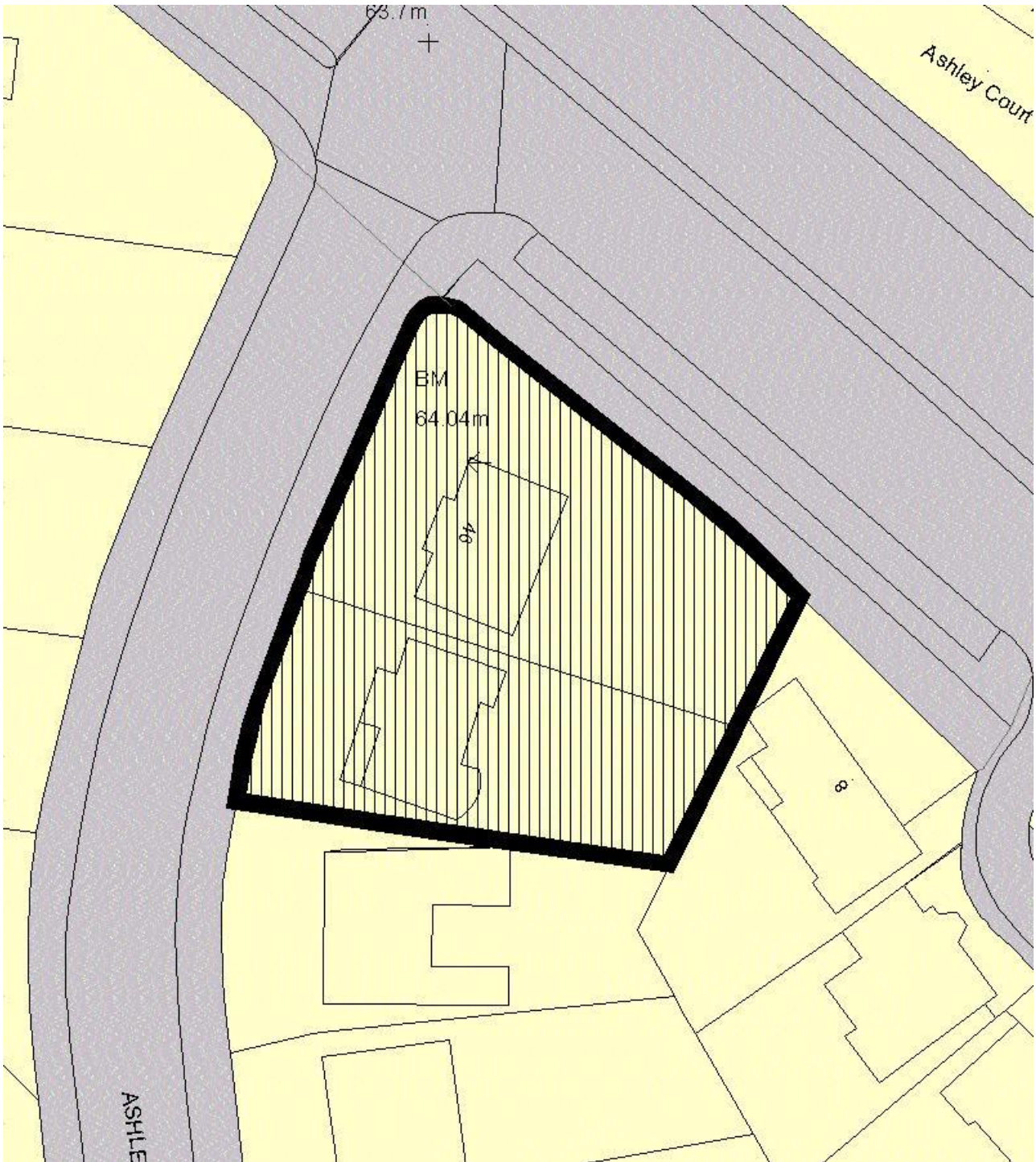
The proposal would provide 7 new flats, thereby increasing the range of accommodation in the borough.

### **5. CONCLUSION**

The proposals are considered acceptable in terms of the impact on the character and appearance of the locality and the amenities of neighbouring occupiers. It is also considered that the redevelopment of the site would accord with current Government Guidance in Planning Policy Statement Note 3 (PPS3), which seeks to increase the number of residential units by increasing densities in existing built environments. The development is accordingly recommended for **APPROVAL**

**SITE LOCATION PLAN:** 44- 46 Ashley Lane, London, NW4 1HG

**REFERENCE:** H/04052/08



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2008

**LOCATION:** 19 GLENDOR GARDENS, LONDON, NW7 3JY

**REFERENCE:** H/03432/08

**Received:** 11 September 2008

**Accepted:** 02 October 2008

**WARD:** Mill Hill

**Expiry:** 27 November 2008

**Final Revisions:**

**APPLICANT:** Ms C Sweeney

**PROPOSAL:** Partial retention of canopy at rear (reduction in depth of canopy to maximum of 3m from main rear wall) and addition of felt roof.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The roof of the extension 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, without the benefit of the grant of further specific permission in writing from the Local Planning Authority.

