



Planning Statement

Land to rear of 210 Hampden Way, London N14 7LY

“Development of backland site for a detached 3-bedroom family dwelling with front and rear garden and off-street parking, cycle parking and bin store”

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For and on behalf of Caswell and Dainow

November 2023



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1.0 Introduction and Summary

- 1.1 The proposal seeks planning permission for a three-bedroom family dwelling on surplus garden space to the rear of 210 Hampden Way, Barnet.
- 1.2 The site consists of a 0.0199ha parcel of land that has been made available for development by the owner occupiers of 210 Hampden Way. The occupants of 210 Hampden Way will retain a large area of private garden space that is comparable to that of neighbouring properties and would meet the minimum standards for private amenity space if applied to new development.
- 1.3 The rear garden space fronts onto Whitehouse Way, providing a new housing plot of comparable size to the prevailing plots along the street. The land had formed part of a conspicuous double-spaced gap between 81 and 82 Whitehouse Way, which was partially infilled in 2015 via the development of 81A Whitehouse Way, to the rear of 208 Hamden Way.
- 1.4 The site represents an anomaly in the streetscape and is an obvious backland development site. The 2015 development set a number of parameters for development and received a number of comments from neighbours, which have helped to inform the proposal presented at the pre-application stage. Following positive engagement with officers, the scheme has evolved further and is now considered to be fully policy compliant.
- 1.5 In accordance with the Barnet Characterisation Study the site is part of the Suburban Streets typology and as such a modern interpretation of the suburban family home has been proposed, with contextual detail taken from the surrounding architecture. The footprint, massing, layout and architecture respond to the challenges of the site, to avoid adverse impact on neighbouring amenity and to deliver a high quality internal living environment for the future occupants, along with good sized and useable external garden spaces to the front and rear. The proposal has been designed with sustainability in mind and will incorporate zero carbon technology and energy efficient building fabric.



1.6 The application is formed of the following:

Application Forms, Certificates and CIL Form 1;
Site Location Plan;
Existing and Proposed Plans, Elevations and Sections;
Design and Access Statement (including Fire Statement);
Planning Statement (this document); and
Energy and Sustainability Statement.



2.0 Site and Surroundings

The Site

- 2.1 The site consists of a 199sqm rectangular parcel of land to the rear of 210 Hampden Way, close to Arnos Grove in LB Barnet (Figure 1).



Figure 1—Site Location Aerial view

- 2.2 The subject site is the lower part of the rear garden of 210 Hampden Way, which is a semi-detached 4 bedroom property with a comparably much larger garden than its neighbours. The garden space is to be subdivided to create the development plot, with suitable garden space (70sqm) retained for the occupants of 210 Hampden Way.
- 2.3 The divided part of the site is currently vacant and there are currently no existing structures. The site is predominately low quality lawn with a concrete platform in the middle and some shrubs and a small tree along the perimeter. It is currently underutilised by the owners and is used as storage for debris rather than as amenity space. The front of the site facing Whitehouse Way has a high boundary of 2m timber fencing and represents a gap in the streetscape where a building would usually be expected to be.



Planning Designations

- 2.4 The site is not under any restrictive designations (white land on the proposals map). It is not located within a Conservation Area or near to any listed buildings or other Heritage Assets. There are no TPOs on or near the site. There are currently no Neighbourhood Plan or Area Action Plans in place. The site is not within a Flood Zone or at risk of surface water flooding. In common with all London Authorities the whole of the Borough is declared as an Air Quality Management Area (AQMA). However, the site is not within an Air Quality Focus Area (AQFA).

Surroundings

- 2.5 As stated earlier the site is within an area of suburban character and accordingly has a low PTAL of 1b. The area is suburban in nature with green open areas, gardens and front gardens, most of which have been converted into parking. The surrounding properties are a mix of detached and semi-detached two storey 1930s houses with a mix of flat and pitched roofs, some of which have gable ends and some hipped. Whitehouse Way, features 13 flat roofed, white (rendered) walled houses. The other pitched roofed houses along Whitehouse way are predominately brick with white rendered elements, with decorative entrance doors and corner windows. The Design and Access Statement contains a contextual study that provides additional information on repeated architectural features and the materials pallet in the area.

Site History

- 2.6 There is no planning history in relation to the site on the Council's portal. Up until now the land has formed part of the garden space of 210 Hampden Road.
- 2.7 The most relevant planning history in the immediate area is on the site adjacent, which backs onto 208 Hampden Way. This application went through a number of iterations which helps to build up a picture of the concerns of officers, consultees and neighbours regarding the design. The proposal has been able to respond to these positively and to avoid the more contentious elements. The full history of the site is



summarised in chronological order as follows:

Ref. No: B/03047/08 A detached new build residential unit with associated parking and access from Whitehouse way —Refused October 2008

B/01330/10 | Construction of new two storey detached dwelling to the rear of 208 Hampden Way with access from Whitehouse Way —Refused June 2010

B/01176/11 | Construction of a new two storey 3-bedroom detached dwelling on land to the rear of 208 Hampden Way with access from Whitehouse Way. — Refused March 2011

B/03048/12 (Appeal Application) Erection of two storey 3 bedroom dwelling on land to the rear of 208 Hampden Way —Appeal Allowed July 2013

B/04790/13 | Construction of two-storey dwelling incorporating basement — Approved March 2014

- 2.8 It should be noted that this plot is hard up against an electricity substation, which is not a constraint shared by the proposal site. The substation is not visible from the subject site and is well separated. The proposal also included a basement, which was a concern for neighbours and does not form part of this application proposal.



Figure 2—81A Whitehouse Way (Land to rear of 208 Hamden Road) LPA Ref: B/04790/13

- 2.9 The development provides a useful precedent against which to consider the application proposals. It also provided a detailed history of discussion between various parties which have informed the development of the application proposal. Although



this application was considered against the same Local Plan policies, it is noted that the approval pre-dates the 2021 London Plan and the more recent Housing Design Standards LPG and Small Site Design Codes LPG. The additional policy requirements and focus on design therefore provide an opportunity to create an enhanced development.



3.0 Proposal

Overview

- 3.1 The proposal seeks full planning permission for a three-bedroom family dwelling in a predominantly residential area. The proposal has been designed to address the site constraints and reflect the suburban character of the area, whilst adding visual interest and simple clean architectural design quality to the street.

Description

- 3.2 The proposals seek to develop the site for a 3-bedroom 5-person detached family home. The house has been designed to exceed National and London Plan space standards and meet best practice standards set out in the recently published Housing Design Standards LPG.
- 3.3 Layouts are indicated to illustrate the liveability of the units. The ground floor would present a large open plan kitchen living space opening out onto 58sqm of private garden space. The well-proportioned bedrooms provide the opportunity for flexible use for home working and study. Built in storage on both floors exceeds best practice standards.
- 3.4 The constraints of the site have dictated the design and massing in every respect. The width of the property follows the prevailing character and existing building lines have been maintained. The eaves lines from neighbouring properties have been taken as a reference point and a corner “chimney” feature used to assist the transition in levels. The proposed hipped pitched roof design acknowledges and compliments the prevalent roof form of the street, but is of a lower height to 83 Whitehouse Way to ensure that it remains subservient and assists in the transition to the flat roof design of 81 Whitehouse Way to the other side. The roof is functional to the internal design, providing natural light through the property via a central skylight and providing a vaulted ceiling in the master bedroom and storage in the smaller bedrooms.



- 3.5 Separation distances have been maintained between neighbouring properties that respect the overall pattern of development. Building lines are respected and due to the NE/SW orientation of the plot there would be no adverse impact on daylight and sunlight to neighbouring windows. The change in levels and differing orientation between the houses on Hampden Way and Whitehouse Way ensures that there would be no directly facing windows. Nevertheless, design amendments have been made to reduce the potential for intervisibility between neighbouring windows. The first-floor bedroom windows to the rear of the property have been positioned at the corner, which is a design common to the street. The width of the openings has been carefully considered to provide outlook and good levels of internal daylight whilst ensuring that views are directed diagonally out from the room. The rear facing glass will be partially obscured to ensure that there are no direct rear facing views.
- 3.6 The rear garden will be landscaped with planting on the boundaries to increase screening and provide a biodiverse habitat. In the front garden there will be space for car parking (1.5 spaces) with EV charging, cycle parking and a bin store with green roofs. The cycle store will accommodate the London Plan requirement for two secure spaces and the bin store has been designed in line with the Council's 2021 guidance document and is large enough to accommodate 3x 240 litre wheelie bins and 23 litre caddy, for waste, mixed recycling, garden waste and food waste respectively. Permeable surfaces and planting will provide an attractive and sustainable frontage to the property.
- 3.7 Sustainability has been a core aspect of the design throughout. A fabric first approach will be taken towards energy efficiency, with an emphasis on passive ventilation. LZC technologies, SUDS and ecological enhancements, new tree planting and plant beds will all be incorporated. The accompanying Energy and Sustainability Assessment demonstrates that the proposal will be able to achieve carbon savings above the London Plan requirement (35% below Part L of Building Regulations) from fabric improvements and energy efficiency measures alone. With the addition of an Air Source Heat Pump (ASHP) for heating and hot water, an overall CO2 reduction of 62% (0.8 Tonnes per annum) will be achieved.



