

# LONDON BOROUGH OF ENFIELD

## PLANNING COMMITTEE

Date : 30th June 2015

**Report of**

Assistant Director, Planning,  
Highways & Transportation

**Contact Officer:**

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**Ward:**

Cockfosters

Ref: 14/05030/FUL

Category: Full Application

**LOCATION:** 405 Cockfosters Road, Barnet, EN4 0JS,

**PROPOSAL:** Demolition of existing single-family dwellinghouse and erection of a total of 6 self contained residential flats within a 2-storey building (1x1 bed, 2 x 2-bed and 3 x 3-bed) with basement parking and forecourt parking, lower ground accommodation, front and rear balconies, accommodation in roof space and dormers to front and rear.

**Applicant Name & Address:**

Mr K Chaudhry  
c/o Agent

**Agent Name & Address:**

Andmore Planning Ltd  
16 Old Town  
Clapham  
London  
SW4 0JY

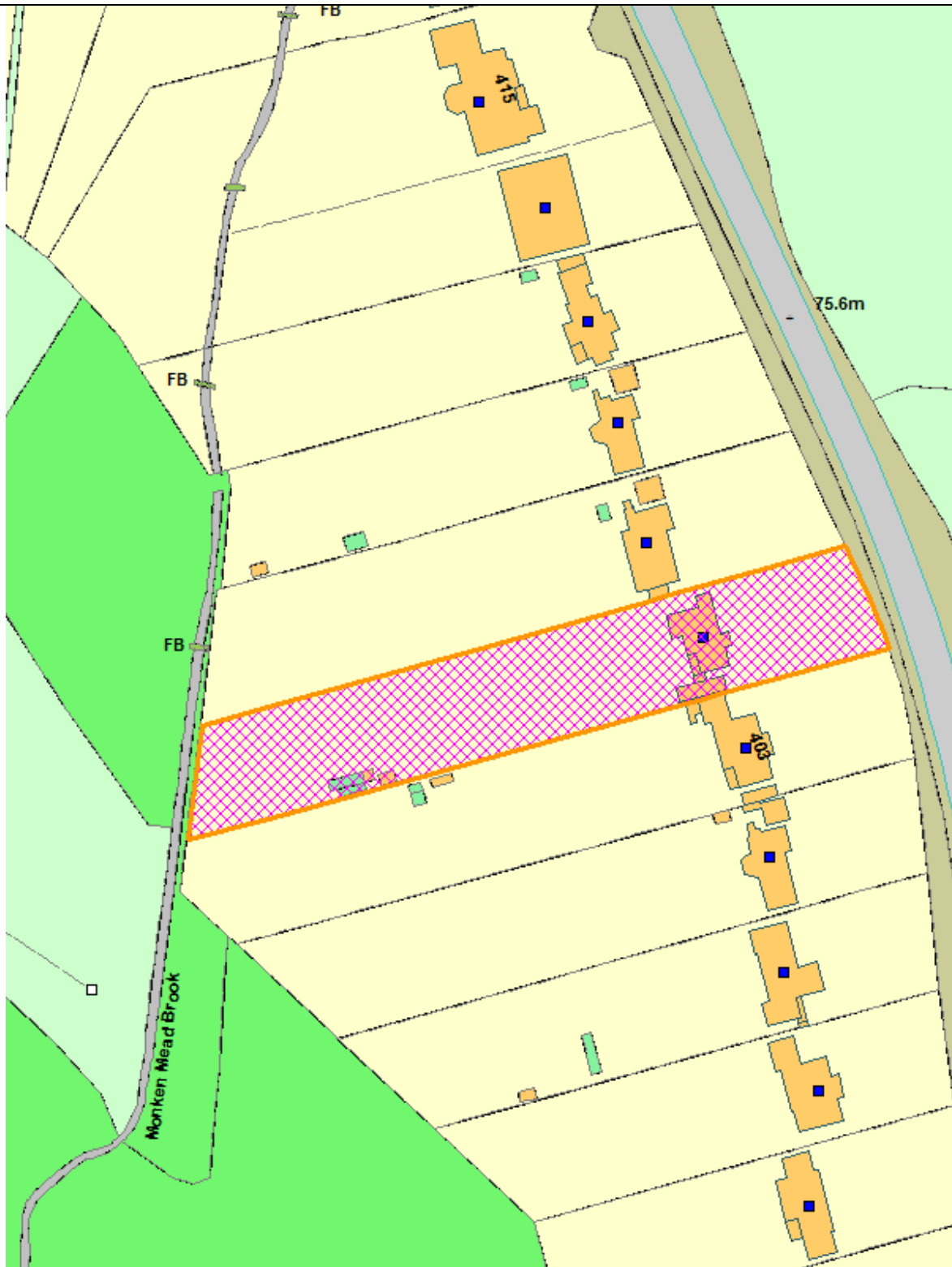
**RECOMMENDATION:**

That planning permission be **GRANTED** subject to conditions.

**Note for Members:**

This case would normally be dealt with under delegated authority, but has been put before Planning committee at the request of Councillor Pearce due to local objection.

Ref: 14/05030/FUL LOCATION: 405 Cockfosters Road, Barnet, EN4 0JS,



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## **1. Site and Surroundings**

- 1.1 The subject site is located on the western side of Cockfosters Road on a primarily rectangular plot of land. It is a relatively expansive site approximately 22 metres wide and 140 metres deep and has a measured area of approximately 3080sqm or 0.308 hectares. The site currently consists of a large family dwelling based over two floors, with accommodation in the roof space. It has a large front driveway area and a large expansive rear garden area that stretches down towards the Brook that runs at the bottom of the site. There is a significant fall in the site from the front to the back of approximately 8 metres over the 140 metre depth of the site.
- 1.2 The surrounding area is predominantly residential in nature and is characterised by large family houses on large expansive plots set back in from the Cockfosters Road frontage, with large front driveways and gardens areas and large deep rear gardens that back onto Hadley Wood Golf Course to the rear.
- 1.3 The site lies opposite the Trent Park Conservation Area. It has a PTAL rating of 1a. The site is located opposite the green belt which is located to the east on the opposite side of the road.

## **2. Proposal:**

- 2.1 The application proposes the demolition of the existing single-family dwellinghouse and erection of a total of 6 self-contained residential flats within a 2-storey building (1 x 1 bed, 2 x 2-bed and 3 x 3-bed) with basement parking, lower ground accommodation, front and rear balconies, accommodation in roof space and dormers to front and rear.
- 2.2 The proposed building would be 15m wide and 18m deep. It would be set relatively central on the site retaining a common alignment with Number 403. It would be set approximately 4.5m from the boundary with Number 403 and 2m from the boundary with Number 407.
- 2.3 The building is proposed over basement, ground, first and roof levels. It would have an average height above ground of 13.5 metres. At the rear of the site due to the proposed basement level the rear elevation would be 17m high, from the excavated basement level.
- 2.4 To the front of the site, approximately 9m inside the boundary of the application site, the application proposes a mechanical car lift which would take vehicles to basement level. The basement level extends out under the front driveway approximately another 13 metres further forward of the proposed building footprint. This would facilitate 5 parking spaces, 12 cycle parking spaces and storage for the individual flats. To the rear of the basement a one bedroom flat is proposed with its own rear amenity space.

## **3. Relevant Planning Decisions**

- 3.1 14/02349/FUL - Planning permission refused for the demolition of the existing single-family dwellinghouse and the provision of a total of 7 residential units, comprising erection of a 2-storey building of 3 x 2-bed and 3 x 3-bed self-contained flats with basement parking, lower ground

accommodation, front and rear balconies, accommodation in roof space and dormers to front and rear; and erection of a detached 2-storey single-family dwellinghouse to the rear with accommodation in roof, front and rear dormers, associated parking and landscaping, for the following reasons:

1. The proposed house at the rear of the garden by virtue of its backland siting and setting is considered to be an insensitive development, that would be contrary to the established character and linear built form of the area whilst setting a negative precedent for similar developments along this stretch of Cockfosters Road area which would create the possibility for similar developments to even further erode the established built form, green and rural character and appearance of the area. This is considered to be contrary to DMD6 and DMD7 of the Development Management Document Submission Version and CP30 of the Core Strategy, 7.4 of the London Plan whilst also against guidance and findings of the Enfield Characterisation Study 2011.
2. Insufficient information has been submitted to robustly justify the lack of Affordable Housing contribution associated with the development and the applicant has failed to implement a mechanism to secure education contributions contrary to Policies 3, 8 and 46 of the Core Strategy and Policies 3.10, 3.11 and 3.12 of the London Plan.
3. The applicant has failed to provide the council with sufficient information to be able to determine the likely impact of the proposals on bats (European Protected Species) as required under the 1981 Wildlife and Countryside Act (as amended), the European Habitats and Species Directive (92/43/C) enacted in the UK through the Conservation of Habitats and Species Regulations 2010. All bats and their roosts are protected under this legislation.

