

Planning Statement for 73 King Edward Road, EN5 5AU.

The application is for the additional length of 500mm built in error by the contractor during the set up process. The remaining part of the build is as per the approved plans.

PLANNING POLICY

The National Planning Policy Framework

The NPPF was published on the 27th March 2012 and which replaces the previous range of Planning Policy Guidance Notes, Planning Policy Statements and Minerals Policy statements. The relevant sections of the NPPF are set out below.

Achieving sustainable development

Paragraph 6 of this guidance advises that the purpose of planning is to “*contribute to the achievement of sustainable development.*” Paragraph 7 continues that there are three dimensions to sustainable development: economic, social and environmental and that these dimensions give rise to the need for the planning system to perform a number of roles:

- ***an economic role*** – *contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
- ***a social role*** – *supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and*

- ***an environmental role*** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

Paragraph 8 further advises that these issues should **not** be considered independently:

“These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.”

Paragraph 9 advises that pursuing sustainable development involves “seeking positive improvements in the quality of the built, natural and historic environment as well as in peoples quality of life,” to include:

- *making it easier for jobs to be created in cities, towns and villages;*
- *moving from a net loss of bio-diversity to achieving net gains for nature;*
- *replacing poor design with better design;*
- *improving the conditions in which people live, work, travel and take leisure; and*
- *widening the choice of high quality homes.”*

Mindful of the need to reflect the needs of individual communities and localities paragraph 10 advises:

“Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas.”

The Presumption in favour of sustainable development

Paragraphs 11 to 16 are titled 'The presumption in favour of sustainable development'. Paragraph 11 reminds us as follows:

“Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.”

Paragraph 12 continues:

“This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.”

Paragraph 13 of the NPPF defines its own status thus:

“The National Planning Policy Framework constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications.”

Paragraph 14 advises thus:

“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.... “

It continues that for 'plan-making' this means that:

- “• local planning authorities should positively seek opportunities to meet the development needs of their area;*

- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted. “*

For decision-taking it means: □

“• *approving development proposals that accord with the development plan without delay; and*

□

• *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*

- *specific policies in this Framework indicate development should be restricted.”*

Core planning principles

Paragraph 17 identifies 12 ‘Core planning principles’, of which the following are relevant on this occasion:

“...*planning should...*

- *be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;*

- *not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;*
- *proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities;*
- *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
- *support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy);*
- *encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;*
- *actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.”*

The London Plan July 2011

This is the overall strategic plan for London. Policy 3.3A states:

“The Mayor recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford.”

Policy 3.5 relates to the quality and design of housing developments and states that:

“A. Housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in this Plan to protect and enhance London’s residential environment and attractiveness as a place to live.

B. the design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces, taking particular account of the needs of children and older people.

C. LDFs should incorporate minimum space standards that generally conform with Table 3.3. The Mayor will, and boroughs should, seek to ensure that new development reflects these standards. The design of all new dwellings should also take account of factors relating to ‘arrival’ at the building and the ‘home as a place of retreat’, have adequately sized rooms and convenient and efficient room layouts, meet the changing needs of Londoners over their lifetimes, address climate change adaptation and mitigation and social inclusion objectives and should be conceived and developed through an effective design process.”

Barnet Adopted Core Strategy 2012.

The following policies are referred to in the reasons for refusal and are relevant to this appeal.

CS4 – Providing Quality Homes and Housing Choice in Barnet

CS5 – Protecting and Enhancing Barnet’s Character

CS9 – Providing Safe Effective and Efficient Travel

Barnet Local Plan (Development Management Policies)

The following policies are referred to:

DM01 – Protecting Character and Amenity

DM02 – Development Standards

DM14 – New and Existing Employment Space

DM17 – Travel Impact and Parking Standards