Reason:

To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

**INFORMATIVE(S):**

- 1 The plans accompanying this application are:- Site Location Plan; Plan 1 Revision B; Plan 2 Revision B; letter from applicant received 13/11/08 confirming the measurements of the plans
- 2 The reasons for this grant of planning permission or other planning related decision are as follows: -
  - i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (UDP) (2006).  
In particular the following policies are relevant:  
Adopted Barnet Unitary Development Plan (2006): GBEnv1, D2, D5, D7 and H27 and Design Guidance Note No 5: Extensions to Houses, and:
  - ii) The proposal is acceptable for the following reason(s): -  
The proposal would not have a detrimental impact on the appearance of the property or unduly detract from the visual or residential amenities currently enjoyed by neighbouring occupiers according with all the aforementioned policies.
- 3 The works specified in this permission, namely the reduction in depth to 3m should be implemented within 4 months of the grant of this permission or the council will consider the issue of an enforcement notice to secure the necessary alterations to the property.



- 4 The applicant should be aware that this application relates only to the wooden framed structure and not to any other alterations to enclose this structure on the adjacent neighbouring boundaries

## 1. MATERIAL CONSIDERATIONS

### National Planning Policy Guidance/ Statements:

Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 3: Housing

### The Mayor's London Plan (consolidated with alterations since 2004):

3A.1, 3A.2, 3A.4

### Relevant Unitary Development Plan Policies:

GBEnv1, D2, D5, D7 and H27  
Design Guidance Note No 5: Extensions to Houses

### Relevant Planning History:

<b>Application:</b> Planning	<b>Number:</b> W/13707/04
<b>Validated:</b> 04/05/2004	<b>Type:</b> APF
<b>Status:</b> DEC	<b>Date:</b> 09/07/2004
<b>Summary:</b> APC	<b>Case Officer:</b>
<b>Description:</b> Construction of vehicle crossover and front hardstanding.	

### Consultations and Views Expressed:

Neighbours Consulted: 6	Replies: 1
Neighbours Wishing To Speak: 1	

The objections raised may be summarised as follows:

- Existing structure unacceptable
- Depth of canopy extends 4.3 metres (excess of 3 metres allowed under permitted development)
- Height of canopy is 3.6 metres (excess of 3 metres allowed under permitted development)
- Scale and appearance
- Loss of amenity
- Loss of privacy
- Loss of light
- Water run off from roof onto neighbouring property
- Even if gutter installed it would overhang onto neighbouring property
- Noise and disturbance
- Unclear whether proposal is a canopy or going to include windows
- Proposed roof could be used as a balcony which would then to a host of issues

### Internal /Other Consultations:

N/A

### Date of Site Notice:

N/A

## **2. PLANNING APPRAISAL**

The application has been referred to committee at Cllr Jeremy Davies' request.

### Site Description and Surroundings:

The application site relates to the ground floor flat of a semi detached property located on the east side of Glendor Gardens which is predominantly residential in character. The application site is surrounded by semi detached and detached properties and also fronts onto the M1.

### Proposal:

The application seeks permission for the retention of the canopy at the rear. The plans have been amended.

As amended, the canopy will measure 3 metres in depth, approximately 3.16 metres in width and 3.6 metres in height with a flat roof.

### Planning Considerations:

The application has been referred to committee at Cllr Jeremy Davies' request.

Council's policies states that they will only allow development where it does not have an adverse impact on the surrounding area. The subject property currently contains a wooden framed structure, without a roof, measuring 4.3 metres in depth along the boundary with No. 17 Glendor Gardens which is in excess of that permitted under Council guidance. The applicant seeks to enclose this structure with a felt roof to create a usable amenity space. As the property is a flat and not a house, the works cannot be implemented as 'permitted development' and therefore full planning consent is required.

The plans have been amended to reduce the depth of the structure so that it extends no more than 3 metres in depth along the shared boundary with No 17 Glendor Gardens and this will bring the structure in line with the existing kitchen and the proposal will be taken 0.3 metres off this shared boundary. Given the reduction in size, it is considered that the amended scheme will have minimal adverse impacts on neighbouring residential and visual amenity.

The existing structure measures 3.6 metres in height and sits just above the rear bay window. It is not considered to be of excessive height or result in an overbearing impact on the occupiers of neighbouring residential properties. A condition has been recommended restricting the use of the roof so that it is not used as a balcony, which will mitigate against any overlooking or loss of privacy as perceived by the occupiers of the neighbouring residential properties. In addition, the applicant has been advised that the proposal relates to the structure and any alterations to enclose the structure on the side elevations would require a separate consent.

## **3. COMMENTS ON GROUNDS OF OBJECTIONS**

Mostly addressed in the above report.

Party wall issues are not material planning considerations.