Design Development

- 3.8 The Design and Access statement contains a detailed walk through of the design development process, identifying the key constraints, exploring different arrangements for massing and developing options for the design detail within the context of the wider environment.
- 3.9 The proposal has been considered at pre-application stage, where the overall design approach was supported by the Council's Urban Design Officer. The following comments from the meeting were addressed via an addendum design statement, prior to officers issuing written advice (**Appendix 1**):
- Alternative arrangement of private amenity space;
 - Alternative options for first floor rear windows;
 - Further justification for separation distances;
 - Clarification of internal arrangements to include an open plan kitchen/living/dining area and total of five habitable rooms for the purposes of calculating amenity space requirements;
- 3.10 It was also noted that requests had been made to reduce the size of the chimney, divide the ground floor front window into three parts, and introduce permeable clay pavers to the front. These requirements have all been addressed in the application submission.
- 3.11 In the written response, officers commented that the proposed additional area of amenity space to the side of the building would not count towards the 55sqm requirement. As such, a small adjustment has been made to the rear boundary fence to make the site more regular in size and appropriately allocate amenity space between the existing and proposed properties at 70sqm and 58sqm respectively. This has allowed other small adjustments to the landscaping that create a more usable space and improve the conditions for the proposed tree planting on the rear boundary.



- 3.12 The proposed amendments to the first-floor rear windows were not accepted by officers. However, it was recognised that it shouldn't be necessary to set back the proposed building lines any further and that concerns in relation to overlooking could be dealt with via design amendments to the first-floor windows.
- 3.13 It was suggested that on one side, an oriel window directing views over the neighbouring gardens to the east, rather than towards neighbouring windows to the north, would be less harmful. Although this would result in some overlooking of a garden space, it would not be materially different to the level of overlooking of a typical rear facing window. Likewise, to the west it was proposed that a corner window could provide outlook over garden space, without intervisibility of neighbouring windows. Alternative suggestions were welcomed that followed these principles.
- 3.14 The architectural response has sought to create balance by proposing corner windows on both sides, with a large inset openings that are part solid and part obscured glazing on the rear, with clear glass providing outlook to the sides. The outlook would provide diagonal views out across the rear gardens of neighbours when stood in any of the central parts of the room and prevent any feeling of enclosure within the space. The positioning of windows would ensure that there would not be an opportunity for looking into neighbouring windows. The extent of overlooking of amenity space would be no different to that typically experienced in a suburban street and arguably, less so given the angled views. The use of corner windows is also commonplace within the surroundings and would fit the vernacular and overall composition of the building.

Summary

- 3.15 The Design and Access statement contains a detailed walk through of the proposal and the design development process, identifying the key constraints, exploring different arrangements for massing and developing options for the design detail within the context of the wider environment.
- 3.16 In accordance with London Plan (Policy H2) and the Small Sites Design Code LPG (2023) small housebuilders bringing forward well designed new homes on small sites should



be pro-actively supported. The proposal seeks to achieve a design that meets the requirements of the Local Plan so that this rare development opportunity can be unlocked.



4.0 Planning Policy Summary

- 4.1 In accordance with S38(6) of the Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990 planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise.
- 4.2 The National Planning Policy Framework (NPPF), National Design Guidance (NDG) and National Planning Practice Guidance (NPPG) are material considerations in the determination of all applications in England.
- 4.3 The development plan for the area consists of the London Plan, Barnet Core Strategy and the Site and Policies Plan, along with the Policies Map:
- 4.4 Relevant Policies of Barnet Core Strategy:
 - CS —NPPF —Presumption in favour of Sustainable Development
 - CS1 —Barnet’s Place Shaping Strategy
 - CS5 —Protecting and Enhancing Barnet’s Character to create high quality places
 - CS9 —Providing safe, effective and efficient travel
 - CS13 —Ensuring the efficient use of natural resources
- 4.5 Relevant Policies of the Development Management Policies DPD:
 - DM01 —Protecting Barnet’s Character and amenity
 - DM02 - Development Standards
 - DM03 - Accessibility and inclusive design
 - DM08 —Ensuring a variety of sizes of new homes to meet housing demand
 - DM16 —Biodiversity
 - DM17 —Travel Impact and Parking Standards
- 4.6 Relevant Supplementary Planning Guidance:



Residential Design Guidance SPD
Sustainable Design and Construction SPD
Barnet Characterisation Study

4.7 A new Local Plan is in development and is at Examination stage. However, we have recently been notified by the Planning Policy team that it is not expected to be adopted until Spring 2024. We were also advised that the Sustainable Design and Construction SPD would not be expected to be adopted until late 2024. As such we assume at this stage that the adopted policies carry most weight.

4.8 Relevant London Plan Policies:

Policy GG2 Making the best use of land;
Policy GG4 Delivering the homes Londoners Need
Policy D1 London's form, character and capacity for growth
Policy D3 Optimising site capacity through the design-led approach
Policy D4 Delivering good design
Policy D5 Inclusive design
Policy D6 Housing quality and standards
Policy D7 Accessible housing
Policy D11 Safety, security and resilience to emergency
Policy D12 Fire safety
Policy H1 Increasing housing supply
Policy H2 Small sites
Policy SI 5 Water infrastructure
Policy SI 13 Sustainable drainage
Policy T5 Cycling
Policy T6 Car Parking and T6.1 Residential parking

4.9 The Mayors Housing SPG (2016) and Sustainable Design and Construction SPD (2014) are additional considerations. The GLA has also recently published additional guidance



for Local Authorities to assist in preparing Small Sites Design Codes (2023) along with further guidance on Housing Design Standards (2023) including best practice examples.

- 4.10 The NPPF seeks to support the Government's objective of significantly boosting the supply of homes. Paragraph 69 of the NPPF recognises the role of small sites in contributing towards meeting the housing requirement of an area, and requires Local Authorities to support the development of windfall sites, giving "*great weight to the benefits of using suitable sites within existing settlements for homes*". Paragraph 120 confirms that planning policies and decisions should promote and support the development of under-utilised land.
- 4.11 Good design is a key aspect of sustainable development. In accordance with Paragraph 134, development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. Conversely **significant weight** should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area.



5.0 Planning Assessment

5.1 The main planning considerations are as follows:

- Principle of Development
- Design and Architecture
- Impact on the Streetscape
- Dwelling Type
- Quality of Accommodation
- Neighbouring Amenity
- Highways and Servicing
- Energy and Sustainability
- Landscaping, Ecology and Biodiversity
- Air Quality
- Fire Statement
- Planning Obligations

5.2 The proposal will be assessed in terms of the above.

Principle of Development

5.3 The 2021 London Plan introduced a greater focus on the delivery of small sites and the importance of small to medium sized developers in helping to meet housing demand. Policy H2 states that Boroughs should pro-actively support well-designed new homes on small sites and recognise that local character evolves over time and will need to change to accommodate additional housing on small sites.

5.4 Barnet are expected to provide 4,340 homes on sites under 0.25ha over the plan period (434 per annum) which is a substantial figure. A number of Local Authorities have adopted small sites design documents to assist in achieving this. The GLA has recently produced guidance on preparing Design Codes for small sites, which offers diagrams of backland garden developments that are comparable to the proposal site (Figure 3). The examples provided are more commonplace than the proposal site,

which can be considered as a rare opportunity to have a street-facing backland infill, that presents a similar sized plot to its neighbours.