3.2 An appeal has been lodged against this decision and the matter is currently with the Planning Inspectorate for consideration.

#### 4. **Consultations**

##### 4.1 **Statutory and non statutory consultees**

###### Traffic and Transportation:

4.1.1 No objections in principle subject to clarification on a number of minor issues and the attachment of conditions.

###### Tree Officer

4.1.2 No objections subject to conditions.

###### Sustainability Officer

4.1.3 No objections, subject to conditions.

###### Environmental Health

4.1.4 Environmental Health Officers have verbally confirmed that to fully analyse the impact of the proposed car lift the application would need to be supported



by an acoustic report to ensure it would have no impact on future or neighbouring residents. However it has been suggested that this can be dealt with by a planning condition.

## **4.2 Public**

4.2.1 Consultation letters were sent to 7 neighbouring properties. A site notice was also displayed at the site. Three Letters of objection have been received, two from the occupiers of 407 and another relative. In addition another letter prepared on their behalf by a planning consultant has been received. These letters raise the following objections summarised as follows:

- There was maladministration to the previous application as no neighbours were notified. Given the scale of the previous application it is surprising that no objections were raised. In addition there is no evidence of a site notice at the site.
- The proposal results in an overdevelopment of the site.
- The proposal is out of character with the established character of the houses on this section of the street.
- The scale and bulk of the proposal is excessive and would create additional bulk onto the residents at Number 407 due to the additional depth of the building to depth of 16.5m.
- There has been no information provided by way of the subsoil and water regime by a qualified Geotechnical Engineer for the basement.
- There are already drainage problems along this section of Cockfosters Road.
- The proposal would be visually intrusive when viewed from Number 407 and the rear garden and would result in a loss of light and create overshadowing.
- The two bedroom windows in the flank elevation of the new block would directly overlook No 407 and could result in a loss of privacy.
- The roof terraces proposed on the rear of the block would result in overlooking and loss of privacy to residents of Number 407.
- There are concerns about the car lift and the potential noise implication to the residents of Number 407 as it is close to the boundary.
- The road bend beside 405 is dangerous, there have been many accidents over the years, and the increased traffic due to more cars coming/going from the proposed development will only result in more accidents. Additionally, any development transport/lorries are also a high risk due to this accident black spot, and there is neither provision nor room on the proposed site for builder's vehicles whilst they work on the development. This will also cause a hazard for pedestrians and cyclists.
- This development is also reaching too far beyond the current building line.
- The increased height of the proposed development will be out of character with the neighbouring houses.

## **5. Relevant Planning Policy**

### **5.1 The London Plan**

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities

- 3.10 Definition of affordable housing
- 3.11 Co-ordination of housing development and infrastructure
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.10 Urban greening
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.16 Water self-sufficiency
- 5.18 Construction, excavation and demolition waste
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 8.2 Planning Obligations
- 8.3 Community Infrastructure Levy

## 5.2 Core Strategy

- CP3 Affordable Housing
- CP4 Housing Quality
- CP5 Housing Types
- CP9 Supporting Community Cohesion
- CP20 Sustainable Energy Use and Energy Infrastructure
- CP21 Delivering Sustainable Water Supply, Drainage and Sewerage Infrastructure
- CP30 Maintaining and improving the quality of the built and open Environment
- CP31 Built and landscape heritage
- CP32 Pollution
- CP46 Infrastructure contributions

## 5.3 Development Management Document

- DMD 2 Affordable Housing on Developments of less than 10 units
- DMD 3 Providing a Mix of Different Sized Homes
- DMD 4 Loss of existing residential units.
- DMD 5 Residential Conversions
- DMD 6 Residential Character
- DMD 7 Development of Garden Land
- DMD 8 General Standards for New Residential Development
- DMD 9 Amenity Space
- DMD10 Distancing
- DMD37 Achieving High Quality and Design-Led Development
- DMD38 Design Process
- DMD44 Conserving and enhancing heritage assets
- DMD45 Parking Standards and Layout
- DMD47 New Road, Access and Servicing
- DMD49 Sustainable Design and Construction Statements
- DMD50 Environmental Assessments Method

DMD51	Energy Efficiency Standards
DMD52	Decentralised Energy Networks
DMD53	Low and Zero Carbon Technology
DMD55	Use of Roofscape/ Vertical Surfaces
DMD58	Water Efficiency
DMD59	Avoiding and Reducing Flood Risk
DMD64	Pollution Control and Assessment
DMD65	Air Quality
DMD68	Noise
DMD69	Light Pollution
DMD72	Open Space Provision
DMD73	Children's Play Space
DMD79	Ecological Enhancements
DMD80	Trees on development sites
DMD81	Landscaping
DMD83	Development Adjacent the Green Belt

#### 5.4 Other Relevant Considerations

National Planning Policy Framework  
National Planning Practice Guidance  
Enfield Characterisation Study  
London Housing Supplementary Planning Guidance.  
S106 SPD  
Trent Park Conservation Area Character Appraisal

## 6. **Analysis**

6.1 The principle issues for consideration under this application are:

- Principle of the Development
- Density and Scale
- Design and Impact on Character and Appearance of the area and the setting of the adjacent conservation area
- Standard of Accommodation
- Private Amenity Space
- Highways Issues
- Trees Issues and Ecology
- S106 Requirements
- Sustainability Issues

#### 6.2 Principle of the Development

6.2.1 Policy 3.4 of the London Plan promotes the optimisation of housing output within different types of locations. Policy 3.8 of the London Plan also encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. The proposal would be compatible with these policies, and Core Policy 2 of the Core Strategy, insofar as it would increase the Borough's housing stock.

6.2.2 The existing dwelling is not listed nor is the property located within a Conservation Area (but is adjacent to one) and therefore no objection is raised in principle to the demolition. This side of the road is entirely

residential in character and therefore continued residential use is appropriate. Policy DMD4 sets out that proposals that result in the loss of existing residential units, particularly family homes, that can still be used, with or without adaptation, will only be permitted if there is no net loss of residential floorspace as a result of the redevelopment. This proposal would result in a net increase in residential units and uplift of 2 family sized 3 bed units and is therefore considered to be consistent with this policy.

- 6.2.3 However, this position must be appraised in relation to other material considerations including: achieving an appropriate development in keeping with the character of the area; adequate internal floor space and layout; servicing; parking provision; residential amenity; as well as whether the proposal would be consistent with the objectives and targets for additional housing provision, including standards of accommodation and affordable housing, identified at the national, regional and local levels.
- 6.2.4 In terms of housing need, the Council's Core Strategy seeks to ensure new developments offer a range of housing sizes to meet housing need. In particular, it seeks to ensure 20% of market housing is for four or more bedroom houses. The Core Strategy policy is based on evidence from the research undertaken by Ecotec.
- 6.2.5 The findings of Ecotec's research, Enfield Strategic Housing Market Assessment (February 2010), demonstrates a shortage of units of all sizes, particularly units with three or more bedrooms across owner occupier, social and private rented sectors. The greatest requirement in the owner occupied market housing sector is for family sized housing (i.e. 3+ bedrooms).
- 6.2.6 The proposal would make provision of three 3-bedroom units. On this basis, the application is consistent with the Council's aspirations for new residential development to include larger accommodation.
- 6.2.7 This stretch of Cockfosters Road comprises in the main large detached single family dwelling houses. However, a number of flatted developments have been allowed, together with an increasing number of purpose built flats on sites previously occupied by a single dwelling house – the nearby sites at No.379 and 381 Cockfosters Road being a case in point.
- 6.2.8 Policy DMD5, also seeks to restrict the number of conversions so that, amongst other criteria, the number of such conversions – as opposed to new building development – should not exceed 20% of all properties along any road, and only one out of a consecutive row of five units may be converted. This policy is not directly applicable to new build flat schemes such as that now proposed. However, it nevertheless sets a benchmark against which the cumulative impact of flatted development on the character of a road can be assessed. This was the approach taken in relation to application P13-02887PLA and TP/09/1683 at No.387 and No.389 Cockfosters Road respectively.
- 6.2.9 In this case it is noted Cockfosters Road is a relatively expansive stretch and from checking planning records it is not considered that 20% of the properties have been converted into flats or have resulted in demolition and new build. In addition none of the properties within the immediate proximity of the site and within 5 of the closest units have been converted either.

6.2.10 Whilst it is recognised objections have been raised in relation to the principal the development and the character of the proposal on the surroundings, similar to the determination of the previous application, it is considered the principle of the demolition of the original house and redevelopment of the site is acceptable. The proposed building design would respect and reflect the character and architectural appearance of the properties on Cockfosters Road, there is a net gain in 5 units on the site and the proposed building will not create an impact in terms of neighbouring amenity. This will all be referred in further detail later in the report.

### 6.3 Scale and Density

6.3.1 Density assessments must acknowledge guidance outlined in the NPPF and particularly the London Plan, which encourage greater flexibility in the application of policies to promote higher densities, although they must also be appropriate for the area.