#### **4. EQUALITIES AND DIVERSITY ISSUES**

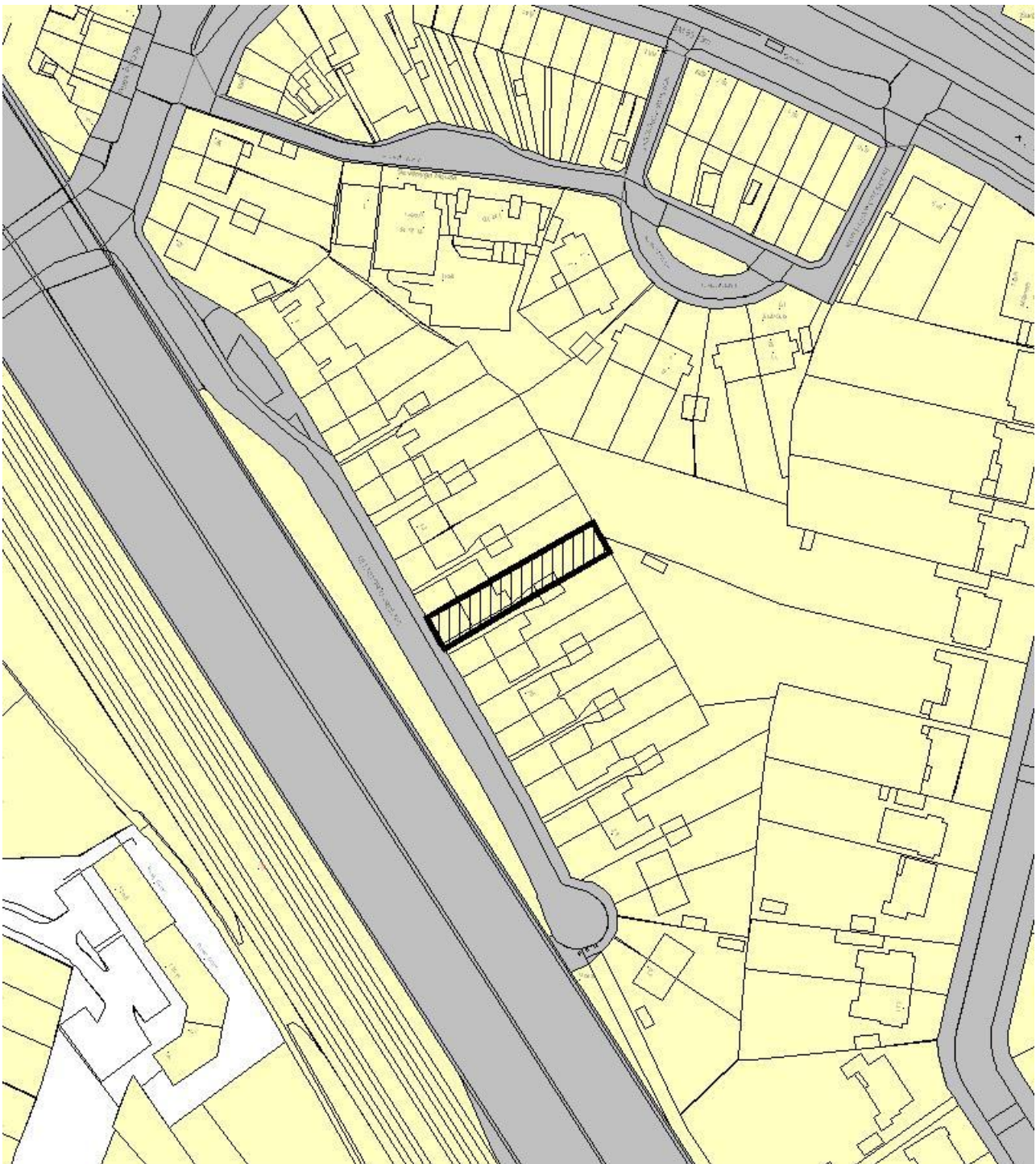
The applicant seeks to extend the property to increase living area.

#### **5. CONCLUSION**

As amended, the application would have an acceptable impact on the appearance of the property and the amenities of the neighbouring occupiers. It is considered to comply with all relevant council policy and design guidance and accordingly is recommended for approval.

**SITE LOCATION PLAN: 19 GLENDOR GARDENS, LONDON, NW7 3JY**

**REFERENCE: H/03432/08**



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2008

**LOCATION:** 80A Sunnyfield, London, NW7 4RG

**REFERENCE:** H/04024/08

**Received:** 28 October 2008

**Accepted:** 28 October 2008

**WARD:** Mill Hill

**Expiry:** 23 December 2008

**Final Revisions:**

**APPLICANT:** Mr B & Mrs C Chang

**PROPOSAL:** Reduction of main roof height, front bay roof and gable. Extension of eaves to front and side elevations.

**RECOMMENDATION: Refuse**

- 1 The proposed development by reason of its height, size and design would be out of scale with the surrounding buildings, and detract from the character and appearance of the street scene and general locality and be detrimental to visual amenities of the occupiers of neighbouring properties contrary to policies GBEnv1, GBEnv2, D1, D2, D3, D7 and H16 of the Barnet Adopted Unitary Development Plan (2006)