Figure 3—GLA Small Sites Design Code —Figure 2.4 Opportunities for incremental housing development within semi-detached contexts

- 5.5 This additional policy support for the development of small sites is welcomed as it is widely recognised that they tend to be more challenging to develop, given the constraints of surrounding development and the strict design requirements that new residential development must comply with. The constrained nature and characteristics of the development site demand a design led approach that will shape the overall form of development.
- 5.6 The Local Plan (para 2.9.1) notes that one of the key qualities of Barnet’s suburban character is its significant amount of garden space, and that any garden development that compromises these minimum standards will not be permitted. As such, from the outset, the retained area of garden space for 210 Hamden Way was a consideration. In line with the Residential Design Standards SPD there is a requirement for 55sqm of space for 5 habitable rooms and 70sqm for up to 6 habitable rooms. Based on a site visit to the property we can confirm that there are four bedrooms at the upper floors, one small kitchen, a hallway and a living room/dining room area on the ground floor. The kitchen is under the 13sqm definition of a habitable room, whilst the living



room/dining room is likely to be over the 20sqm definition of a single room and may be counted as double. The hallway would not count as a habitable room. It can therefore be confirmed that the property has six habitable rooms and therefore that 70sqm of private amenity space should be retained. The site boundary has been adjusted to allow for this requirement and the proposal is compliant with Local Plan Policy DM01(g) and the Residential Design Guidance SPD.

5.7 The pre-application response (Appendix 1) noted that the site provides a *“good opportunity to develop a currently underutilised space and infill the existing gap between properties which is an anomaly to the street scene, currently appearing as visually incongruous”*. It goes on to note that *“the road is characterised by single-family dwellings, hence the development would be in keeping with character of the area and will further contribute towards Barnet’s much-needed housing stock”*.

5.8 Accordingly, the principle of development is supported.

Design and Architecture

5.9 The siting and massing of the proposal are dictated by the constraints of the site and the form and pattern of the surrounding development. The plot size and siting of the building fits the perimeter block character of the area. The proposed width of the building is similar to that of the existing dwellings along Whitehouse Way and the depth has been dictated by the existing front and rear building lines. At the rear the building line steps in from 81A Whitehouse Way to 83 Whitehouse Way, providing a transition between these properties. A similar approach is taken towards the height, with datum lines carried across from neighbouring buildings and a chimney feature used as a mechanism to step down where there is a variation in the parapet height. The proposed pitched roof is shallower than the other examples on the street, providing a mid-point transition between the flat roof of 81A Whitehouse Way and other such properties. The result is a proposal assimilates into the street scene and remains subservient to the existing properties around it.

5.10 The location is not within a Conservation Area and the surrounding development is very typically suburban in character. The architect has identified the repeated



architectural language of the street and sought to create a design which assimilates without pastiche and which values the function and liveability of the space. For example, the more traditional pitched roof form serves a purpose of bringing daylight through the central rooflight, providing additional storage in the eaves and giving the master bedroom prominence with via its vaulted ceiling.

- 5.11 Contextual architectural features such as the curved bay windows, entrance porch and corner windows are referenced in a unique way that fits the overall architectural style.
- 5.12 The pre-application written response commented that “*the new dwelling will be of a modern style, but at the same time, the design endeavours to incorporate architectural features of the surrounding 1930s properties, to form a scheme that is conscious of surrounding design features, whilst appearing as a modern, contemporary property*”. This is exactly what the architect has sought to achieve in creating a modern suburban form .
- 5.13 The proposal meets the requirement for high quality design set out in Local Plan Policy DM01 and will protect and enhance Barnet’s Character meeting the objectives of Core Strategy CS5. The NPPF emphasises the great weight that should be given to outstanding designs, which we consider this proposal to be.

Impact on the Streetscape

- 5.14 The proposal will assimilate into the street and repair a conspicuous gap in the perimeter block structure. Care has been taken to continue detailing along the side elevations present in views from the street. The front garden has also been carefully considered to avoid simply being a large area of hardstanding for car parking and instead be a functional and permeable area enhanced with landscaping and biodiversity. Accordingly, the proposal addresses Local Plan Policy DM01 and the objectives of Core Strategy CS5.

Dwelling Type

- 5.15 The proposal for a three bed family home is in line with the Council’s priority to



maintain and increase the supply of family housing (Para 9.1.5 of the Local Plan). Although Policy DM08 sets this as a medium priority and places a greater emphasis on four bed homes, the more recent evidence presented for the emerging Local Plan suggests that this focus has now shifted, with three bedroom units now the highest priority for market housing.

Quality of accommodation

- 5.16 The proposal will provide 104sqm (GIA) floorspace across two floors, exceeding the 93sqm minimum requirement for a 3 bed 5 person unit and achieving the best practice standard of 104sqm set out in the latest LPG guidance. The bedrooms and living spaces exceed minimum space standards and indicative furniture layouts have been provided to demonstrate the usability of the space in line with best practice.
- 5.17 The dwelling is triple aspect, with the addition of the central rooflight ensuring that daylight and sunlight penetrates the central areas. The result is a light, airy space with high ceilings and functional, flexible spaces with built-in storage exceeding best practice standards. The quality standards set out in the Mayors Housing SPG have also been addressed in all respects where relevant.
- 5.18 Level access is provided and the unit will achieve M4(2) standards in terms of accessibility, in line with the London Plan and Barnet's Sustainable Design and Construction SPD.
- 5.19 Externally, there are landscaped amenity areas to the front and rear of the property. The rear garden will provide a private useable space of 58sqm, exceeding minimum space standards for the size of the property (five habitable rooms) set out in Table 1.2 of the Residential Design SPG. This will include a grass play area and patio for garden furniture, along with a raised planting boundary that will assist in the level change and provide a tree screen for privacy and shading. The trees will be selected to avoid excessive shading and leaf fall. The front garden will provide space for off street parking and EV charging, as well as a secure cycle store to provide two spaces, in line with standards. The bin store has also been designed in line with the Council's 2021



guidance note.

- 5.20 In summary, the proposal meets London Plan Space Standards and the amenity space standards of the Sustainable Design and Construction SPD and is otherwise compliant in terms of Policy DM02, Development Standards.

Neighbouring Amenity

- 5.21 The proposal fits comfortably within the gap between two properties that do not have windows to habitable rooms on their side elevation, other than arguably the corner window at 81A Whitehouse Way, which the building line is set back from. Oriented on a NE/SW axis and at two storeys plus pitched roof, the proposal would have minimal impact on daylight, sunlight and overshadowing of neighbouring spaces.
- 5.22 To protect neighbouring amenity the building line has been maintained to the front and rear and a separation strip has been retained along both boundaries that is consistent with the separation between other properties in the street. 45 degree lines are respected to the front and rear windows of the property, thereby preserving outlook. The property at 83 Whitehouse Way has the additional benefit of a ground floor garage providing further separation and allowing breathing space between the buildings.
- 5.23 The distance to the nearest properties to the rear sits in a range between 16.5m and 18m , with 18m the most common standard used for acceptable separation distance between facing windows. Nevertheless, it is noted that this is below the 21m guidance set out in the Residential Design Guidance SPD. As there is a difference in levels and orientation between the windows, the initial proposals sought to apply the caveat within the guidance that states “*Shorter distances may be acceptable between new build properties where there are material justifications*”. The justification in this instance being the requirement to maintain building lines and meeting internal and external space standards, as well as the fact that the adjacent property already falls below this standard. A further mitigating factor put forward at pre-app was the landscaped boundary screening. Nevertheless, following advice received at pre-



application stage, the rear facing windows will be obscure glazed and the outlook from the bedrooms will be directed diagonally out via the corner window features. As a result, neighbouring amenity will be preserved and the requirements of Policy DM01(e) of the Local Plan will be met.

Parking and Servicing

- 5.24 Policy DM17 (1) sets a requirement for 2 to 1.5 parking spaces for detached houses of 4 bedrooms or more and 1.5 to 1 off street parking spaces for terraced houses of two to three bedrooms. As such space has been allocated equivalent to 1.5 spaces in the front garden area, which will also provide for EV charging. As on-street parking is limited in the area, the full frontage has not been used for the dropped kerb access, allowing for the most efficient use of available space and to ensure that the frontage is not visually dominated by parking.
- 5.25 The site will be serviced from Whitehouse Way in common with neighbouring properties.

Energy and Sustainability

- 5.26 An Energy and Sustainability Statement has been prepared, as advised within the pre-app response. The proposal seeks to provide the maximum amount of Carbon Savings possible on site, following the Energy Hierarchy. The minimum requirement of 10% Energy Efficiency savings above 2013 Building Regulations is easily met in light of the 2021 Part L requirement. The proposal provides a total of 61% CO2 savings via the additional inclusion of an ASHP, which is discreetly located within an acoustic enclosure to the side of the building where there is maximum separation from the nearest property.
- 5.27 Additional sustainability measures are set out in the DAS and Energy and Sustainability Statement.
- 5.28 The proposal would therefore easily meet Part L of Building Regulations and be designed in accordance with London Plan Policy SI.2 and Core Strategy Policy CS13



Ensuring the efficient use of natural resources.