6.3.2 Policy 3.4 (Table 3.2) of the London Plan sets standards for appropriate density levels with regards to location, existing building form, massing, and having regard to the PTAL (Public Transport Accessibility Level) score. This application proposes a total of 20 habitable rooms on a site of 0.3080 hectares. According to the guidance in (Table 3.2) of the London Plan as the site has a site specific PTAL rating of 1a in a suburban location, an overall density of between 150-200/ha may be acceptable. Upon calculating the density of the proposed development against this density matrix, based on habitable rooms per hectare, this development would equate to 65 hr/ha.

6.3.3 Therefore these results show that from a density perspective this proposal would be below the range set out in the London Plan. However, it must be noted that the criteria of density would not be a singular element and would be assessed alongside other planning requirements such as suitability of the site, scale of building, impact onto neighbours and standard and quality of accommodation proposed.

6.3.4 The scale of the building, including its footprint, height and siting is broadly comparable to the properties in immediate local and therefore is considered acceptable.

### 6.4 Design, Layout and Visual Appearance

6.4.1 DMD37 aims to ensure that high standards of design are taken into consideration, with reference to the boundary treatment of the property, the use of materials and the proposals siting, layout, alignment, spacing, height, bulk and massing. In addition Policy 7.4 of the London Plan states that developments should have regard to the form, function and structure of an area and the scale, mass and orientation of surrounding buildings. Policy DMD8 sets out the 'General Standards for New Residential Development',

#### *Design Appearance*

6.4.2 The design and appearance of the proposed building is considered acceptable. Although the proposed apartment block is a more modern interpretation of the architecture in the area, the building is considered to be of an acceptable appearance. The prominent bay windows and front gable end projections, combined with the front terraces and front dormer window

overall provide a balanced elevation and create a level of visual interest. In addition, the proposed street scene profile, including of the retention of the existing wall on the public highway frontage, is considered would have an acceptable appearance and blend in with the character of the existing street scene. It would primarily resemble the appearance of a large detached dwelling, as opposed to a block of flats, it is considered helps it to blend in satisfactorily with the character of the street scene.

#### *Layout*

- 6.4.3 The issue of neighbouring amenity will be referred to later in the report; however in general it is considered the proposed site layout is acceptable. The apartment block in the main, with the exception of the access space to the south side, would almost resemble the footprint of the original house. To the front, the application proposes to implement a new landscaped area, with a mixture of hard and soft landscaping. The application also includes details of a car lift at the front which is acceptable in principle and further details would be dealt with by way of planning condition. It must be noted that traffic and transportation officers have also raised no objections to the proposed car lift, its position and any impact it would have on the free flow of vehicle movement on the site. Details in relation to the potential noise of the car lift will be dealt with later in the report in the neighbouring amenity section.
- 6.4.4 To the rear of the apartment block is a large area of communal amenity space, which would predominantly resemble the current garden space.
- 6.4.5 All factors considered it is considered that the site layout in general is acceptable.

#### 6.5 Neighbouring Amenity

- 6.5.1 Policy DMD37, DMD 6 and 8 seek to ensure that residential developments do not prejudice the amenities enjoyed by the occupiers of neighbouring residential properties in terms of privacy, overlooking and general sense of encroachment. In addition Policies 7.4 of the London Plan and CP30 of the Local Plan seek to ensure that new developments have appropriate regard to their surroundings, and that they improve the environment in terms of visual and residential amenity.
- 6.5.2 The apartment block would be built as two storey above ground with accommodation in the roof and a basement level to accommodate car parking. Also within the basement a 1 bed flat towards the rear of the site is proposed. The proposed block would be set 4.5 metres from the boundary of Number 403 and would be set 2 metres from the boundary of Number 407.

#### *Impact to Number 403*

- 6.5.3 In relation to Number 403 the built structure at ground floor level would be set approximately 4.5 metres to the rear of the ground floor level of No 403. At first floor level the proposed first floor would project at a distance of approximately 5 metres behind the rear elevation of Number 403's first floor level.

- 6.5.4 Overall it is considered the relationship of the proposed apartment block to Number 403 is acceptable. The proposed building would not break a 45 degree line from the nearest ground floor window. Whilst the proposed first floor element would project beyond the 30 degree line of sight from the nearest affected first floor window at Number 403, it is considered that the degree of separation between both buildings along with the high screened boundary treatment would help to soften the appearance of the proposed apartment building. Due regard must also be given to the fact the proposed building is positioned directly north of Number 403 therefore unlikely to create any noticeable impacts in terms of loss of daylight or sunlight.
- 6.5.5 There are balconies proposed at the rear. However taking into account the proposed boundary treatment and expansive setting of the wide plots to one another it is considered these will have little impact on Number 403. In addition conditions are recommended to require the provision of screens to the flanks of the balconies.

Impact to Number 407

- 6.5.6 It is recognised that objections have been raised from residents on grounds of neighbouring amenity, bulk, dominance and loss of light. Officers have assessed the case on site and there are no windows on the side flank elevation of Number 407 that would be affected. In addition having regard to Number 407, with the exception of the proposed basement/lower ground floor level, the proposed ground floor and first floor levels would be flush and form a common alignment with the respective floor levels at Number 407. Therefore it is not considered that the proposed built structure would have an impact in terms of neighbouring amenity compared to the existing house. In addition a similar situation to Number 403 occurs with the proposed balconies at first floor level which could be dealt with via an appropriate condition for balcony screening .
- 6.5.7 There are side elevation windows proposed on the side flanking elevation next to Number 407, one at ground floor level and two at first floor level. Due to the existing boundary treatment the proposed ground floor window will not give rise to any undue overlooking. In addition having assessed the case on site it is not considered that the proposed first floor windows would create significant overlooking impacts. However, to ensure there is no undue impact upon privacy to the residents at Number 407 it is considered that the side elevation windows should be fixed shut and obscured glazed to a height of 1.7m above internal floor levels.
- 6.5.8 There have been concerns raised about the proposed front building line. However, the existing staggered building line would largely be replicated as part of the proposed development and this is considered acceptable. In addition, given the separation between properties, the site allows for this stagger in the building line between the plots.
- 6.5.9 Subject to conditions for obscure glazing on the side elevation windows and the proposed balcony screening the proposed scheme has an acceptable impact in terms of neighbouring amenity to Number 407.

### Impact of Car Lift

- 6.5.10 There have been concerns raised about noise of the car lift from neighbours. To support this element of the application the applicant has also submitted a desktop acoustic analysis with supporting manufacturer's information. This report confirms that all the mechanical equipment would be located at basement level within a plant room. When the expected attenuation measures in this plant room and the basement walls and the external envelope of the building, along with the distance to the front of the building are taken into consideration, the additional levels of noise from this car lift is expected to be an additional 7decibels during the 30 second cycle operation.
- 6.5.11 Environmental health officers have considered that this would not cause an issue during the day, but has the potential to create some disturbance at night time. However it has been suggested that this could be dealt with via a planning condition requiring an acoustic report to be submitted with associated attenuation measures to ensure the noise form the car lift is kept 10db below ambient back ground levels. This would be added as a condition to any approval.

### 6.6 Standard of Accommodation

- 6.6.1 The application proposes 1x1 bed, 3x2 bed and 3x3 bed flats.
- 6.6.2 Policy 3.5 of the London Plan specifies that 1 bed flats should be 50sqm, 2 bed flats should be 70 square metres with 3b4p flats at 74 sqm or 3b6p flats at 86 sqm. All units have been measured and verified and are easily above the required London Plan standards for the respective units. All units would have useable and accessible layouts and all room sizes are acceptable with specific regards to living/diners and single and double bedrooms. All units would be dual or triple aspect with the exception of the basement flat which would have a sole west facing aspect. Whilst single aspect accommodation is not ideal especially at basement level it would have an expansive spacious layout with a large terrace to the rear which should allow for acceptable levels of daylight the rear facing windows of the flat.
- 6.6.3 In addition it is noted that Flat 6 is entirely within the proposed roof area. Whilst it is noted that a significant proportion of the Flat would not have the required 2.5m floor to ceiling height, it is such an extensive flat, in excess of 110 sqm, and therefore it is considered it would provide for an overall acceptable level of accommodation.
- 6.6.4 In addition all flats would be accessed off the communal stairwell with each floor, having lift access direct to each floor level with level access which is encouraged.

### 6.7 Private Amenity Space

- 6.7.1 Policy DMD9 now specifies the requirements for private and communal amenity space for such developments.
- 6.7.3 Overall it is considered the private amenity provisions proposed are acceptable. Each of the proposed flats would be served by its own terrace or balcony. The basement flat would benefit from 44 sqm of amenity terrace directly behind the proposed unit. In addition the remaining five flats would



benefit from individual balconies. It is noted that units on the first and second floor levels only benefit from smaller balconies, below the recommended standard. However due regard must be given to the fact that any shortfall can be accommodated within the extensive communal rear garden area of 478sqm in area.