**INFORMATIVE(S):**

- 1 The plans accompanying this application are:- NA/80ASUNNYFIELD/01A; NA/80ASUNNYFIELD/02; NA/80ASUNNYFIELD/03E; NA/80ASUNNYFIELD/04D; EXISTING AND PROPOSED SECTION A-A

**1. MATERIAL CONSIDERATIONS**

National Planning Policy Guidance/ Statements:

Planning Policy Statement 1: Delivering Sustainable Development

The Mayor's London Plan (consolidated with alterations since 2004):

None specific

Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, D1, D2, D3, D7 and H16

Relevant Planning History:

<b>Application:</b>	Planning	<b>Number:</b>	W/03706/E/01
<b>Validated:</b>	28/03/2001	<b>Type:</b>	APF
<b>Status:</b>	DEC	<b>Date:</b>	04/07/2001
<b>Summary:</b>	APC	<b>Case Officer:</b>	
<b>Description:</b>	Erection of two storey detached dwelling.		

<b>Application:</b>	Planning	<b>Number:</b>	W/03706/F/01
<b>Validated:</b>	27/09/2001	<b>Type:</b>	APF
<b>Status:</b>	DEC	<b>Date:</b>	25/10/2001
<b>Summary:</b>	APC	<b>Case Officer:</b>	

**Description:** Proposed single storey front, 2 storey rear and part 1st floor rear extension.

**Application:** Planning  
**Validated:** 24/12/2001  
**Status:** DEC  
**Summary:** APC  
**Description:** Erection of two storey detached dwelling (Modification to previous approval W03706E).

**Number:** W/03706/G/01  
**Type:** APF  
**Date:** 12/03/2002  
**Case Officer:**

**Application:** Planning  
**Validated:** 19/06/2002  
**Status:** DEC  
**Summary:** APC  
**Description:** Two storey front/side extension.

**Number:** W/03706/H/02  
**Type:** APF  
**Date:** 02/08/2002  
**Case Officer:**

**Application:** Planning  
**Validated:** 10/02/2004  
**Status:** DEC  
**Summary:** REF  
**Description:** Retention of two storey detached dwellinghouse with 2no. off street car parking spaces as built.

**Number:** W/03706/K/04  
**Type:** S63  
**Date:** 05/04/2004  
**Case Officer:**

**Application:** Planning  
**Validated:** 28/06/2005  
**Status:** DEC  
**Summary:** REF  
**Description:** Proposed amendments to roof of existing dwelling.

**Number:** W/03706/L/05  
**Type:** APF  
**Date:** 31/08/2005  
**Case Officer:**

**Application:** Planning  
**Validated:** 19/09/2007  
**Status:** APS  
**Summary:**  
**Description:** First floor rear extension. Roof extension including raising of ridge height, 2 rear dormer windows and 1 side dormer window, to facilitate a loft conversion.

**Number:** W/03706/M/07  
**Type:** APF  
**Date:** 14/11/2007  
**Case Officer:**

**Application:** Planning  
**Validated:** 16/09/2003  
**Status:** APD  
**Summary:** DIS  
**Description:** Not to plan.  
sent to borough solicitor 16/09/2003.

**Number:** W/03706/NF  
**Type:** ENF  
**Date:**  
**Case Officer:**

**Application:** Planning  
**Validated:** 02/02/2006  
**Status:** APD  
**Summary:** DIS  
**Description:** Alterations and retention of existing dwelling house.

**Number:** W/14333/06  
**Type:** APF  
**Date:** 04/04/2006  
**Case Officer:**

Consultations and Views Expressed:

Neighbours Consulted: 9  
Neighbours Wishing To  
Speak 0

Replies: 0

At the time of writing the report the neighbour consultation period had not yet expired. Any representations received will be reported at the committee meeting.

Internal /Other Consultations:

N/A

Date of Site Notice:

N/A

## **2. PLANNING APPRAISAL**

The application has been referred to committee at Cllr Jeremy Davies' request.

Site Description and Surroundings:

The application site relates to a three-storey detached house including rooms in the roof space. The site is located on the south west side of Sunnyfield, characterised by predominantly detached and semi-detached properties.

Proposal:

The application seeks permission for the reduction of main roof height, front bay roof and gable and extension of eaves to front and side elevation.

Planning Considerations:

The application property was implemented following permission granted in 2002 but was not built in accordance with the approved plans. An appeal against a subsequent enforcement notice was dismissed in 2004 where the inspector held that the building was of excessive height relative to other neighbouring dwellings due to the sloping nature of the land and was unduly prominent in the street scene.

