

# **EAST AREA PLANNING SUB - COMMITTEE**

8 NOVEMBER 2011

ITEM 6

## **REPORT OF THE ASSISTANT DIRECTOR OF PLANNING AND DEVELOPMENT MANAGEMENT**

### **BACKGROUND PAPERS – GENERAL STATEMENT**

The background papers to the reports contained in the agenda items which follow comprise the application and relevant planning history files, which may be identified by their reference numbers, and other documents where they are specified as a background paper in individual reports. These files and documents may be inspected at:

Building 4, North London Business Park  
Oakleigh Road South  
New Southgate  
London N11 1NP

Contact Officer: Mrs V Bell, 020 8359 4672

## **EAST AREA PLANNING SUB - COMMITTEE**

DATE: 8 November 2011

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67A Church Lane, London, N2 8DR

Single storey rear extension to community centre.

**Approve Subject to Conditions**

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West Finchley

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257 Ballards Lane, London, N3 1NG

Basement extension including creation of two associated rear lightwells. Associated alterations to roof involving two rear dormer windows.

**Approve Subject to Conditions**

**LOCATION:** 67A Church Lane, London, N2 8DR

**REFERENCE:** F/03830/11

**Received:** 15 September 2011

**Accepted:** 16 September 2011

**WARD(S):** East Finchley

**Expiry:** 11 November 2011

**Final Revisions:**

**APPLICANT:** Mr Depala

**PROPOSAL:** Single storey rear extension to community centre.

**RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Plan No: RP-HD-2011; Design & Access Statement, Dated 15/09/2011.

Reason:

For the avoidance of doubt and in the interests of proper planning.

2. This development must be begun within three years from the date of this permission.

Reason:

To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

3. The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

**INFORMATIVE(S):**

1. The reasons for this grant of planning permission or other planning related decision are as follows: -
  - i) The proposed development accords with strategic planning guidance and policies as set out in the Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (2006).  
In particular the following polices are relevant: Adopted Barnet Unitary Development Plan (2006): GBEnv1, D1, D2, D5, GCS1.  
Core Strategy (Publication Stage) 2010: CS5, DM01
  - ii) The proposal is acceptable for the following reason(s): -  
The proposal would comply with Council policies that seek to preserve the character of areas and individual properties. The design and siting of the single storey rear extension is such that it would not have a detrimental impact on the character of either the original property or the area.

## 1. MATERIAL CONSIDERATIONS

### National Planning Policy Guidance/ Statements:

Planning Policy Statement 1: Delivering Sustainable Development.

Planning Policy Statement 1 (PPS1) says that good design ensures attractive usable, durable and adaptable places. Good design is indivisible from good planning. Good design should contribute positively to making places better for people. Design which is inappropriate in its context or which fails to take the opportunities available for improving the character and quality of an area should not be accepted (see paragraph 33, 34 and 35 of PPS1).

### Relevant Unitary Development Plan Policies:

Adopted Barnet UDP (2006): GBEnv1, D1, D2, D5, GCS1.

### Core Strategy (Publication Stage) 2010:

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

### Relevant Core Strategy Policies: CS5, DM01.

### Relevant Planning History:

<b>Site Address:</b>	COMMUNITY CENTRE CHURCH LANE LONDON N2
<b>Application Number:</b>	C02365E
<b>Application Type:</b>	Full Application
<b>Decision:</b>	Approve
<b>Decision Date:</b>	21/04/1986
<b>Appeal Decision:</b>	No Appeal Decision Applies
<b>Appeal Decision Date:</b>	No Appeal Decision Date exists
<b>Proposal:</b>	<b>Change of Use to Community Centre</b>

**Site Address:** SADM (UK) COMMUNITY CENTRE CHURCH HALL Church Lane  
 LONDON N2  
**Application Number:** C02365H  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 18/04/1990  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Single storey side extensions and access ramp for the disabled**

**Site Address:** 67A Church Lane LONDON N2  
**Application Number:** C02365K  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 31/03/1992  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Alteration to vehicular access. New gates.**

**Site Address:** 67A Church Lane LONDON N2  
**Application Number:** C02365J  
**Application Type:** Details Application  
**Decision:** Approve with conditions  
**Decision Date:** 25/02/1992  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists

#### Consultations and Views Expressed:

Neighbours Consulted: 53  
 Neighbours Wishing To  
 Speak

Replies: 3

The objections raised may be summarised as follows:

- Parking issues on the local roads and residents cannot find parking on their own road.
- The new extension will take up car parking space on the community centre site, meaning that even more cars will be parked in local streets - will cause problems for local residents, particularly those that are elderly or infirm in some way.
- The current building cannot support the parking requirements of people attending - the cars overspill into neighbouring roads.
- Noise and disturbance.
- There are not enough parking spaces already to cope with the volume of people that currently visit.
- An extension would lead to more people and eat in to some of the parking space at the centre making a bad situation worse.
- Were informed when this building changed purpose that there would be no impact on parking as there was sufficient in the community centre - this is not the case.
- Flats being built on Church Lane (Fenton Court) with no allowances made for designated parking spaces for their residents.