6.7.4 All factors taken into account it is considered that the amenity provisions proposed are acceptable and in accordance with DMD9.

#### 6.8 Impact on the setting of the conservation area

6.8.1 The application site is located opposite the Trent Park Conservation Area. Cockfosters Road comprises a line of large detached houses on its western side, set within spacious plots and substantial landscaping, with the houses generally set behind a landscaped front boundary. The application would maintain this position. Although the building would accommodate flats, rather than be a single family house, its scale is commensurate with surrounding buildings. The proposals provide for the retention of soft landscaping to the frontage and an increase in the amount of soft landscaped area to the frontage, compared to the existing situation. Overall, it is considered that the setting of the Conservation Area would not be harmed and would be preserved.

#### 6.9 Highway Issues

6.9.1 Transport officers initially raised concerns on a number of issues, the oversupply of car parking above the London Plan maximum standards, the inadequacy of cycle parking and lack of provision for pedestrian access.

6.9.2 To address these concerns, amended plans have been submitted to reflect a reduction of car parking spaces from 13 to 7 spaces along with 12 cycle parking spaces all secured at basement level. The parking spaces on the front driveway level that were deemed to have resulted in an overprovision of car parking have been removed and changed to a turning and servicing area. Whilst this area could be feasibly still be used as additional car parking spaces, at most it would only be an additional 3 spaces. Taking into account the remoteness of the site and the low PTAL rating of 1a, it is not considered that this would create an issue that would warrant refusal. It should also be noted that there was no objections to the parking provision on the previous refused scheme under 14/02349/FUL.

6.9.3 Transport officers have also raised minor issues with the layout of the basement and the tightness of one parking space Number 5. This can be addressed by a planning condition requiring an amended basement plan. They have also requested a separate pedestrian entrance to the site. This has been provided at the front alongside the proposed vehicular access and is in an acceptable location. Having viewed the proposal on site the proposed vehicle access would be in the same position as the existing vehicular access. Therefore there would be no requirement to change the current crossover position at the site. The proposed access would therefore be acceptable. However the final details of the surfacing of the access would be dealt with via a condition.

- 6.9.4 No objections are raised in relation to traffic generation or site layout and general manoeuvrability around the site. It is recognised that a car lift is proposed towards the front of the site. Officers have been advised because this drop is only one storey, the time for a car to drive onto the lift and drop to basement level and return to ground level is only 30 seconds. Therefore any vehicle queuing is extremely unlikely and in the event that it does occur, it is considered there is plenty of space on site for waiting vehicles.
- 6.9.5 Other issues such as Construction Management, the need for electric vehicle charging points and refuse storage could also be secured via planning conditions. The submitted plans do show refuse storage to the front of the site and electric vehicle points in the basement.
- 6.9.6 All factors considered the application would be acceptable from a highways perspective subject to relevant conditions.

#### 6.10 Tree Issues

- 6.10.1 The Council's Tree Officer has been consulted on the application and has raised no objections to it subject to conditions. The Tree Officer is satisfied that the trees on the third party land to the rear can be retained as put forward on the applicants arboriculture report. However there have been conditions recommended in relation to tree protection that would be assigned to any approval.

#### 6.11 Ecology Issues

- 6.11.1 The previous application was refused on ecological grounds based on a lack of information. On this submission a bat survey report has been submitted that concludes that it appears that the roof of the existing property is not used by roosting bats, although there were foraging bats observed in the area.
- 6.11.2 It is recommended that conditions should be assigned to encourage bat roosting and other measures as part of the development. This can be dealt with by planning condition.

#### 6.12 Sustainable Design and Construction

- 6.12.1 As part of their application the applicant has submitted an Energy Statement and Code for Sustainable Homes Pre- Assessment. Overall it is considered that the information submitted is acceptable, and relevant conditions have been suggested by the sustainable design officer.

#### 6.13 S106/ Contributions

- 6.13.1 On 28<sup>th</sup> November 2014 the Government introduced immediate changes to the National Planning Practice Guidance through a Written Ministerial Statement to state that contributions for affordable housing and tariff style planning obligations should not be sought for small scale and self-build developments containing 10 units or less with a gross area of no more than 1000sq.m. In the light of the implications for this for the Councils adopted DMD policy, a report was taken to the Local Plan Cabinet Sub Committee on 15<sup>th</sup> January 2015. At the meeting and in the light of guidance issued, Members agreed the approach set out below for

dealing with planning applications and as the basis for future consultation on the revised S106 SPD.

6.13.2 Education contributions will no longer be required for developments of less than 11 units.

6.13.3 Affordable housing contributions may still be sought for developments of 1-9 units in accordance with the following:

- Individuals and self-builders will be exempt from requiring to pay affordable housing contributions;
- Contributions may continue to be required from other developers subject to viability testing, with a view to ensuring that contributions do not result in a disproportionate burden and an obstacle to the delivery of housing.

6.13.4 Since this resolution, an appeal decision has been made ( Southgate Office Village App/Q5300/A/14/2226587). The appeal decision letter states:

*"...The Written Ministerial Statement (WMS) does not seek to distinguish between sites of 10 units or less built by 'small scale developers' or 'large scale developers' – nor does it seek to define what a 'small scale developer' might be by reference to turnover or number of employees.*

*" The PPG itself, in referring to the WMS, states that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sq.m ( gross internal area). Amendments made on 27<sup>th</sup> February 2015 to the PPG make it clear that the 10 unit threshold represents national planning policy, a matter reinforced through the written statement to Parliament by the Secretary of State for Communities and Local Government on 26<sup>th</sup> March 2015.*

*"Against this background I find that the in focussing on 'small scale developers', the Council's interpretation of the WMS is somewhat strained. The PPG is clear that it is the size of the development that governs whether or not a contribution should be sought. In this case I am clear that seeking a contribution towards affordable housing would directly contravene recent national planning policy, a matter that should be afforded very substantial weight in the overall planning balance."*

6.13.5 In the light of this decision , it has been agreed that affordable housing contributions will no longer be sought for developments of 10-units or less provided the floor area (GIA) does not exceed 1000,sq.m. The floor area of the development proposed is less than 1000sq.m and therefore no contribution towards affordable housing has been sought.

## 6.14 CIL Contribution

6.14.1 The proposed scheme would also be liable to a Community Infrastructure Levy contribution as the size of the proposed development exceeds 100m<sup>2</sup>.

6.14.2 The size of the net additional Gross Internal Floor area created has been calculated as 541sqm resulting in a contribution of:

$$541 \text{ m}^2 \times \text{£}20 \times 248/223 = \text{£}12,033.$$

## 7. **Conclusion**

7.1 It is considered that this development proposal is acceptable. It would have no undue impact on the character and appearance of the site and surrounding Cockfosters Road area, including the setting of the adjacent Conservation Area. It will provide for additional family accommodation and 6 large flats of acceptable living accommodation.

7.2 It is considered that its scale, bulk and appearance is acceptable and would be comparable to the existing houses on this stretch of Cockfosters Road. It is considered that it would not have an undue an impact to neighbours amenity or create unacceptable impact to highway function and safety.

## 8. **Recommendation**

8.1 That planning permission be approved subject to the following conditions:

1. C60 Approved Plans
2. C07 Details of Materials
3. C09 Details of Hard Surfacing
4. C10 Details of Levels
5. C11 Details of Enclosure
6. C16 Private Vehicles Only - Parking Areas
7. C17 Details of Landscaping
8. C19 Details of Refuse Storage & Recycling Facilities
9. C24 Obscured Glazing (First Floor of Both Side Elevations)
10. C25 No additional Fenestration
11. C59 Cycle parking spaces
12. Condition C14 (Details of access and junction)
13. That prior to development commencing, details of siting, type and design of plugs, the energy sources and the strategy/management plan of supplying and 3 maintaining the electric charging points to be provided in accordance

with London Plan standards (minimum 20% of spaces to be provided with electric charging points and a further 20% passive provision for electric vehicles in the future) shall be provided to the Local Planning Authority for approval in writing. All electric charging points shall be installed in accordance with the approved details prior to occupation of any of the units and permanently maintained and retained. Reason: To ensure that the development complies with the sustainable development policy requirements of the London Plan.

14. The development shall not commence prior to the submission and approval in writing by the Council of details of the measures proposed to ensure that the proposed car lift is maintained in working order and in accordance with the manufacturer's advice. The measures shall be implemented in full in accordance with the approved details, and shall thereafter continue to be implemented in full.

Reason: To ensure the provision of adequate parking facilities and with regard to Policy DMD 45 of the Development Management Plan and Policy 6.13 of the London Plan.

15. No development shall take place until an acoustic report has been submitted to and approved by the Local Planning Authority. The report must set out the sound level generated from the proposed car lift and state the noise control measures to be employed to ensure the noise from the combined units does not exceed a level of 10dB(A) below background noise levels at the façade of the nearest residential property.

Reason: To reduce likelihood of noise nuisance occurring.