Further application ref W14333/06 was submitted incorporating a reduction in the height of the front gable in order to achieve alignment with the main roof ridge to overcome the previous inspector's findings. This was also refused and dismissed on appeal in 2006 where the inspector held that the altered gable failed to take account of the sloping topography of the site with the gable still significantly taller than the neighbouring gable feature at No.80 and considered together with the flat roofed section of the roof would represent an incongruous feature discordant with the architectural style of the building and would be at odds with the prevailing gable design in Sunnyfield.

This scheme is identical to the previously refused scheme (ref:W14333A/08 dated 23.04.08 which is currently subject to appeal) and there is no difference in the overall height. As previously, the reductions incorporate 0.7m in the eaves height, representing a difference of approx. 0.8m higher eaves level than that of adjoining property at NO.80.

Further amendments include reduction in the front gable feature by approx 0.95m. Whilst the reduction in the eaves level is considered to have a better relationship with the adjoining property the alterations to gable design and the overall building height would still

be significantly higher than that of the adjoining property.

The resubmission of this application has been submitted in light of a recent appeal decision allowed (dated 10th July 2008) at No 80 Sunnyfield which involved the raising of the ridge height to the lower area of the roof with the insertion of 2 rear dormers and 1 side dormer, with 2 roof lights to front elevation and second storey infill to the rear. Any planning application is assessed on the basis of the existing relationship between two properties at the time of submission. The appeal scheme at no80 has not been implemented and therefore the application can only be assessed on the existing site situation. Applications cannot be considered on the basis of what has received planning permission as there are no guarantees the approved plans would be implemented by the applicants.

Whilst the Inspector considered the proposals at No 80 would have an acceptable relationship to Nos 78 and 82 he does state that it would be considerably lower than the roof at No 80A. However, the Inspector attaches little weight to this in view of the Council's comments that it is unauthorised.

Given that the proposal is identical to the previously refused scheme and the adjoining consent at No 80 has not been implemented the previous reasons for refusal remain identical and the application is recommended for refusal accordingly.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

There were no objections to this application.

### **4. EQUALITIES AND DIVERSITY ISSUES**

The application will provide a range of housing available within the borough.