Ecology, biodiversity and sustainable drainage

- 5.29 The existing site is a mixture of amenity grassland and hardstanding, with some shrubbery and one small tree (Magnolia). The garden space provides opportunities for biodiversity enhancements as outlined in the Landscape Strategy in the Design and Access Statement. The use of permeable surfaces and the focus on greening the front garden in particular will be a counterbalance to the many impermeable hard landscaped front gardens of surrounding properties and will address the requirements of Local Plan Policy DM01.
- 5.30 The existing tree on the site will be retained within the new front garden, adjacent to the bike store, which along with the bin store will have a sedum green roof. New trees will be planted along the rear boundary within a raised planter. Species will be selected to avoid excessive shading and leaf fall.
- 5.31 The National requirement for 10% biodiversity net gain has not yet been established for small sites, so a formal calculation has not been provided. Nevertheless, it is clear that via the introduction of the landscaping, trees and green roofs the proposal will provide a biodiversity enhancement in line with the aims of Policy DM16.

Air Quality

- 5.32 Although the site is within an Air Quality Management Area (AQMA), in accordance with the latest London Plan Guidance minor proposals need not provide a full AQA if they are car free and emissions free and not located in an Air Quality Focus Area (AQFA) (see para 2.3.1 of London Plan Air Quality Neutral Guidance). A construction dust risk-assessment may be required as part of a CEMP / CLP.
- 5.33 Accordingly, the proposal is compliant with London Plan Policy SI 1 and associated guidance.



Fire Statement

- 5.34 A fire statement has been included within the DAS to meet the requirements of Policy D12A of the London Plan. This demonstrates there to be space at the front of the dwelling for a fire appliance and identifies an evacuation point on the street. Access and escape from the property is possible from the front and rear, with unobstructed areas on either side of the property. The fire strategy for the building will be developed at building control stage.

CIL and Planning Obligations

- 5.35 The proposal would be CIL liable in accordance with the charging schedule adopted in May 2013.
- 5.36 The proposal is fully policy compliant and as a minor development it is not considered that any planning obligations be necessary. However, this can be discussed further during the consideration of the application.



6.0 Conclusion

- 6.1 The proposal seeks full planning permission for a detached family sized dwelling at the site. The size and massing of the building is comparable to other properties on the street and the siting fits the overall pattern of development, maintaining building lines and consistent separation distances between dwellings. The architecture and finishing is contextual to the area and successfully stitches together a gap in the streetscape.
- 6.2 The dwelling exceeds minimum standards, addresses local policy variations, and achieves best practice guidance, as an exemplar scheme. Internally, the layouts have been carefully considered to provide flexible, useable spaces that exceed minimum room sizes and provide storage in exceedance of best practice. The building fabric is energy efficient and alongside the use of low carbon technology, low energy fixtures and fittings and water saving devices, will provide a highly sustainable home.
- 6.3 The two amenity spaces at the front and rear provide the opportunity for biodiversity and serve an important function. The front garden will provide parking with EV charging, cycle parking and bin storage, with permeable hard surfaces and soft landscaping to enhance the boundary and improve the streetscene. The rear garden will provide 58sqm of private amenity space suitable for family use, with permeable hard and soft landscaping and a tree lined boundary.
- 6.4 In accordance with London Plan (Policy H2) and established and emerging local plan policies, small housebuilders bringing forward well designed new homes on small sites should be pro-actively supported. The unit will meet the highest priority requirement for additional 3 bedroom family dwellings within the borough (as per the emerging Local Plan Evidence Base) and the proposal will be a high quality addition to the area that presents a significantly improved frontage to Whitehouse Way.
- 6.5 Our assessment of the proposal is that it is an exceptional design and makes an important contribution to a priority dwelling type for the borough. We consider the proposal to be policy compliant and a case study example of applying a design led approach to develop a small backland plot in a suburban area.

Appendix 1

210 Hampden Way

London

N14 7LY

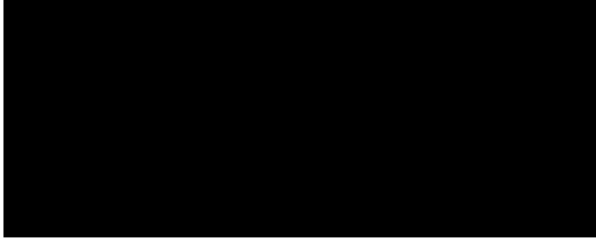
Pre-application report

Reference 23/8289/QCE

London Borough of Barnet



Reference:	23/8289/QCE
Location:	210 Hampden Way London N14 7LY
Proposal:	Creation of new unit

Case Officer:	Greta Norton
Date of recommendation:	18.10.2023
Manager with Delegated Authority:	Denisse Patten Deputy Planning Manager Fast Track and Pre-application Team 

Disclaimer

Whilst this advice is offered in good faith and to best of ability it neither conveys planning permission nor binds the Local Planning Authority to the grant of permission, which will be subject to public consultation and ultimately decided by a relevant Council Committee.

However, the advice note will be considered by the Council as a material consideration in the determination of the future planning related applications, subject to the proviso that circumstances and information may change or come to light that could alter the position.

It should also be noted that little or no weight would be given to the content of the schemes, which are submitted more than 3 years after the date of this advice.

FOLLOW UP ADVICE

If you require further advice, The Local Planning Authority can offer follow up advice to clarify or expand upon the issues raised above, prior to the submission of a formal application. If you wish to do this it is suggested that you provide additional information in support of the proposals addressing any issues outlined above. Officers can review an amended scheme and this would be charged at the hourly rate of £340.87 (including VAT). If you require a meeting the attendance of a Planning Manager (£425.43 per hour, including VAT) or Service Director (£511.30 per hour, including VAT) then this can also be arranged in addition.

Please note that if any new scheme is of a significantly different nature to the one referred to in this advice, then a new pre-application request will need to be made rather than being dealt with in the above manner.

Notice:

Although the Council does not automatically publicise the details of pre-application discussions with potential developers and treats them as commercially sensitive, under the Environmental Information Regulations 2004 we may from time to time receive a request from a member of the public to provide information regarding enquiries that we have received for pre-application advice and of any advice given. Subject to certain exemptions, we are obliged to provide this information, although personal data is protected from disclosure under the General Data Protection Regulation (GDPR).

The exemptions relate to commercially sensitive and confidential information. It is, therefore, important that you bring to the Council's attention in writing at the outset any information which you consider may, if disclosed, prejudice your commercial interests or which you consider would breach confidentiality. You should also set out the reasons why, and for what period, you consider the information falls into these categories. It is then for the Council to decide whether it believes the information falls into these exempt categories, if a Freedom of Information request is subsequently received.

We may also treat as exempt from disclosure information which, if disclosed, may prejudice the effective conduct of public affairs. This can be particularly relevant at the outset of major applications where a lot of exploratory discussion takes place. If the disclosure of this exploratory information is likely to prejudice the process of leading to a proper determination of the subsequent planning application, then it may not be disclosable.

Apart from these exemptions any other recorded information resulting from these pre-application discussions is very likely to be disclosable. Once a planning application for a similar scheme on a site has been submitted the pre-application advice will be disclosable.

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1.0 SITE DESCRIPTION

- 1.1 The pre-application site relates to the rear garden plot of 210 Hampden Way, which faces Whitehouse Way, within the Brunswick Park ward. The garden is unusually large for the area, and represents an anomaly in the streetscape of Whitehouse Way, as the building pattern is interrupted by open, garden space.
- 1.2 The area is characterised by residential development, predominantly comprising of single-family dwellings of semi-detached nature.

2.0 RELEVANT PLANNING HISTORY

There is no planning history related to 210 Hampden Way.

The pre-application report will refer to permission granted at the rear of 208 Hampden Way, which is directly west to the pre-application site. Their relevant planning history is as follows:

2.1 Reference B/03047/08

Address: 208 Hampden Way, London, N14 7LY

Decision: Refused

Decision Date: 09.10.2008

Description: A detached new build residential unit with associated parking and access from Whitehouse way.

2.2 Reference B/01330/10

Address: 208 Hampden Way, London, N14 7LY

Decision: Refused

Decision Date: 20.05.2010

Description: Construction of new two storey detached dwelling to the rear of 208 Hampden Way with access from Whitehouse Way.

2.3 Reference B/01176/11

Address: 208 Hampden Way, London, N14 7LY

Decision: Refused

Decision Date: 09.05.2011

Description: Construction of a new two storey 3-bedroom detached dwelling on land to the rear of 208 Hampden Way with access from Whitehouse Way.