16. Notwithstanding the plans submitted, prior to the commencement of the development an amended basement plan shall be submitted to and approved by the Local Planning Authority. This basement plan shall reflect an improved arrangement to facilitate parking space Number 5 along with larger doors to access the proposed cycle parking.

Reason: In the interests of good design and proper car and cycle parking facilities.

17. Pedestrian Routes and Privacy

Prior to the commencement of development a detailed plan of a pedestrian route on the south side of the development linking the front entrance to the rear amenity space shall be submitted to and approved in writing by the local planning authority. The route shall be provided in accordance with the approved details prior to occupation of the development and thereafter retained.

Reason: in the interests of good design and to provide safe alternative access to the amenity space available.

18. Privacy Screens

Each respective residential unit shall not be occupied until all balconies and terraces are provided with privacy screens on their respective north and south facing flanks / elevations up to a minimum height of 1.7m above

finished floor level and with a minimum obscuration rating of 3 on the Pilkington scale. The privacy screens shall not be altered without the prior approval in writing of the Local Planning Authority.

Reason: To safeguard the privacy of the occupiers of adjoining properties.

#### 19. Construction Management Plan

That development shall not commence until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The construction methodology shall contain:

- a. arrangements for wheel cleaning;
- b. arrangements for the storage of materials;
- c. hours of work;
- d. arrangements for the securing of the site during construction;
- e. the arrangement for the parking of contractors' vehicles clear of the highway.
- f. The siting and design of any ancillary structures.
- g. A construction management plan written in accordance with the 'London Best Practice Guidance: The control of dust and emission from construction and demolition'.
- h. Arrangements for the cleaning of construction vehicles

The development shall be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the implementation of the development does not lead to damage to the existing highway and to minimise disruption to neighbouring properties and the environment.

#### 20. Code for Sustainable Homes

Development shall not commence until evidence in the form of a revised design stage assessment conducted by an accredited Code for Sustainable Homes Assessor and supported by relevant BRE interim certificate, has been provided and approved in writing by the Local Planning Authority. The evidence provided shall confirm that the dwellings can achieve a Code for Sustainable Homes rating of no less than Code Level 4.

The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written approval of the Local Planning Authority.

Reason: In the interests of addressing climate change and to secure sustainable development in accordance with adopted Policy.

#### 21. Bats – EPS Licence Required

No works hereby permitted shall commence until a licence for development works affecting bats has been obtained from the Statutory Nature Conservation Organisation (Natural England) and a copy has been submitted to and approved in writing by the council. Thereafter mitigations measures

approved in the licence shall be maintained in accordance with the approved details (including those detailed in section 5 & 6 of Ethos Environmental Planning's Ecology Survey/Bat Survey submitted with the planning application). Should conditions at the site for bats change and the applicant conclude that a licence for development works affecting bats is not required the applicant is to submit a report to the council detailing the reasons for this assessment and this report is to be approved in writing by the Local Planning Authority.

Reason: To ensure that bats and their roosts (a material consideration) are not impacted by the proposed development, in line with the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).

### 23 Birds - nesting

All areas of hedges, scrub or similar vegetation where birds may nest which are to be removed as part of the development, are to be cleared outside the bird-nesting season (March - August inclusive) or if clearance during the bird-nesting season cannot reasonably be avoided, a suitably qualified ecologist will check the areas to be removed immediately prior to clearance and advise whether nesting birds are present. If active nests are recorded, no vegetation clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.

Reason: To ensure that wildlife is not adversely impacted by the proposed development in accordance with national wildlife legislation and in line with CP36 of the Core Strategy. Nesting birds are protected under the Wildlife and Countryside Act, 1981 (as amended).

### 24 Landscaping & Biodiversity Enhancements

No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. Soft landscape details shall include:

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants and trees, to include native and wildlife friendly species and large canopy trees in appropriate locations (noting species, planting sizes and proposed numbers / densities)
- Implementation timetables
- Permeable/porous paving
- Biodiversity enhancements to include swift bricks and other bird and bat bricks/tiles/tubes built into the new building
- Specifications for hedgerow boundary planting (or fencing) demonstrating how hedgehogs and other wildlife will be able to continue to travel across the site (such as by providing 10cm<sup>2</sup> gaps in appropriate places at the bottom of the fences)

Reason: To ensure that the ecological value of the site is enhanced post development in line with the Biodiversity Action Plan, CP36 of the Core Strategy and the London Plan.

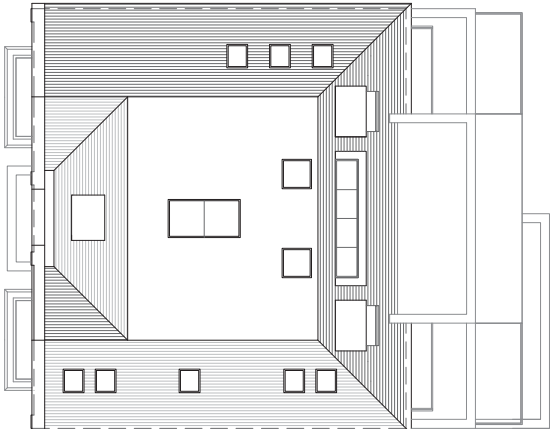
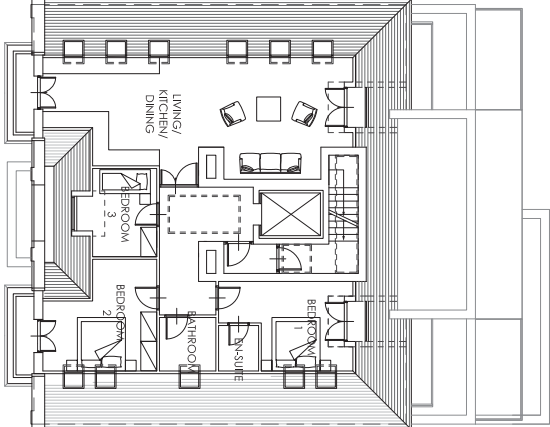
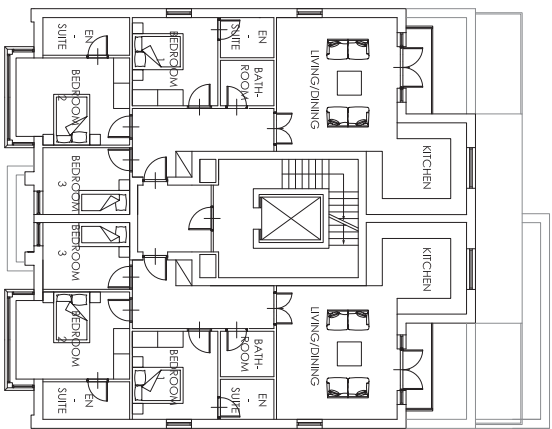
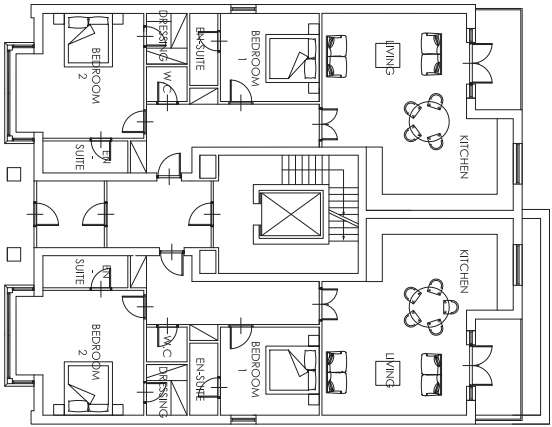
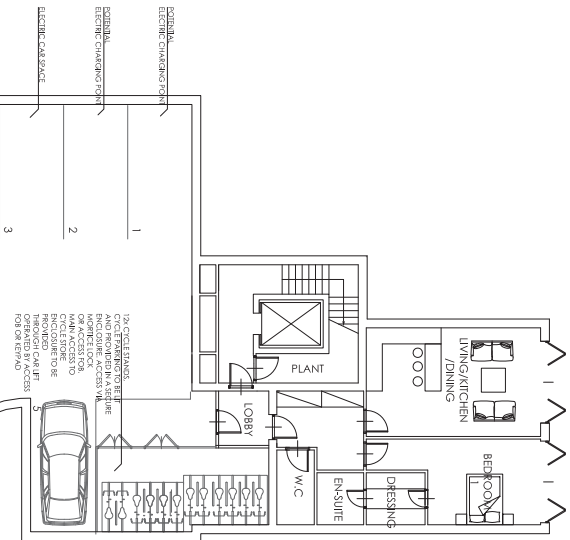
### 25 Lighting – No exterior lighting near Biodiversity Enhancements

No exterior lighting is to be installed near the entrance/exit point of new biodiversity enhancement features (bat/bird boxes/bricks, etc) or situated adjacent to any trees/hedgerows on the site boundaries.