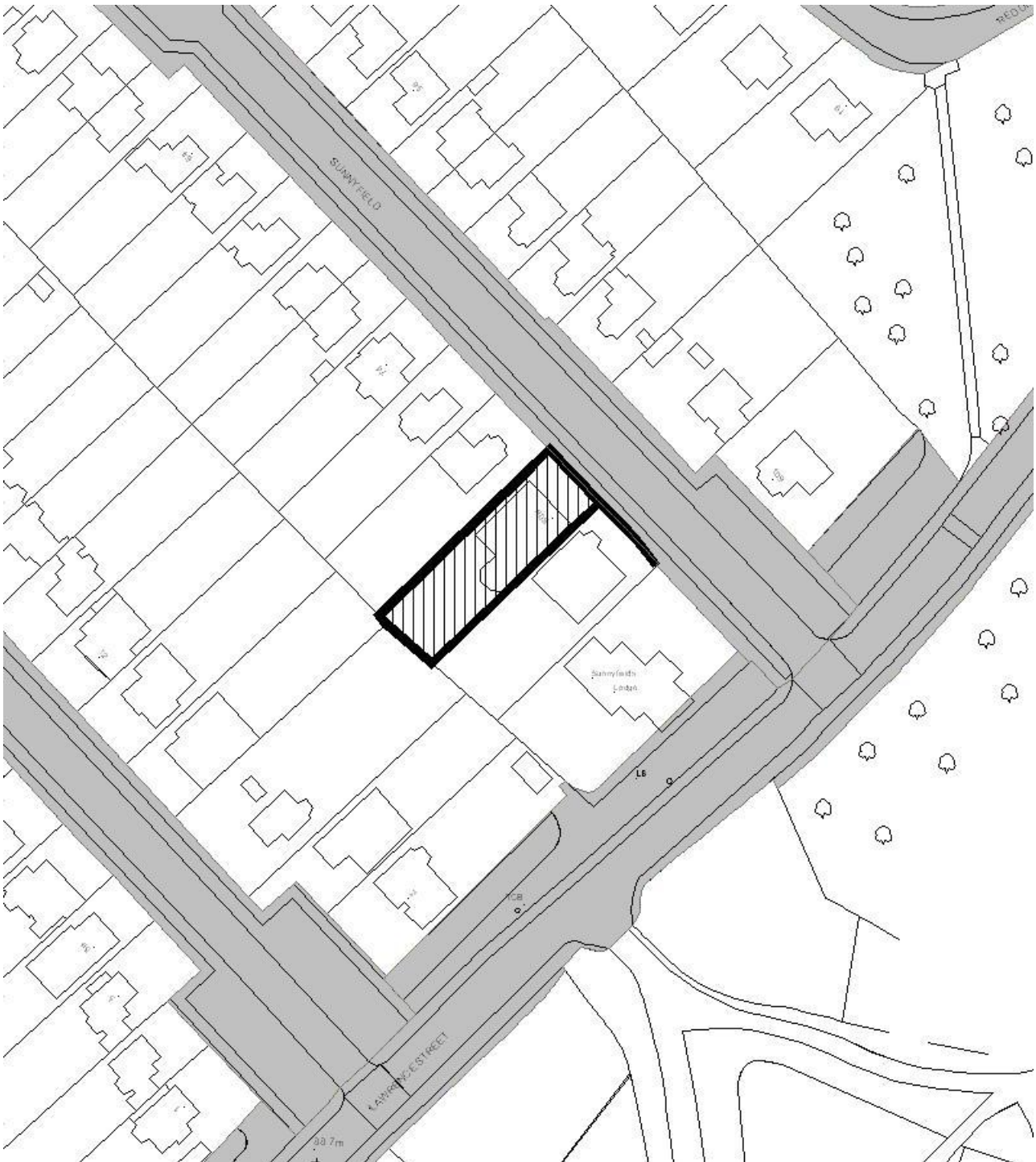
### **5. CONCLUSION**

The application in its submitted form would still appear unduly prominent and visually intrusive in the street scene and would harm the character and appearance of the area, accordingly the application is recommended for refusal.



**SITE LOCATION PLAN: 80A Sunnyfield, London, NW7 4RG**

**REFERENCE: H/04024/08**



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2008

**LOCATION:** 157 Park Road, London, NW4 3TH

**REFERENCE:** H/04293/08

**Received:** 13 November 2008

**Accepted:** 13 November 2008

**WARD:** West Hendon

**Expiry:** 08 January 2009

**Final Revisions:**

**APPLICANT:** Mr G Maddalena

**PROPOSAL:** Conversion of property into 3 flats, including rear dormer window.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The materials to be used in the construction of the external surfaces of the building(s) shall match those used in the existing building(s).

Reason:

To safeguard the visual amenities of the building and the surrounding area.

- 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.

- 4 Prior to the occupation of the units a copy of the Pre-completion Sound Insulation Test Certificate of Part E of the Building Regulations 2000 (or any subsequent amendment in force at the time of implementation of the permission) shall be submitted to the Local Planning Authority and shall indicate at least 3 decibels above the Performance Standard.

Reason:

To protect the amenities of future and neighbouring residential occupiers.

- 5 No structure or erection with a height exceeding 1.05m above footway level shall be placed along the frontage(s) of 157 Park Road, NW4, from a point 2.4m from the highway boundary for a distance of 2.4m on both sides of the vehicular access(es).

Reason:

To prevent danger, obstruction and inconvenience to users of the adjoining highway and the premises.

- 6 Before the development hereby permitted commences, 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 and shall be provided at the site in accordance with the approved details before the development is occupied.

Reason:

To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area.

- 7 No development shall take place until details of the arrangements to meet the obligation for education, libraries and monitoring contributions in accordance with the relevant Supplementary Planning Documents have been submitted to and approved in writing by the local planning authority.

Reason:

To ensure the proper planning of the area and to comply with policies CS2, CS8, IMP1 and IMP2 of the adopted Unitary Development Plan and the adopted Supplementary Planning Documents on Education Facilities, Library Facilities and Planning Obligations.

### **INFORMATIVE(S):**

- 1 The plans accompanying this application are:- Site Plan; Design and Access Statement; Letter from Sound Measurements Ltd dated 5/3/08; Location Plan showing similar conversions; BS 372 01; BS372-06; BS372-07.
- 2 The reasons for this grant of planning permission or other planning related decision are as follows: -
- i) The proposed development accords with strategic planning guidance and policies as set out in The London Plan (Consolidated with Alterations since 2004) and the Adopted Barnet Unitary Development Plan (2006). In particular the following polices are relevant:  
Adopted Barnet Unitary Development Plan (2006): GBEEnv1, GBEEnv2, Env13, GH1, H16, H23, H26, H27, D1, D2, D5, D7, M14  
Supplemenatry Planning Documents
- Note 5: Householder extensions
  - Note 7: Residential conversion
  - Sustainable Design and Construction
- ii) The proposal is acceptable for the following reason(s): -  
The proposed development would have an acceptable impact on the character and appearance of the property, wider locality and would not significantly harm the visual or residential amenities of any neighbouring or future occupiers
- 3 If the development is carried out it will be necessary for a crossover to be formed on the footway by the Highway Authority at the applicant's expense and you may obtain an estimate for this work from the Highways Group, Building 4, North London Business Park, London, N11 1NP (telephone 020 8359 3018).
- 5 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 Council of 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 email: [street.naming@barnet.gov.uk](mailto:street.naming@barnet.gov.uk) or by telephoning: 0208 359 7294.