Appeal: dismissed

2.4 Reference B/03048/12

Address: 208 Hampden Way, London, N14 7LY

Decision: Refused

Decision Date: 20.11.2012

Description: Erection of two storey 3-bedroom dwelling on land to the rear of 208 Hampden Way.

Appeal: Appeal allowed

2.5 Reference B/04790/13

Address: Land To The Rear Of 208 Hampden Way, London, N14 7LY

Decision: Approved subject to conditions

Decision Date: 12.02.2014

Description: Construction of two-storey dwelling incorporating basement

3.0 SUBMISSION MATERIAL

Pre-application design report, prepared by Novak Hiles Architects.

Addendum to pre-application design report, following meeting – prepared by Novak Hiles Architects.

Site Location Plan

4.0 PLANNING CONSTRAINTS

- 4.1 The site is not situated within a flood risk zone, and is not within a conservation area, nor is it a listed/locally listed property. The site has a PTAL of 1B. There are no protected trees on site.

5.0 POLICY CONTEXT

5.1 National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The revised National Planning Policy Framework (NPPF) was published on 20th July 2021. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this". The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

5.2 The Mayor's London Plan 2021

The relevant planning policies are: Policies D1, D3, D4, D5, D6, D12, D14

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous Plan.

5.3 Barnet's Local Plan (2012)

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

Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5, CS9, CS10, CS15.

Relevant Development Management Policies: DM01, DM02, DM03, DM08, DM17.

Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan -Reg 22 – Submission was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission the Local Plan will now undergo an Examination in Public. The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. It represents Barnet's draft Local Plan.

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

5.4 Supplementary Planning Documents

Residential Design Guidance (2016)

Sustainable Design and Construction (2016)

(Note that details of all local policies listed above are available at www.barnet.gov.uk)

6.0 COMMENTS ON THE PROPOSAL

Key dates

- 6.1 A meeting with the agent/applicant was held in the Colindale Office on Wednesday 20th of September, with the Council's Urban Design Officer in attendance.
- 6.2 An addendum to the pre-application design report was received on the 22nd of September, following discussions within the meeting.

Details on the Proposed Development

- 6.3 The pre-application scheme explores the opportunity to build a single-family, 3-bed dwelling within the lower part of the rear garden of 210 Hampden Way, dividing the garden to create an individual plot facing Whitehouse Way.
- 6.4 The property is to be two-storeys in height, with off-street parking and cycle storage to the front, and private amenity space to the rear.
- 6.5 Full elevations have not yet been provided; however, the eaves height shall match those of neighbouring properties, at a height of 7 metres, and a maximum height of 8.70 metres due to the small crown roof.
- 6.6 The property measures a width of 6.6m and a depth of 9.3m, which is staggered at the front and rear.

Principle of Development and Impact on character of the area

- 6.7 Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context, and comply with the development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, and CS5 of the Core Strategy.
- 6.8 The borough has an attractive and high-quality environment that the Council wishes to protect and enhance. It is therefore considered necessary to carefully assess both the design and form of new development to ensure that it is compatible with the established character of an area that is defined by the type, and size of buildings, the layout, intensity, and relationship with one another and their surroundings.
- 6.9 The site forms part of the rear garden to no. 210 Hampden Way, an unusual context whereby the rear boundary fence fronts Whitehouse Way. Whitehouse Way is characterised by residential properties, where the front building lines of dwellings maintain a linear fashion, forming a strong continuity of frontages, and are set back to make space for off street parking.
- 6.10 Therefore, the site in question provides a good opportunity to develop a currently under-utilised space and infill the existing gap between properties which is an anomaly to the street scene, currently appearing as visually incongruous. As mentioned, the road is characterised by single-family dwellings, hence the development would be in keeping with character of the area and will further contribute towards Barnet's much-needed housing stock.
- 6.11 It should also be noted that neighbouring no. 208 Hampden Way built a single-family dwelling within the rear garden of their property, fronting Whitehouse Way – under a very similar set of circumstances and context. Planning permission was first granted back in 2013, whereby an appeal following the refusal of reference B/03048/12 was

allowed. Following this, a resubmission was submitted, and the dwelling was built following the approval of reference B/04790/13.

- 6.12 The council initially concluded that development within the rear of 208 Hampden Way would have been a cramped form of development by reason of its size, siting, and design. However, the appeal inspectorate opposed this view, concluding that there is a variation of design along the street, and the development would not appear unduly cramped.
- 6.13 The dwelling that has been built to the rear of no. 208 Hampden Way, now named 81A Whitehouse Way, is characterised by a flat roof, as opposed to the other hipped roofs which form the predominant style of roof along Whitehouse Way. However, flat roofs to dwellings along the road are not entirely uncommon and therefore there is some degree of design variation and flexibility which the pre-app scheme has taken on board. The council's Urban Designer was present at the meeting to provide insight into the design and visual amenity of the proposed scheme.
- 6.14 The proposed roof of the dwelling forms a mini hipped roof with a small crown, which is occupied by a clear rooflight, with a flat roof feature over the bay window. The roof is smaller than the hipped roof semi-detached dwellings to the east, but rises above the roof of no. 81A Whitehouse Way, as their property is characterised by a flat roof. Thus, the proposed small crown roof is a mediator between flat roof next door and other hipped roof properties, appearing as a transitional feature between the different roof designs. The eave's height of the dwelling will match neighbouring no. 83.
- 6.15 The proposed front building lines shall align with the neighbouring building lines, to ensure that the new building will fit in seamlessly with established positioning of properties.
- 6.16 The new dwelling will be of a modern style, but at the same time, the design endeavours to incorporate architectural features of the surrounding 1930's properties, to form a scheme that is conscious of surrounding design features, whilst appearing as a modern, contemporary property. A materials schedule should be provided at application stage, to avoid reliance on conditions.
- 6.17 During the pre-application meeting, the urban design officer requested for the front chimney to be made slightly narrower, however raised no concern with the front parapet wall above the porch. A couple of other design changes were requested, as shown in the below diagram:



6.18 Overall, the proposed design would be in keeping with the surrounding area, subject to a couple of minor changes as mentioned.

Impact on Amenity of neighbouring occupiers

6.19 It is important that any scheme addresses the relevant development plan policies (for example Policy DM01 of the Barnet Local Plan and Policies D3 and D4 of the London Plan (2021) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

210 and 208 Hampden Way

6.20 Barnet's Sustainable Design Guidance SPD (2016) states that new residential development should maintain a minimum distance of 21m between properties with facing windows to habitable rooms to avoid overlooking, and 10.5m to a neighbouring garden.

6.21 Due to the existing positioning of the rear wall of no. 210 Hampden Way, the proposed rear wall will not sit parallel. A plan to show distances between rear habitable windows at 208 and 210 Hampden Way and the proposed new dwelling has been provided, however it is not clear as to whether the scaling is accurate, so the officer's assessment has been based off the annotated distances.

6.22 In the pre-app meeting, and provided within the original pre-app drawings, it was established that 16.5m was maintained between the large, rear habitable window of no. 210 Hampden Way and the proposed first floor rear window to the single bedroom. A 18m distance is maintained between the proposed first floor rear window to the double bedroom, and the large first floor rear window of no. 208 Hampden Way. Concerns were raised in the meeting regarding the short distances, which fail to adhere to Barnet's Sustainable Design and Construction SPD, as a minimum of 21m distance is not maintained.

6.23 Therefore, amended plans have sought to address these issues. Angled windows have been marked up on the plans, to direct the line of sight away from 210 Hampden Way,

and towards no. 208, whilst maintaining a 21/22m distance between the proposed windows and 208's first floor rear windows, because of the angled design. However, the windows sit at an angle within the sill, rather than protruding beyond the rear wall, which could present issues with design and the practicality of their implementation.

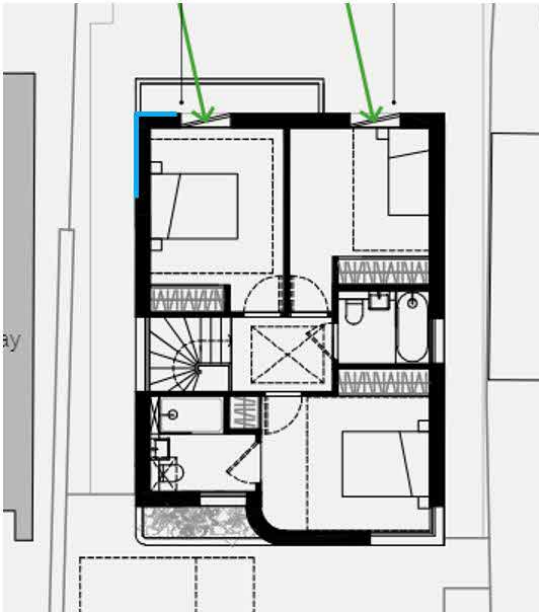
6.24 Further to this, officers are of the opinion that it would still present issues with overlooking despite their slightly angled design. It is noted that the agent has justified the distances with the following statement:

“There is a big difference in levels between the sites meaning that the floorplates are misaligned, as are the windows themselves. The introduction of an angle further accentuates the existing angling of the buildings away from each other and creates a direct distance of 21m thereby reaching the guidance figure.”

