

LOCATION: 2-4 Neeld Crescent, London, NW4 3RR.

REFERENCE: W12942D/07 **Received:** 21 Jun 2007
Accepted: 29 Jun 2007

WARD: West Hendon **Expiry:** 24 Aug 2007
Final Revisions:

APPLICANT: E Simon

PROPOSAL: Demolition of existing houses and erection of a two storey building with rooms in the roofspace to provide 9 self-contained flats with basement parking and cycle storage.

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 GA.01A 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 Neeld Crescent 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. The gradient of the ramp to the basement shall not exceed 1:9.

Reason: To ensure safe and satisfactory access to the building and the public highway.

6. 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.

7. 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.

8. Details of refuse access and storage for refuse and recycling containers must be submitted to and approved in writing by the Local Planning Authority Applicants to ensure that appropriate arrangements are made to facilitate refuse collection.

Reason:

To provide appropriate and accessible refuse facilities and protect the amenities of the locality.

9. Before the building hereby permitted is occupied all of the proposed windows in the flank elevations facing No. 6 Neeld Crescent and Trenchard Court 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.

10. 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.

11. 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.

12. 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.

13. 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.

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. No development shall take place until details of the arrangements for the provision of Green spaces contributions have been submitted to and approved in writing by the Local Planning Authority.

Reason

To secure the proper planning of the area in the interests of existing and future residents, in accordance with policies L12 and H20 of the Barnet Adopted Unitary Development Plan

INFORMATIVE(S):-

1. The plans accompanying this application are:- SU.01, SU.02, GA.01A, GA.02, GA.03, GA.04, GA.05, GA.06, GA.07, GA.08 and GA.09
2. 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

MATERIAL CONSIDERATIONS

Relevant Planning Policies and Guidance:

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, PPG3, PPG13

The Mayor's London Plan (February 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.1, 3A.2, 3A.3, 3A.4

Development Plan – Barnet Unitary Development Plan (UDP)

Relevant Unitary Development Plan Policies: Barnet Adopted Unitary Development Plan (2006): GBEnv1, GBEnv2, GBEnv3, Gparking, GH1, GH2, D1, D2, D3, D4, D5, D6, D7, D11, M11, M12, M13, M14, H16, H17, H18, CS8, IMP1 and IMP2

Adopted Supplementary Planning Document on Education Contributions
Adopted Supplementary Planning Document on Section 106 monitoring.

Relevant Planning History

W12942A/03: 2 - 8 Neeld Crescent - Demolition of existing dwellinghouse and erection of 2 blocks of two storeys high (plus rooms in roofspace) to provide a total of 18 self contained flats. Basement car parking for 24 cars accessed from Neeld Crescent: refused 2003.

W12942B/04 2 - 8 Neeld Crescent - Demolition of existing dwelling houses and erection of 2 blocks of two storey dimension (plus associated space within the roof) to provide a total of 15 self-contained flats. Basement car parking for 24 cars with access off Neeld Crescent: Refused 2004. Dismissed at appeal 2005

Consultations and views Expressed

Consulted 16 . Replies 12

4 letters of objection and 8 letters of support have been received. The objections raised are summarised below:

Precedent for flatted development would be set

- Out of character with the area
- Increased traffic
- Increase in noise
- Increase in litter
- Discontinuity of Neeld Crescent building line
- Impact on house prices of flats at Trenchard Court

Highways: Parking provision meets the UDP standards. No objection subject to conditions.

PLANNING APPRAISAL

Site Description and Surroundings

The application site relates to 2 and 4 Neeld Crescent, which are adjacent detached properties located on the west side of Neeld Crescent. Currently, number 2 is used a single family dwelling house and number 4 is

occupied as 2, 2 bed flats. To the north of the subject site lies number 6 Neeld Crescent, a detached property, and to the south lies Trenchard Court, a flatted development fronting onto Vivian Avenue, the garage court to which abuts the southern boundary of the subject site. Neeld Crescent is characterised by detached and semi detached residences of varying character and style with two substantial blocks of flats to the Northern end.

Proposal

The applicant requests permission for the demolition of numbers 2 and 4 Neeld Crescent and the erection of a block of 9 flats comprising 1, 3 bed, 4, 2 bed and 4, 1 bed units, with underground parking for 10 cars accessed at the southern end.

Material Planning Considerations

An application for the replacement of 2- 8 Neeld Crescent with a flatted development consisting of two blocks of flats with a total of 15 units was refused by the council in 2004. At appeal, the inspector concluded that although the proposal was acceptable on the grounds of character and appearance and on the living conditions of the neighbouring occupiers the site did not make proper provision for affordable housing and as such conflicted with national planning policy and policy H5. The appeal was dismissed on these grounds alone.

The current scheme involves a building that would be similar in footprint, height and design as that of the previous scheme, although the number of blocks has been reduced from 2 to 1.

Given the varied styles and sizes of residential dwellings within the immediate area, and as was established at appeal, it is considered that the principle of a flatted development in the location proposed is acceptable.

The design and scale of the block would reflect the various detached and semi detached houses in the vicinity, with projecting bay window features on the front elevation in keeping with adjacent and opposite properties. The width would not be dissimilar to surrounding houses and the ridge height would be approximately one and a half metres below that of the adjacent property at number 6. The roof would be hipped at a similar pitch to surrounding properties. It is considered that the proposed block would not be obtrusive or out of character with the pattern of the area.

The proposed block would be 15m wide and 16m deep at ground and first floors and would project further beyond the adjacent property at number 6 than the existing properties. However, it would be located 3.5m from number 6 and would project only 1.5m beyond it. There would be windows overlooking the flank elevation of number 6, however there are no habitable room windows on the facing elevation of number 6. It is therefore considered that there would be no undue impacts on the amenities of the neighbouring occupiers as a result of the proposal.