## 1. MATERIAL CONSIDERATIONS

### National Planning Policy Guidance/ Statements:

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

### Relevant Unitary Development Plan Policies:

GBEnv1, GBEnv2, Env13, GH1, H16, H23, H26, H27, D1, D2, D5, D7, M14

Supplementary Planning Documents

- Householder extensions
- Residential conversion
- Sustainable design and construction

### Relevant Planning History:

<b>Application:</b>	Planning	<b>Number:</b>	H/00864/08
<b>Validated:</b>	19/05/2008	<b>Type:</b>	APF
<b>Status:</b>	DEC	<b>Date:</b>	14/07/2008
<b>Summary:</b>	APC	<b>Case Officer:</b>	Corcoran
<b>Description:</b>	Conversion of property into 2 flats including loft conversion and dormer window.		

<b>Application:</b>	Planning	<b>Number:</b>	H/03098/08
<b>Validated:</b>	16/09/2008	<b>Type:</b>	APF
<b>Status:</b>	WDN	<b>Date:</b>	14/11/2008
<b>Summary:</b>	WIT	<b>Case Officer:</b>	Corcoran
<b>Description:</b>	Conversion of loft bedroom into self contained flat to provide 3 No. flats in total. (Amendment to planning permission reference H/00864/08 dated 14-07-08).		

<b>Application:</b>	Planning	<b>Number:</b>	H/03441/08
<b>Validated:</b>	15/09/2008	<b>Type:</b>	APF
<b>Status:</b>	WDN	<b>Date:</b>	11/11/2008
<b>Summary:</b>	WIT	<b>Case Officer:</b>	Corcoran
<b>Description:</b>	Conversion of loft including rear dormer window to form three self contained flats ( Amendment to planning permission ref H/00864/08 dated 14/07/08)(Amended description)		

Related sites -

13 Dartmouth Road - W15735A/07 - Conversion of property into 3no. self-contained flats including loft conversion with dormer windows (incorporating roof extension) - Refused on 27-06-2007, then allowed on appeal 6/5/08

113 Park Road - H/01263/08 - Loft conversion including rear dormer window to create self-contained flat - Conditional Approval - 1/7/08

77 Park Road - W15678A/07 - Roof extension including a rear dormer window to create an additional self contained flat for a total of No. 3 self contained flats - Conditional Approval - 25/09/2007

Consultations and Views Expressed:

Neighbours Consulted: 41

Replies: 0

Neighbours Wishing To 0

Speak

At the time of writing the report the consultation period had yet expired. Any further representations will be reported in the addendum. On the previous application (ref no. H/03098/08) there were the following objections made which are considered to be relevant to the application in question:

- Rapidly changing character of the area has effects on the social community
- Park Road is over populated
- Park road properties are very old, these works would put pressure on the buildings
- Building work next door would make renting out my property difficult
- Loss of privacy
- Overlooking

Internal /Other Consultations:

- Environmental Health - No comments
- Highways - H, Development Team - No objections subject to conditions

Date of Site Notice: 20 November 2008

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

Subject property is a two storey mid-terrace property located on the north side of Park Road which is predominantly residential in character.

Proposal:

Proposal is for the conversion of the property into 3 flats and the provision of a rear dormer window. The proposed rear dormer would be 2.2m in width, 1.1m in height and 1.8m deep. Proposal involves the provision of one flat on each floor of the property.

Background

Planning permission exists for the conversion of the property into 2 flats and the provision of the rear dormer window. The application in question seeks to add an additional unit within the loft area of the property.

### Planning Considerations:

The proposed development is considered to have an acceptable impact on the character and appearance of the area and the amenities of neighbouring occupiers, according with all relevant UDP policies and design guidance.

UDP Policy H23 states that, "the council will permit conversions provided that the development has an acceptable impact on the amenity of neighbouring occupiers, the established character of the locality and the appearance of the streetscene".

### Surrounding Character

The application site is located in a predominantly residential area made up of terraced properties. Many of these have been converted, including both adjoining properties. With this in mind it is considered that the proposed would not be out of keeping with the established character of the area.

### Design -

#### Internal Room Layout -

The proposal would allow for sufficient stacking with bedrooms above bedrooms and living areas above living areas to ensure that the amenities of future and neighbouring occupiers are protected.

Flat 1 would have a floor space area of approx 54 sq.m

Flat 2 would have a floor space area of approx 45 sq.m

Flat 3 would have a floor space area of approx 30 sq.m

These room sizes meet the requirements as set out in the Council's Supplementary Planning Document on Sustainable Design and Construction.

#### Amenity Space-

All three flats have access to the rear garden area of the property. Flat 1 has access through the rear of the property, whilst flats 2 and 3 have access to the garden areas by the public walkway leading to the back of the property. There is approx 90sq.m. of amenity space which meets the Council's amenity space standards as set out in policy H18.

#### Noise and Disturbance -

Both neighbouring properties, no's 159 and 155 Park Road have been converted into flats. The applicant has submitted accompanying information specifying sound insulation details which verifies that construction will provide for sufficient insulation between adjoining walls ensuring that the residential amenities of both neighbouring occupiers and future occupiers of the flats are protected.

#### Parking-

2 car parking spaces existing on the front forecourt of the property. This number is considered to be acceptable in highway terms to meet the need for future occupiers for the three units. There has been no objections from the Council's Highway Department.