6.25 Whilst the LPA understand that there are level differences between no. 210/208 Hampden Way and the application site, the perception of being overlooked and potential overlooking is still not mitigated enough through the amended design. It shouldn't be necessary to set back the proposed building lines, however changes to the first-floor rear windows should be made.

6.26 An oriel window which directs the view of sight over to the garden of neighbouring no. 83 should be introduced to the single bedroom; whilst this would result in some overlooking on to neighbouring garden, on balance, it would not be considered to cause demonstrable harm given that first floor windows would naturally facilitate some overlooking. This would therefore avoid any mutual overlooking between habitable rooms of no. 210 Hampden Way. Directing the line of sight towards no. 83's garden should not be problematic, as the level of outlook into their garden would not be significantly different to the outlook that would arise from a typical first floor rear window.

6.27 To the west, a window of a similar style and positioning to the front facing first-floor bedroom window should be introduced, in replacement of the current proposed positioning. An exemplar location of the window is shown below in blue:



6.28 The council would allow a clear glazed window facing towards the flank wall of no. 81A Whitehouse Way. 2.2m is maintained between their flank wall and the window, and whilst this is not the ideal, high-quality outlook that the council would normally seek, on balance, it is considered that a clear glazed window in this positioning would still provide adequate outlook, with the ability to view beyond no. 81A's flank wall to some extent. Whilst the side facing pane can be transparent, the rear-facing windowpane would need to be partially obscure glazed, up to 1.7m in height from the floor level, to avoid the mutual overlooking into 208/210 Hampden Way's habitable windows. The council would also welcome other suggestions for variations of window design to mitigate the overlooking, and this can be demonstrated through the formal application, or within a follow-up pre app.

6.29 In regard to outdoor amenity space provision, it has been noted that 70sqm would be retained for 210 Hampden Way. This would appear to be sufficient however any forthcoming application should make it clear the number of habitable rooms (including rooms in excess of 20sqm which would be counted as 2 habitable rooms) for this unit to ensure that sufficient garden remains relative to the size of the property.

83 Whitehouse Way

6.30 The proposal will not have a detrimental impact upon neighbouring no. 83. The ground floor element of the new dwelling will not protrude beyond their rear building line at ground floor, meaning no loss of light, overshadowing or outlook will occur.

6.31 Regarding the first floor, the first-floor rear wall will protrude beyond no. 83 by 1.30 metres, however this is a moderate depth, combined with an offset of 1m from the shared boundary, that will not detrimentally impact the light and outlook of neighbouring no. 83.

6.32 The flank wall facing no. 83 shall have a first-floor obscure glazed window serving the bathroom, which will not cause any loss of privacy to neighbouring occupiers. The clear-glazed front bedroom window wraps around the corner of the façade, which is characteristic of properties along the road. Given that there are no windows of this nature next door, no overlooking will be caused.

81A Whitehouse Way

6.33 The proposed dwelling will not have any detrimental impact upon neighbouring no. 81A. The ground and first-floor footprint will not protrude beyond the rear building line of 81A, and therefore no loss of light, outlook or overshadowing will occur.

6.34 The suggested first floor side facing window within the flank facing no. 81A, as mentioned in paragraph 6.27, will not give rise to any overlooking into the neighbouring garden to a detrimental extent.

6.35 81A does not have any side facing first-floor windows, and therefore mutual overlooking would not be caused by the placement of a transparent side facing window to the new dwelling.

Impact on Amenity of future occupiers

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

6.37 The London Plan 2021 also sets out minimum standards for new dwellings under policy D6.

GIA (Gross Internal Area)

6.38 The proposed GIA of the dwelling measures 103sqm in total. This is exceeding the minimum standards as set out in the London Plan Policy D6 which states that a 3 bedroom 5-person property comprising of two-storeys must measure at least 93sqm internally. Therefore, the proposed dwelling would provide a spacious internal living space, providing a high-quality of living.

Bedroom sizes

6.39 The two double bedrooms would meet and exceed the size standards as set out by Policy D6, point 4, of the London Plan (2021).

6.40 The single bedroom would also exceed the size standards.

Outdoor amenity space

6.41 According to Barnet's Sustainable Design Guidance (2016), a minimum of 55sqm of outdoor amenity space must be provided for a new dwelling with 5 habitable rooms.

6.42 The proposed outdoor amenity space has been amended from 55sqm to 60sqm, following comments raised in the pre-app meeting. However, the addendum pre-app report indicates that part of the side access path to the east is incorporated within the calculation, stating the following:

"We wish to put forward the idea of also introducing an additional side facing window to the dining area, with openable glazed door, and to landscape the outside area immediately external to this with good quality integrated bench seating and plant pots, so that this area becomes a useful and practical external amenity and therefore could be counted toward the garden provision. The area discussed would be 1.5m deep therefore meeting minimum amenity space depth requirements."

6.43 Whilst there would be no objection to an integrated bench seating in the proposed location, the 1.5m deep area to the side of the property may not be considered as part of the outdoor amenity space calculation. Barnet's Sustainable Design and Construction SPD (2016) explains that outdoor amenity space for houses should be provided in the form of rear gardens. The side access path does not form part of this area despite the addition of a side facing door. Whilst 1.5m is specified as a sufficient minimum depth for outdoor amenity within the London Plan (2021) Policy D6, this is applied where there are no higher local standards within the borough Development Plan Documents. This space would be considered as side access to the dwelling, and therefore the applicant should demonstrate that the scheme meets the 55sqm amenity space to the rear – the outdoor amenity space currently measures 53sqm.

6.44 As the existing outdoor amenity space for 210 Hampden Way is to be sub-divided to build a separate dwelling, the applicant must ensure no. 210 Hampden Way is left with enough garden space. The pre-app design report implies that no. 210 comprises of 5 habitable rooms, which requires 55m² of rear outdoor space. The plans indicate that 70sqm of garden space is to be maintained, which would therefore be more than the requirement. Notwithstanding this, the applicant should either provide internal photographs or floorplans of no. 210, for the LPA to be sure that the outdoor amenity space size corresponds correctly to the number of habitable rooms.

Ceiling Heights

6.45 Floor to ceiling heights must comply with point 8 of Policy D6 of the London Plan 2021, whereby the minimum floor to ceiling height must be 2.5m for at least 75 percent of the GIA of each dwelling.

6.46 The plans indicate that the floor to ceiling heights would measure at least 2.5m across the whole dwelling, and therefore is compliant.

Outlook

6.47 As mentioned in the amenity impact section, the proposed side-facing transparent window that has been suggested for the first-floor rear double bedroom does not provide an ideal outlook, however, on balance, it is acceptable for future occupiers for reasons previously stated.

6.48 Outlook from all other rooms is of a high quality.

Light

6.49 Barnet's Sustainable Design and Construction SPD (2016), states that glazing to all habitable rooms should not normally be less than 20% of the internal floor area of the room.

6.50 Full elevations have not been provided, so it is not clear what the exact levels of glazing will be, in relation to the internal floor area. However, the CGI illustrations demonstrate the perception of sufficient glazing. The crown of the dwelling is also proposed to be a clear glazed rooflight, which will allow a generous amount of natural light throughout the stairwell of the building.

6.51 Whilst the provision of evergreen trees along the rear boundary would provide an enhancement of biodiversity and mitigate mutual overlooking, the size and amount of trees must be carefully considered, as large trees across the whole span of the rear boundary could cause overshadowing to future occupants of the dwelling.

Biodiversity (trees, ecology and landscape)

6.52 The importance of trees, ecology and landscape is recognised at every policy level, Nationally NPPF chapter 15; regionally London Plan policy G6 and locally within Barnet Council's adopted policies DM01, DM04, DM15 & DM16 all require developers to consider, trees, ecology and landscape which builds biodiversity. Further information on biodiversity guidance which should be considered can be found in appendix 1.