Reason: This condition will ensure maximum benefits of the biodiversity enhancements to be installed as part of the development and to avoid adverse impacts on bats and other wildlife.

26 C51 Time Limited Permission.





GROUND FLOOR PLAN  
 SCALE 1:100

FIRST FLOOR PLAN  
 SCALE 1:100





SECOND FLOOR PLAN  
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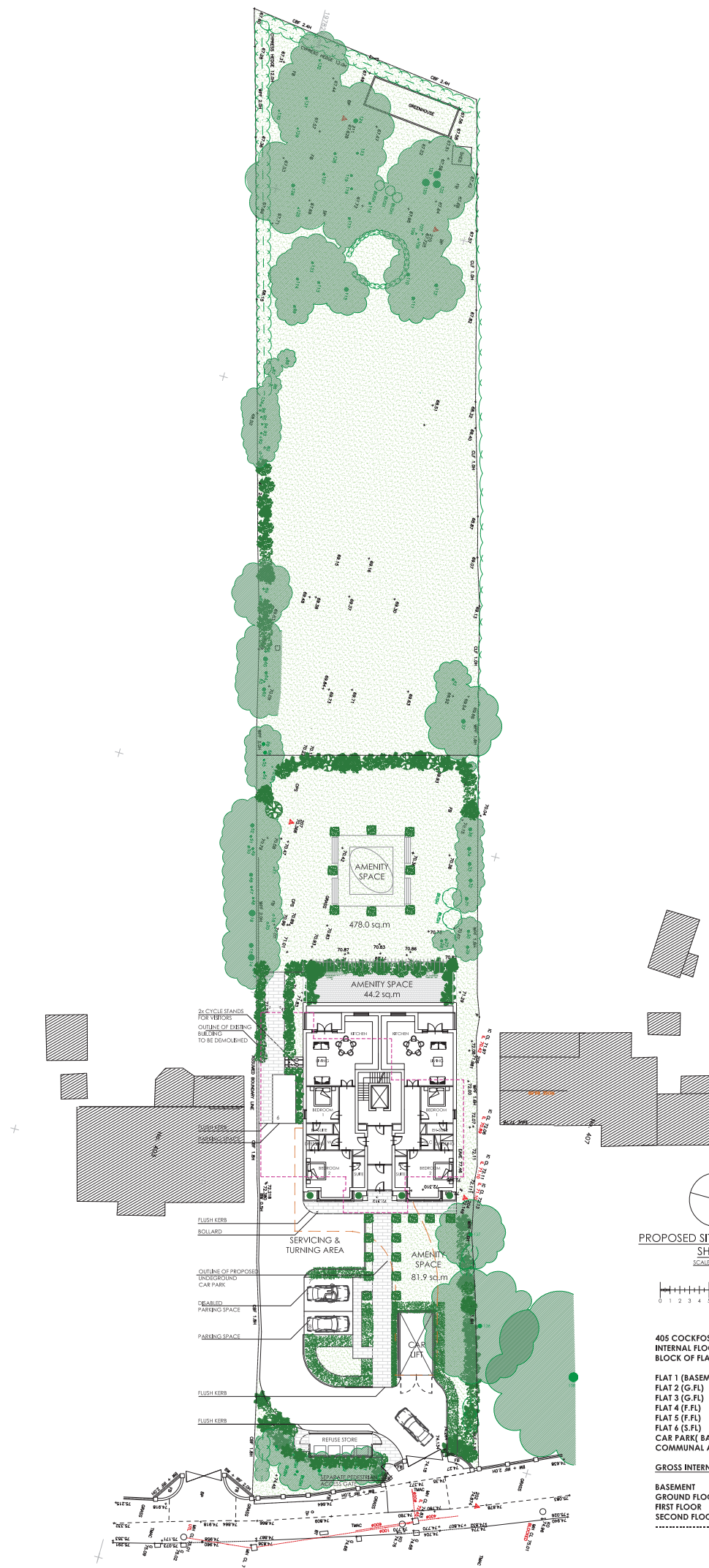
ROOF PLAN  
 SCALE 1:100

<b>DATE</b>	19 FEB 2014	<b>DESIGNED BY</b>	AS
<b>CHECKED</b>	AS	<b>DRAWN</b>	AS
<b>PROJECT</b>	465 GLOUCESTER ROAD BANBURY, OX15 0JG		
<b>CLIENT</b>	MFC CHARITABLE		
<b>ARCHITECTS</b>	ANDREW SCOTT ASSOCIATES LTD 1355, 1470 ROAD WINDYBUSH OXFORD OX2 9PH		
<b>SCALE</b>	1:100	<b>DATE</b>	19 FEB 2014
<b>SIZE</b>	A1	<b>NO. SHEETS</b>	1
<b>JOB NO</b>	1428	<b>PROJECT</b>	465 GLOUCESTER ROAD
<b>STAGE</b>	PARKING	<b>DATE</b>	19 FEB 2014
<b>REVISION</b>	1	<b>SCALE</b>	1:100
<b>DATE</b>	19 FEB 2014	<b>CHECKED</b>	AS
<b>DRAWN</b>	AS	<b>PROJECT</b>	465 GLOUCESTER ROAD
<b>CHECKED</b>	AS	<b>CLIENT</b>	MFC CHARITABLE



KEY:

-  OUTLINE OF PROPOSED UNDERGROUND CAR PARK
-  OUTLINE OF EXISTING BUILDING TO BE DEMOLISHED
-  EXISTING TREES TO BE RETAINED
-  EXISTING SITE LEVELS



PROPOSED SITE LAYOUT PLAN  
 SHEET 1  
 SCALE 1:200



405 COCKFOSTERS ROAD  
 INTERNAL FLOOR AREA:  
 BLOCK OF FLATS

FLAT 1 (BASEMENT)	127.9sq.m
FLAT 2 (G.FL)	102.6sq.m
FLAT 3 (G.FL)	102.6sq.m
FLAT 4 (F.FL)	91.1sq.m
FLAT 5 (F.FL)	91.1sq.m
FLAT 6 (S.FL)	117.3sq.m
CAR PARK (BASEMENT)	200.8sq.m
COMMUNAL AREAS	110.6sq.m

GROSS INTERNAL FLOOR AREA:

BASEMENT	372.99sq.m
GROUND FLOOR	257.64sq.m
FIRST FLOOR	224.05sq.m
SECOND FLOOR	140.1sq.m
<b>TOTAL</b>	<b>994.78sq.m</b>