The door split would be inside the property and would therefore retain the external appearance of a single family house from the streetscene.

Overall, the proposal is considered to have an acceptable impact on the character and appearance of the area, and would not significantly harm the visual or residential amenities of any neighbouring occupier.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

Previous objections are addressed within the body of the report

### **4. EQUALITIES AND DIVERSITY ISSUES**

The proposal would contribute to the housing stock within the borough

### **5. SECTION 106 AGREEMENTS**

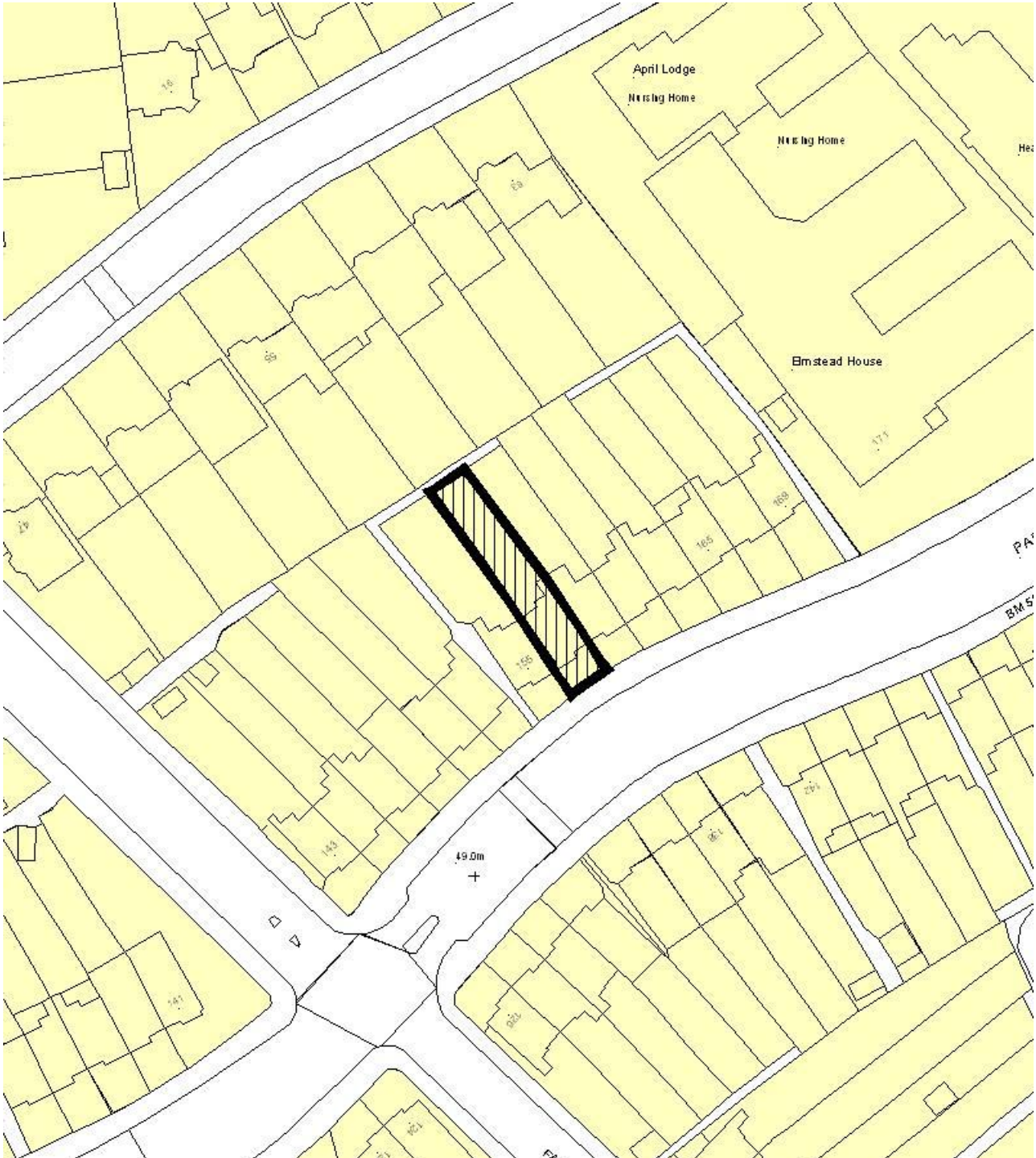
The proposal would give rise to extra pressure placed on education and library services. The development would require to meet these needs, through education contributions (£1210) and library contributions (£278)

### **5. CONCLUSION**

The proposed development would have an acceptable impact on the character and appearance of the property, area in general and would not significantly harm the visual or residential amenities of neighbouring or future occupiers

**SITE LOCATION PLAN: 157 Park Road, London, NW4 3TH**

**REFERENCE: H/04293/08**



© Crown Copyright. All rights reserved. London Borough of Barnet. OS Licence No LA100017674 2008