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

6.54 There are no protected trees on site. Due to partial loss of the existing garden, the applicant would be expected to provide a landscaping scheme to soften the appearance of the building.

6.55 It is noted that evergreen trees are to be planted along the rear garden boundary, which would be beneficial in regards to biodiversity and greening of the site, however the number and/or type of trees should be reconsidered, to ensure the trees do not lead to significant overshadowing to future occupants of the property.

Highways

6.56 The Council's Highways department operates a separate pre-application service, at an additional cost to be paid directly to Highways; details of which can be obtained from Highways officers (highways.consultations@Barnet.gov.uk).

6.57 The site has a PTAL of 1B.

6.58 Policy T6.1 of the London Plan (2021) states that new residential development should not exceed the maximum parking standards set out in Table 10.3. In Barnet, the following section from Table 10.3 is applicable:

Location	Number of beds	Maximum parking provision*
Outer London PTAL 4	1 – 2	Up to 0.5 - 0.75 spaces per dwelling+
Outer London PTAL 4	3+	Up to 0.5 - 0.75 spaces per dwelling+
Outer London PTAL 2 – 3	1 – 2	Up to 0.75 spaces per dwelling
Outer London PTAL 2 – 3	3+	Up to 1 space per dwelling
Outer London PTAL 0 – 1	1 – 2	Up to 1.5 space per dwelling
Outer London PTAL 0 – 1	3+	Up to 1.5 spaces per dwelling^

6.59 These standards are a hierarchy with the more restrictive standard applying when a site falls into more than one category.

6.60 Based on the number and mix of units, the parking provision would be required to be up to 1.5 spaces per dwelling. Although no highways officer has commented on the proposals, the applicant is advised that parking provision must meet the London Plan standards and policy T6.1.

6.61 In accordance with Policy T5 Cycling of the new London Plan (2021), new development should provide secure, integrated, convenient and accessible cycle parking facilities. Based on table 10.2 of the London Plan, the development would require the provision of 2 cycle spaces for the residential use (1 cycle space per studio and 1 person 1 bedroom unit, 1.5 cycle spaces per 2-person 1 bed dwelling, and 2 cycle spaces per other sized dwellings). Cycle storage / parking should be secure and weatherproofed. Officers would encourage details of the cycle storage / parking to be provided as part of any formal planning application to reduce the reliance on conditions.

Refuse and Recycling

6.62 The proposal would need to ensure that adequate bin storage for the number of proposed units. Please refer to the appendix below for more details.

7.0 RECOMMENDATION

- 7.1 Overall, the principle of a new-build dwelling within the proposed location is acceptable. However, the advice provided within the body of the report should be followed to be on track for a recommendation for approval. The applicant is advised to either seek a follow-up meeting to discuss concerns raised, or to make these changes as suggested, and apply for a formal planning application.
- 7.2 The following must be provided at formal application stage:

- Full, to-scale plans and elevations.
- Site location plan and proposed block plan
- Design and Access statement
- Landscaping scheme (or, secured via condition)
- Materials schedule (or, secured via condition)
- Details of cycle and bin stores (or, secured via condition)
- CIL form
- Energy statement

The above list is not prescriptive and would be subject to consultee comments. The applicant should also refer to the local and national requirements available on the Council's website.

8.0 INFORMATIVE

Information required to be submitted as part of a formal planning application

- 8.1 The local and national validation requirements can be viewed online via:

<https://www.barnet.gov.uk/citizen-home/planning-conservation-and-building-control/submit-a-planning-application.html>

You should ensure that any future formal planning application meets these requirements in order to avoid unnecessary delays in the registration of the application.

9.0 APPENDIX 1- OTHER RELEVANT CONSIDERATIONS

Biodiversity (trees, ecology and landscape)

The importance of trees, ecology and landscape is recognised at every policy level, Nationally NPPF chapter 15; regionally London Plan policies G5, G6 & G7 and locally within Barnet Council's adopted policies DM01, DM04, DM15 & DM16 all require developers to consider, trees, ecology and landscape which enhance biodiversity. In addition, the following references are also considered; Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System, ODPM, 2005, London Biodiversity Action Plan, London Plan, 2021, London Regional Landscape Framework, Natural England, 2010.

To support planning applications where there are trees growing on the site or on adjoining land supporting information following guidance set out within BS5837:2012 Trees in relation to design demolition and construction-recommendations must be submitted. Designs must incorporate existing trees wherever possible and provide space for new tree planting. Where trees are proposed to be removed, they must be valued in accordance with policy G7 and an equivalent value of new replacement tree planting provided on site or with agreement on land nearby.

Sites being considered for development must retain valuable, and protected habitats including board leaved deciduous woodland, lowland meadows, wildlife ponds, and ancient woodland whether or not they are within statutory or non-statutory conservation sites (e.g. Local Nature Reserves, SINCs, or SSSIs). Developments must also retain the resting, breeding and sheltering places for protected species such as bat roosts, badger setts, active bird nests, great crested newt ponds and reptile habitat. All developments must work towards delivering Biodiversity Net Gain and in November 2023 this will become a mandatory requirement for all non-exempt developments under the Environment Act 2021. Guidance set out within BS 42020 – a code of practice for biodiversity in planning and development. This will inform the level of supporting information required for the authority to evaluate for the likely impact of any proposed development on protected and notable species and biodiversity in general.

Applicants are strongly advised to seek specialist advice on ecological matters at the earliest opportunity because any required supporting surveys are time sensitive and will delay approval if they have not been completed. The Local Planning Authority will not be able to accept planning application which possess an unacceptable risk of harm to protected species or loss of biodiversity within the borough.

It is important to note that many protected species surveys are seasonal constrained. The presence of protected species is of material consideration within planning and thus cannot be conditioned.

Below is a summary of those assessments and surveys and their respective timings that applicants should be aware of before making an application adapted from the Professional Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition):

Bat Assessments/Surveys	Purpose	Timing
Preliminary Roost Appraisal (including internal inspection)	To determine the suitability of a building or structure to support roosting bats and if further surveys/mitigation is required.	Any time of year
Ground Level Tree Assessment	To determine the suitability of trees to support roosting bats and if further surveys/mitigation is required.	Any time of year (but ideal during winter when foliage is less dense and potential roost features are easier to see).
Winter hibernation survey	To search for and identify evidence/ presence of hibernating bats within a building/structure or tree.	November to March (if required, one visit in Mid-January and one in Mid-February)
Bat emergence/re-entry surveys	To confirm the presence or likely absence of roosting bats from a building/structure or tree.	Low suitability – May – August. Moderate suitability – May to September (with at least one between May and August) High suitability - (May to September (with at least two between May and August)
Roost characterisation surveys	To gather further details on the physical characteristic of a roost that is discovered during an emergence survey, and evaluate the type, importance and conservation status (e.g., transitional, hibernation, mating, maternity, summer, day roosts)	May to August (but surveys in April may be necessary to identify transitional roost and/or September/October to identify mating roost)
Bat activity surveys (transect survey and/or static monitoring, swarming surveys)	To assess the use of a <u>site</u> by commuting and foraging bats and evaluate the site's importance for bats.	April to October (April, September and October surveys) are dependent on weather conditions). Swarming surveys – Mid-August – Mid-October

For further information please refer to Bat Surveys for Professional Ecologists - Good Practice Guidelines (3rd edition) (Collins, J. (ed.)) [Bat Surveys for Professional Ecologists: Good Practice Guidelines 3rd edition - Guidance for professionals - Bat Conservation Trust](#)

Refuse and Recycling

Bin stores should be designed to include storage for both refuse and recycling. Further details on the standards can be found on the Council's web site:

<https://www.barnet.gov.uk/recycling-and-waste/household-recycling-and-waste/information-developers-and-architects>

If the applicant wishes to pursue with the scheme, details of this including refuse management would need to be provided to the Local Planning Authority; planning officers will consult with Barnet Waste and Refuse Team when the application is submitted. The walking distance for the crew to collect the bins should not exceed ten metres from the collection point.

Fire Safety

Policy D12 of the London Plan states that all development proposals should achieve the highest standards of fire safety from the outset. Developments should ensure “that they:

- 1) identify suitably positioned unobstructed outside space:
 - a) for fire appliances to be positioned on
 - b) appropriate for use as an evacuation assembly point
- 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) are constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.”

The GLA are currently consulting on the Fire Strategy LPG, which was prepared in consultation with the London Fire Brigade. The guidance sets out how applicants should demonstrate compliance with London Plan Policies D12 and D5(B5), where applicable. The guidance confirms that planning officers are not experts in fire safety, therefore the onus is on the applicant and the fire safety expert to demonstrate compliance with the London Plan fire safety policies. This draft LPG provides template forms for the applicant to easily provide the required fire safety information and for planning officers to check that information has been provided against each relevant policy criteria.