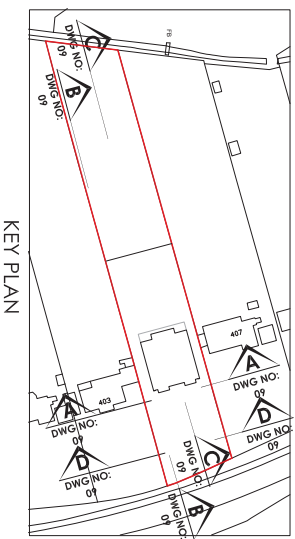
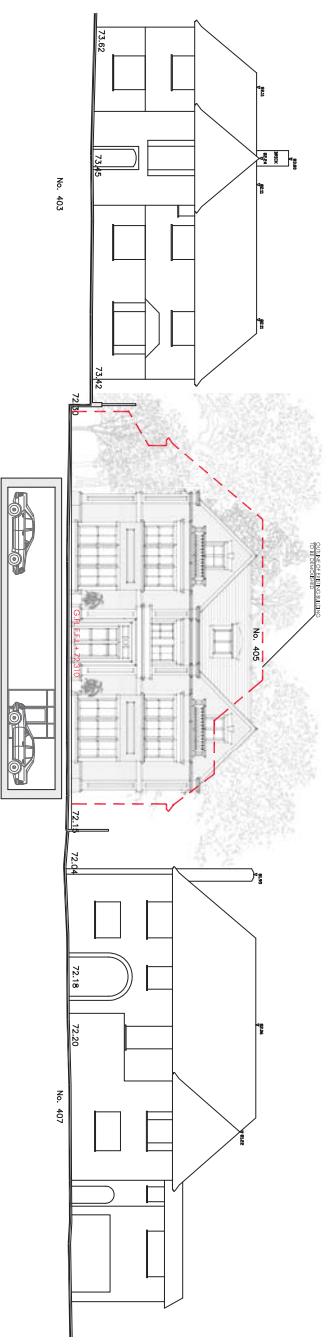
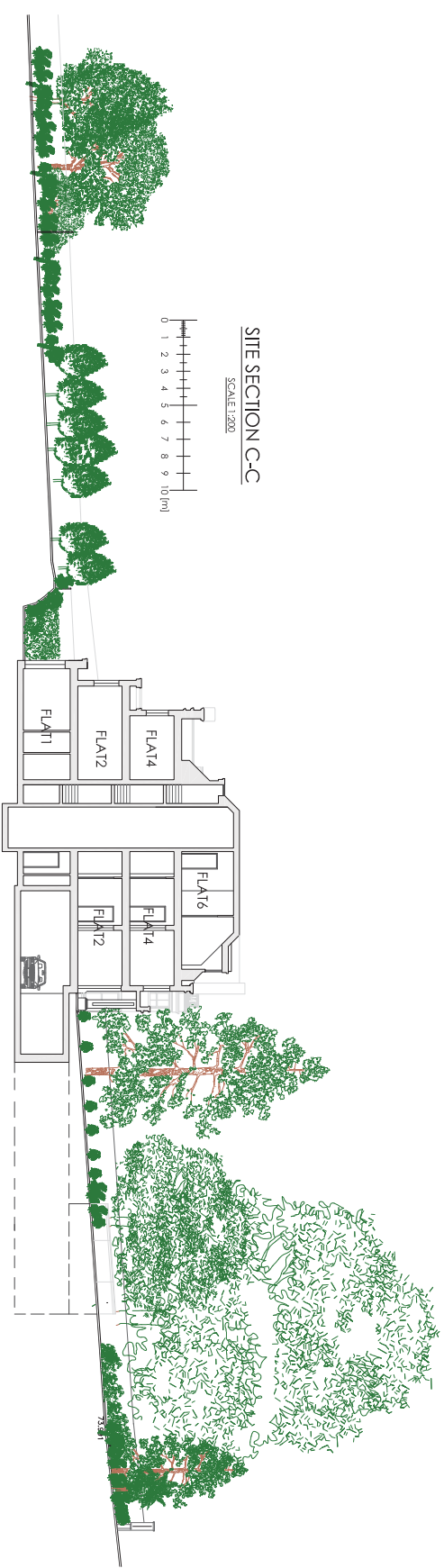
I.	01.05.2015	DISABLED PARKING SPACE RELOCATED TO P.O REQUEST	MB
H.	27.04.2015	BASEMENT CAR PARK OUTLINE AMENDED & 3RD SURFACE PARKING SPACES ADDED	MB
G.	16.04.2015	AMENDED BASEMENT CAR PARK OUTLINE	MB
F.	09.04.2015	AMENDED FOOTPATHS, MEDIAL FLUSH KERBS AND PEDESTRIAN ACCESS GATE ADDED TO P.O REQUEST	MB
E.	24.03.2015	VEHICLE'S CYCLE STANDS AND SERVICING AND TURNING AREA ADDED TO P.O REQUEST	MB
D.	10.11.2014	AMENDED TO CLIENTS REQUEST	MB
C.	03.06.2014	UNDERGROUND CAR PARK LAYOUT AMENDED TO ARBORICULTURISTS REQUEST	MB
B.	23.05.2014	TREES AMENDED TO REFLECT ARBORICULTURAL REPORT	MB
A.	07.03.2014	REVISED TO CLIENTS REQUEST	MB

REVISION

PROJECT	405 COCKFOSTERS ROAD BARNET, EN4 0J5
CLIENT	MR K. CHAUDHRY
DRAWING TITLE	PROPOSED SITE PLAN SHEET 2

SCALE 1:200  
 SIZE A1  
 JOB NO 1428  
 STAGE PLANNING  
 DWG NO 1428.P.08  
 REVISION I  
 DATE 19 FEB 2014  
 DRAWN MB  
 CHECKED AS

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D.	27/04/2015	SITE OF BASEMENT CAR PARK REDUCED & 2 NO. SURFACE PARKING SPACES ADDED	MB
C.	16/04/2015	BASEMENT CAR PARK AREA AMENDED	MB
B.	24/03/2015	ADDITIONAL SURFACE AND BASEMENT PARKING SPACES REMOVED	MB
A.	10/11/2014	AMENDED TO CLIENT'S REQUEST	MB

<b>NO.</b>	<b>DATE</b>	<b>INFO</b>	<b>DRAWN</b>
<b>REVISION</b>			

**PROJECT**  
 405 COCKSCOTT'S ROAD  
 BANBET, BM40JL5

**CLIENT**  
 MR. K. CHAUDHRY

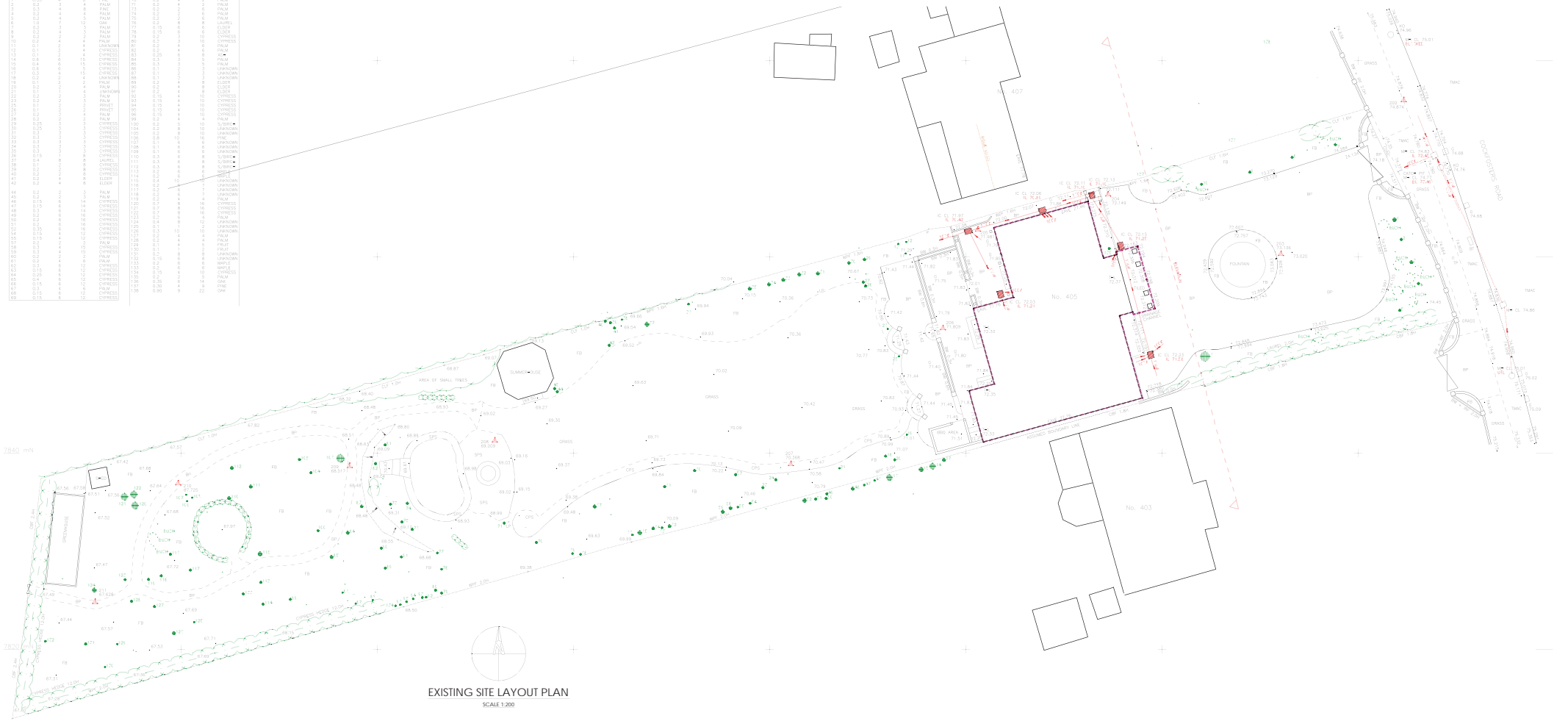
**DRAWING TITLE**  
 PROPOSED SITE SECTIONS  
 C-C & D-D

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<b>STAGE</b>	PLANNING	Widnesome
<b>DWG NO</b>	1428.P/09	LOPSON@NSD.PHR
<b>REVISION</b>	D	
<b>DATE</b>	03 JULY 2014	
<b>DRAWN</b>	MB	Tel: 020 83439696
<b>CHECKED</b>	AS	Fax: 020 83439658
		info@andrewscott.co.uk



NO.	DATE	INFO	DRAWN
1	05/02/2014	EXISTING SITE PLAN & STREETSCAPE	MB
2	05/02/2014	EXISTING SITE PLAN & STREETSCAPE	AS

TREE SCHEDULE			
NO.	DIAMETER @ 1.3M	SPECIES	HEIGHT
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EXISTING SITE LAYOUT PLAN  
SCALE 1:200