With regard to the impact on the occupiers of Trenchard Court to the south, given that the proposed building would adjoin the garage court to that block and given that facing windows would be about 20m away from the flank

wall of the block, it is considered that there would be no undue impacts on the amenities of the occupiers.

Given the character of the locality, it is considered that the additional comings and goings associated with 9 flats would not be so great that neighbouring residents would experience undue noise and disturbance.

The parking standards meet the Council's adopted standards and the Council's highway officer is satisfied that the access to the development is satisfactory. Given the volume of traffic likely to access the development at any one time, it is considered that impacts on traffic flows in the street will not be significant.

There is sufficient amenity space to the rear of the proposed building to serve the future occupants

SECTION 106 ISSUES

The site lies within an area of open space deficiency and development plan policies require that the developers enter into planning obligations to contribute towards improvements in public open space within the borough. The proposal would require a financial contribution of £10,800 with an additional £500 towards monitoring costs.

The applicant has indicated their willingness to pay the relevant financial contributions.

COMMENTS ON THE GROUNDS FOR OBJECTION

- Out of character with the area: *addressed in main report*
- Increased traffic: *The proposal meets the standards of the Highways Team*
- Increase in noise: *Addressed in main report*
- Increase in litter: *Not a material planning consideration*
- Discontinuity of Neeld Crescent building line: *The proposal is set back from the road and complies with the building line.*
- Impact on house prices of flats at Trenchard Court: *Not a material planning consideration*

EQUALITY AND DIVERSITY ISSUES

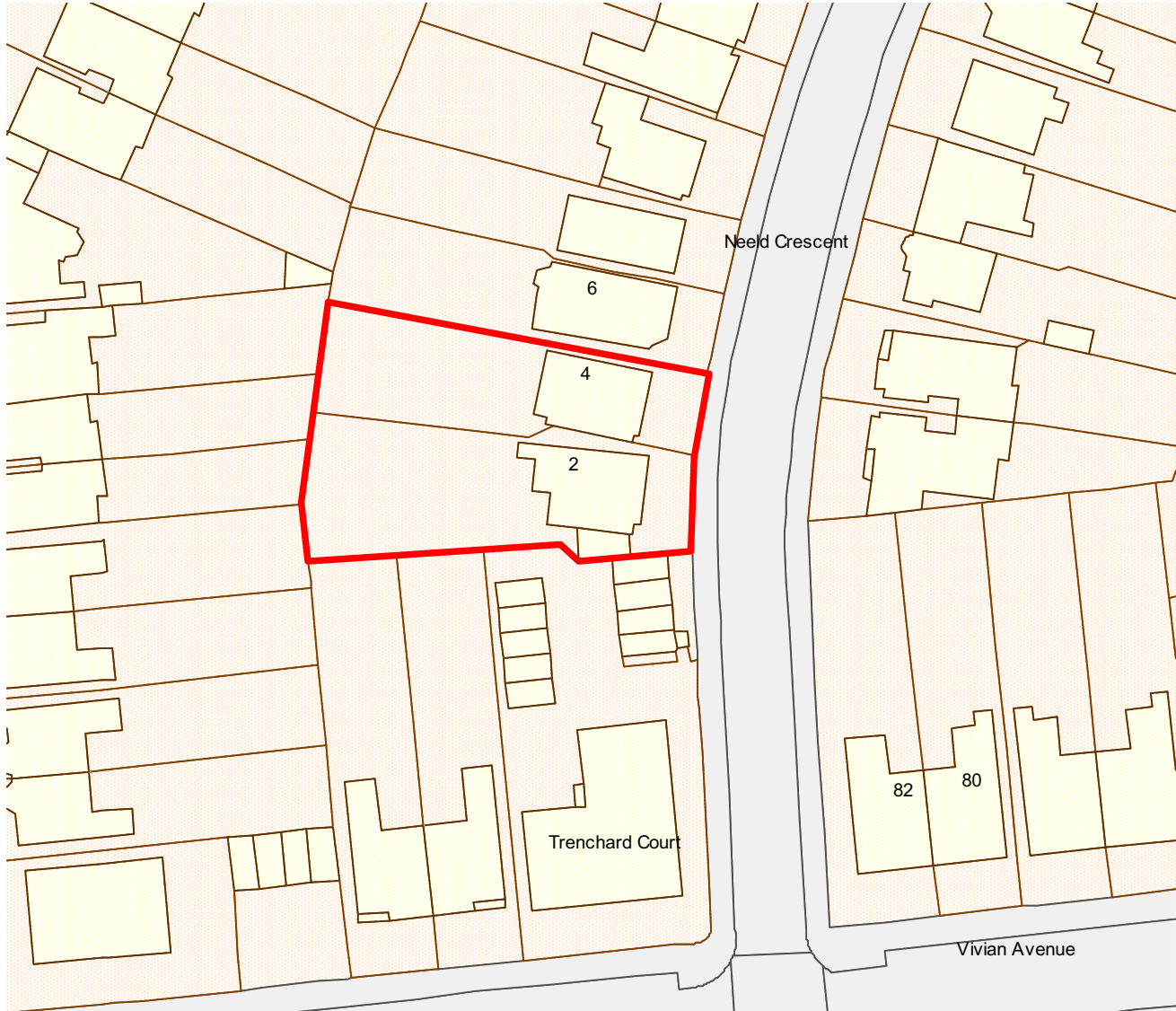
The proposal would increase the range and number of dwellings within the Borough. The development includes lift access from basement level.

CONCLUSION

The proposal would satisfy UDP parking requirements, and would not have a significant impact on the character and appearance of the area, or the visual or residential amenities of occupiers of surrounding properties. Approval is recommended.



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