Applicants are expected to demonstrate compliance with Policy D12 for every application and submit supporting information with any forthcoming application.

Sustainability

When progressing the design of the scheme please be aware that the Local Planning Authority will seek compliance with local and London wide planning policies on sustainability, reducing water usage and minimising carbon dioxide emissions from new development. Should an application be granted consent, conditions on these matters will be imposed, relating to:

- Water usage
- Accessibility
- Carbon dioxide emissions.

Water usage

Other related standards may also be relevant, but as a minimum all new housing will be expected to should achieve a mains water consumption of 105 litres per head per day or less. Relevant planning policies on these matters include policy SI5 of the London Plan (2021); policy CS13 of the Barnet Core Strategy (2012); and policy DM02 of the Barnet Development Management Polices document (2012).

Accessibility

All new development should ensure that the needs of future occupiers are met and that the development complies with the requirements of policies D7 of the London Plan (2021) and policies DM02 and DM03 of the Barnet Development Management Polices document (2012).

To comply with part M4(2), the flats would need to provide level access (lifts). Any application should include confirmation in writing that the relevant criteria of Part M4(2) of Schedule 1 to the Building Regulations 2010 can be met; if consent is granted, this will be conditioned. London Plan paragraph 3.7.6 states:

“In exceptional circumstances the provision of a lift to dwelling entrances may not be achievable. In the following circumstances – and only in blocks of four storeys or less – it may be necessary to apply some flexibility in the application of this policy:

- a. Specific small-scale infill developments (see Policy H2 Small sites)*
- b. Flats above existing shops or garages*
- c. Stacked maisonettes where the potential for decked access to lifts is restricted”*

Carbon dioxide emissions

Any submission should clearly demonstrate how a proposal is making the fullest possible contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: exploit local energy sources and supply energy efficiently
- Be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- Be seen: monitor, verify and report on energy performance.

Applications should include a commitment to the scheme proposed achieving a specific level of improvement in carbon dioxide emissions beyond the 2013 Building Regulations. The scheme would be expected to achieve at least 10% as detailed in Policy SI2 of the London Plan 2021.

New development is expected to get as close as possible to zero-carbon onsite, rather than relying on offset fund payments to make up any shortfall in emissions. The London Plan notes that the price for offsetting carbon is regularly reviewed; a nationally recognised non-traded price of £95/tonne has been tested as part of the viability assessment for the London Plan which boroughs may use to collect offset payments.

Relevant planning policies on this matter include policies DM01 and DM02 of the Barnet Development Management Policies document (2012) and policies SI2 and SI3 of the London Plan (2021).

The application will also need to be supported by an Energy Statement.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a planning charge that Local Authorities and the Mayor of London can set on new development to help pay for community infrastructure.

The CIL will apply to all 'chargeable development' defined as:

- Consisting of buildings usually used by people;
- Delivering 100sqm or more of gross internal floorspace or the creation of one additional dwelling, even if the gross internal floorspace is <100sqm; or
- Floorspace that is not exempted under the Act, the Regulations or for a locally defined reason.

In Barnet, a new charging schedule will come into effect on 1st April 2022. Different rates of CIL will be charged by the land use of a proposed development, as set out below¹:

- Residential including C2, C3 and C4 use classes and sui generis HMOs and other sui generis residential uses - £300 per sqm
- Hotels (C1) - £200.09 per sqm
- Retail (including former A1-A5 uses) - £200.09 per sqm
- Leisure (including former D2 uses and sui generis leisure uses) - £0
- Employment (including former B use classes and / or B2 and B8 uses) - £20 per sqm
- All other uses -£0

¹ In accordance with government guidance, the rates have been set on the basis of the intended use of development. The definition of "use" for this purpose is not tied to the classes of development in the Town and Country Planning Act (Use Classes) Order 1987 (as amended) although reference has been made in the table above to use classes in that Order in order to provide a useful reference point. Therefore, in the CIL charging schedule, the reference made to the use classes are not limited to those use classes.

Ancillary car parking is not exempt from the calculation.

The Mayor of London adopted a CIL charge on 1st April 2012. In February 2019 the Mayor adopted a new charging schedule (MCIL2) and on April 1st, 2019, this was adopted setting a rate of £60 per sq. metre (index linked) on all forms of development in Barnet except for a £0 per sqm rate for education and health developments.

Community Infrastructure Levy (CIL) would be payable.

Further details of CIL requirements can be found on the Council website:

<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>

10.0 APPENDIX 2- ENVIRONMENTAL HEALTH

The applicant is advised that the scheme should consider heating and cooling of the proposed residential units early in the design stage. It is advised that if the proposal includes air conditioning plant, consideration should be given to the siting of these in relation to neighbouring windows to prevent noise and disturbance. The application will need to be supported by the following details if plant is proposed:

A noise report which has been carried out by a competent acoustic consultant that assesses the likely noise impacts from the development of the ventilation/extraction plant, and mitigation measures for the development to reduce these noise impacts to acceptable levels. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

Evidence that the level of noise emitted from the any proposed plant shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property. If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the scheme is considered a major development, with a southern façade with windows serving habitable rooms then the applicant would be required to carry out an overheating report and an acoustic consultant carry out an acoustic report that cross refer. This is particularly crucial on sites adjacent or near busy roads and where high noise pollution exists.

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

In addition to the noise control measures and details, the scheme needs to clearly set out the target noise levels for the habitable rooms, including for bedrooms at night, and the levels that the sound insulation scheme would achieve. The Council's Sustainable Design and Construction Supplementary Planning Document requires that dwellings are designed and built to insulate against external noise so that the internal noise level in rooms does not exceed 30dB(A) expressed as an Leq between the hours of 11.00pm and 7.00am, nor 35dB(A) expressed as an Leq between the hours of 7.00am and 11.00pm (Guidelines for Community Noise, WHO). This needs to be considered in the context of room ventilation requirements. The details of acoustic consultants can be obtained from the following contacts: a) Institute of Acoustics and b) Association of Noise Consultants.

The assessment and report on the noise impacts of a development should use methods of measurement, calculation, prediction and assessment of noise levels and impacts that comply with the following standards, where appropriate:

- BS 7445(2003) Pt 1, BS7445 (1991) Pts 2 & 3 - Description and measurement of environmental noise;
- BS 4142:2019 - Method for rating industrial noise affecting mixed residential and industrial areas;
- BS 8223: 2014 – Guidance on sound insulation and noise reduction for buildings: code of practice;
- Department of Transport: Calculation of road traffic noise (1988);
- Department of Transport: Calculation of railway noise (1995);
- National Planning Policy Framework (2012)/ National Planning Policy Guidance (2014).

Please note that in addition to the above, consultants should refer to the most relevant and up to date guidance and codes of practice if not already listed in the above list.

Improving Air Quality

London Plan Policy SI 1 states that development should not lead to further deterioration of existing poor air quality or create areas which exceed air quality limits. As a minimum, the policy states that proposals must be at least Air Quality Neutral. Air quality neutrality should be considered in all non-householder schemes.

11.0 APPENDIX 3- BUILDING CONTROL

Building Regulations

Whilst you are going through the planning process it is advisable to consider the design in terms of compliance with the building regulations as this is the next stage once you have obtained planning permission. The Council's Building Control team can help by giving pre-application advice on your proposals. It is important to remember that Building Control is different to planning and requires both a separate application and approval. Further details can be found on Appendix 3.

The Building Control team can advise on fire safety, including means of escape; structural design; energy conservation; drainage; access and use; and any other issues required to demonstrate compliance with the Building Regulations and allied legislation including undertaking any statutory consultations required, on your behalf, and will provide the first hour of advice free of charge. If you want more detailed pre-application advice on building control beyond the initial first hour you will need to pay a fee which you can claim back when you submit a building regulation application. We would be happy to give you a no obligation quote for your scheme. In addition to the statutory checking and approval stages building control can offer a number of value added services that can assist you through the process of completing your project e.g. warranties, design assistance, system testing, accredited details and certification etc. For more information please contact Building Control on 020 8359 4500, via building.control@barnet.gov.uk or visit the website to submit your on-line application or to download your application forms at this link www.barnet.gov.uk/building-control.

Value added services can be viewed via <https://www.labc.co.uk/consultancy-services> and further guides to your project at <https://www.labc.co.uk/your-building-project> and <https://www.labc.co.uk/registered-schemes>.