EXISTING STREETSCAPE  
SCALE 1:200



NO.	DATE	INFO	DRAWN
1	05/02/2014	EXISTING SITE PLAN & STREETSCAPE	MB
2	05/02/2014	EXISTING SITE PLAN & STREETSCAPE	AS

PROJECT  
405 COCKFOSTERS ROAD  
BARNET, EN4 6US

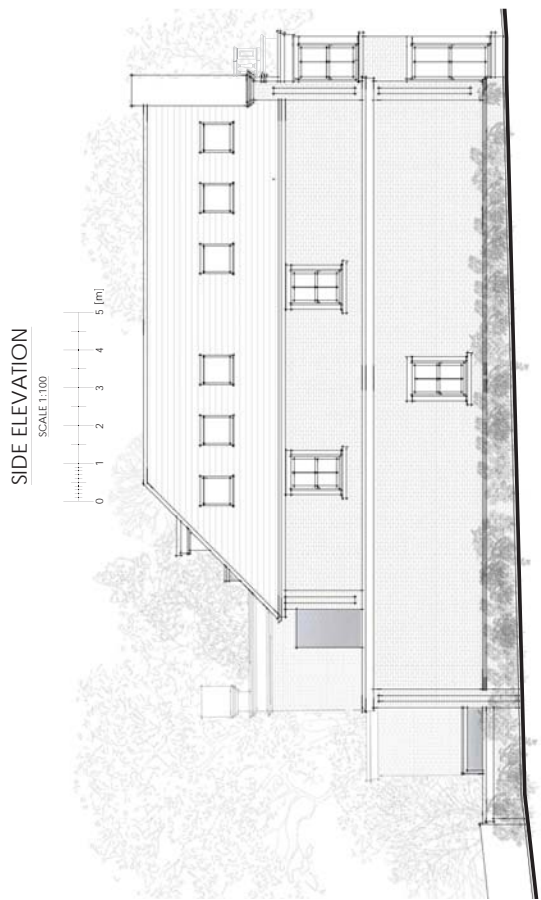
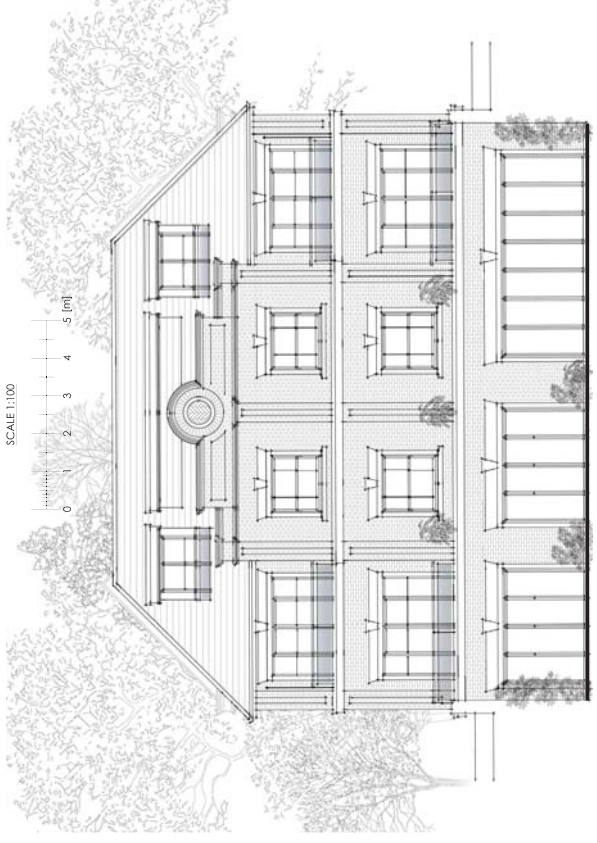
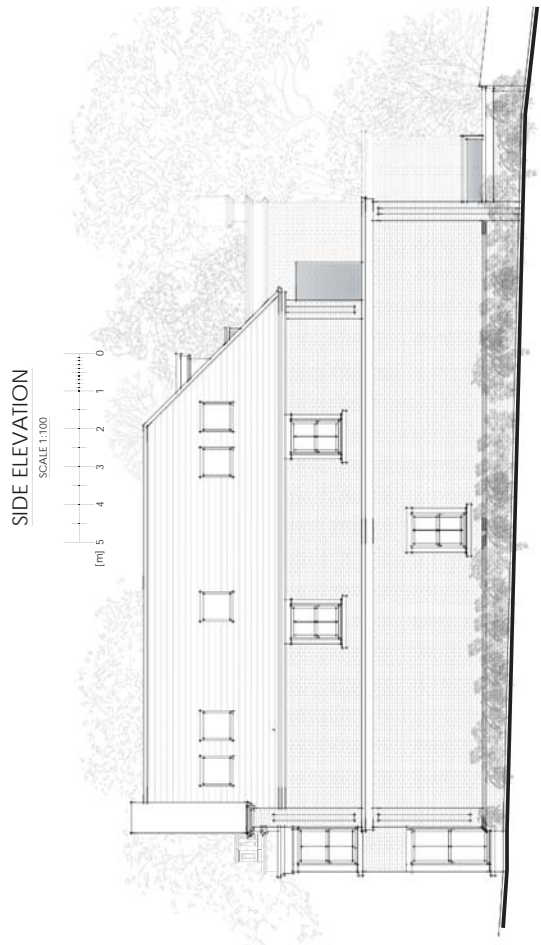
CLIENT  
MR K. CHAUDHRY

DRAWING TITLE  
EXISTING SITE PLAN & STREETSCAPE

SCALE 1:200  
SIZE A1  
JOB NO 1428  
STAGE PLANNING  
DWG NO 1428.P01  
REVISION 0  
DATE 05 FEB 2014  
DRAWN MB  
CHECKED AS

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B. 03.07.2014 DAY WINDOW BALUSTRADE SHOWN ON SIDE ELEVATION MB  
 A. 07.02.2014 REVISED TO CLIENT'S REQUEST MB  
 NO. DATE INFO DRAWN



**PROJECT**  
 405 COCKSCOPERS ROAD  
 BARNET, EN4 0JS

**CLIENT**  
 MR K CHAUDHRY

**DRAWING TITLE**  
 PROPOSED BLOCK OF FLATS -  
 ELEVATIONS

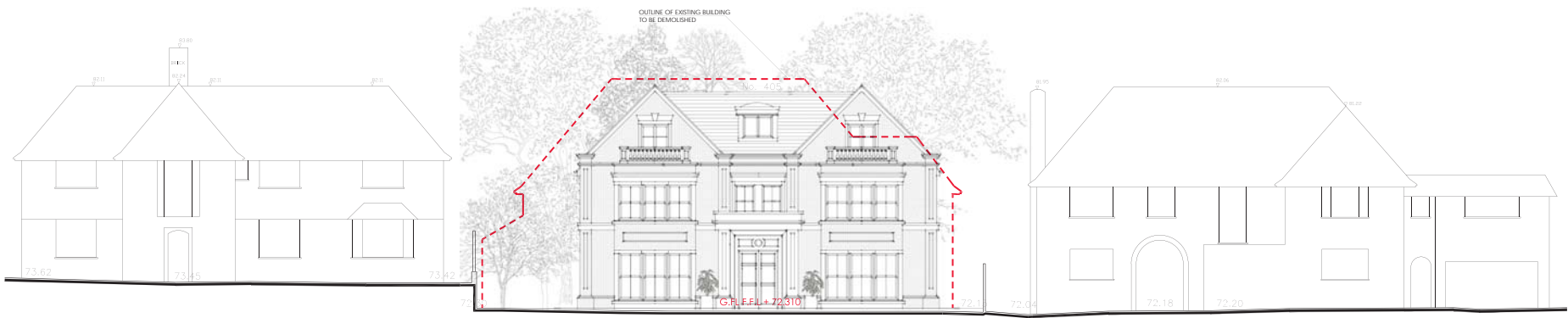
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<b>DMG NO</b>	1428 P04
<b>REVISION</b>	B
<b>DATE</b>	19 FEB 2014
<b>DRAWN</b>	MB
<b>CHECKED</b>	AS

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PROPOSED STREETSCAPE  
 SCALE 1:100



SITE SECTION A-A  
 SCALE 1:100



SITE SECTION B-B  
 SCALE 1:200



C.	10.11.2014	SITE SECTION BB AMENDED TO CLIENT'S REQUEST	MB
B.	03.07.2014	BAY WINDOW BALUSTRADE SHOWN ON SITE ELEVATION	MB
A.	07.03.2014	REVISED TO CLIENT'S REQUEST	MB
NO.	DATE	INFO	DRAWN
<b>REVISION</b>			
<b>PROJECT</b>			
405 COCKFOSTERS ROAD BARNET, EN4 6JS			
<b>CLIENT</b>			
MR K. CHAUDHRY			
<b>DRAWING TITLE</b>			
PROPOSED STREETSCAPE AND SITE SECTIONS			
<b>SCALE</b>			
SCALE	1:100, 1:200		
<b>SIZE</b>			
SIZE	A1		
<b>JOB NO</b>			
JOB NO	1428		
<b>STAGE</b>			
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DWG NO	1428.P.07		
<b>REVISION</b>			
REVISION	C.		
<b>DATE</b>			
DATE	19 FEB 2014		
<b>DRAWN</b>			
DRAWN	MB		
<b>CHECKED</b>			
CHECKED	AS		



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