Internal /Other Consultations:

Traffic & Development - no objection to the proposed extension to community centre on highway grounds.

London Underground, Infrastructure Protection - No comments.

Date of Site Notice: 22 September 2011

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

The application site is the Community Centre located on Church Lane, close with the junction with Manor Park Road in the East Finchley ward

Proposal:

The proposal relates to the erection of a single storey rear extension to facilitate an office, measuring 1.7 metres in depth, 4.85 metres in width and 3.19 metres in height with a sloping roof.

Planning Considerations:

Planning Policy Statement 1 (PPS1) says that good design ensures attractive usable, durable and adaptable places. Good design is indivisible from good planning. Good design should contribute positively to making places better for people. Design which is inappropriate in its context or which fails to take the opportunities available for improving the character and quality of an area should not be accepted (see paragraph 33, 34 and 35 of PPS1).

It is considered that the single storey rear extension will not have a significant impact on the character of the area and residential amenity of neighbouring properties that back onto the site.

The Council acknowledges the need for the single storey rear extension to facilitate an office, the addition of the office will ensure that the community centre has sufficient facilities to operate its function without causing a detrimental harm to the amenities of neighbouring occupiers.

The proposed rear extension would also comply with Council policies that seek to preserve the amenities of neighbouring occupiers. The design, size and rearward projection of the proposed extension are such that it would not have an adverse impact on the residential and visual amenities of the neighbouring occupiers. The extension will not be seen from the streetscene as it follows the footprint of the existing building.

The siting of the single storey rear extension will not occupy parking spaces or result in changes to the number of existing parking spaces and thus this is not an appropriate reason to warrant refusal for this application. Highways officers do not object to the application.

The proposed development respects the proportions of the existing property. It is not

considered that the extension is overbearing or unduly obtrusive and therefore there would not be any significant impact on privacy, loss of light, loss of outlook or overbearing in relation to neighbouring properties. As such, policies in Barnet's UDP would be complied with, in particular D2 in respecting its character and appearance, D5 in 'allowing for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users'.

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

It is considered that the planning related concerns raised on this application were not sufficient to constitute a reason for refusal and the objections have been covered in the above appraisal.

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

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

### **5. CONCLUSION**

The proposal as conditioned would comply with Council policies that seek to preserve the character of areas and individual properties. The design and siting of the single storey rear extension is such that it would not have a detrimental impact on the character of either the original property or the area. The application is therefore recommended for **APPROVAL**.

**SITE LOCATION PLAN:** 67A Church Lane, London, N2 8DR

**REFERENCE:** F/03830/11



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**LOCATION:** 257 Ballards Lane, London, N3 1NG

**REFERENCE:** F/03126/11

**Received:** 21 July 2011

**Accepted:** 11 August 2011

**WARD(S):** West Finchley

**Expiry:** 06 October 2011

**Final Revisions:**

**APPLICANT:** Mr Jiten

**PROPOSAL:** Basement extension including creation of two associated rear lightwells. Associated alterations to roof involving two rear dormer windows.

**RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan - BL.01.03; Plan No's: BL.01.01; BL.01.02 D (Date Stamped 3 October 2011).

Reason:

For the avoidance of doubt and in the interests of proper planning.

2. This development must be begun within three years from the date of this permission.

Reason:

To comply with Section 51 of the Planning and Compulsory Purchase Act, 2004.

3. The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s) unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

4. The use of the basement hereby permitted shall at all times be ancillary to and occupied in conjunction with the ground floor unit and shall not at any time be occupied as a separate unit.

Reason:

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

**INFORMATIVE(S):**

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
  - i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted

Barnet Unitary Development Plan (UDP) (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D3, D5, H16 & H27. Core Strategy (Publication Stage) 2010: Relevant policies: CS5, DM01, DM02.

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

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet UDP policies and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. This application is in keeping with Council Policies and Guidelines.

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Guidance/ Statements:

The determination of planning applications is made mindful of Central Government advice and the Development 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 basic question is whether the proposal would unacceptably affect amenities and the existing use of land and buildings which ought to be protected in the public interest.

Planning Policy Statement PPS 1 “Delivering Sustainable Development”, states at paragraph 3 that “At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone now and for future generations”. High quality inclusive design is identified as one of the key principles that should be applied to ensure that decisions taken on planning applications contribute to the delivery of sustainable development. Paragraph 13(iv) indicates that “Design which fails to take the opportunities available for improving the character and quality of an area should not be accepted” and at para. 18 that “Planning should seek to maintain and improve the local environment.... .... through positive policies on issues such as design....” Further comment regarding “Design” is made at para’s 33-39.

### The Mayor's London Plan July 2011:

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

### Relevant Unitary Development Plan Policies:

The statutory plan for the Borough is the Barnet UDP. This was adopted on 18 May 2006, replacing the original UDP adopted in 1991.

On 13 May 2009 the Secretary of State for Communities and Local Government issued a Direction “saving” 183 of the 234 policies within the UDP.

In June 2005 the Council published its "Three Strands Approach", setting out a vision and direction for future development, regeneration and planning within the Borough. The approach, which is based around the three strands of Protection, Enhancement and Growth, will protect Barnet's high quality suburbs and deliver new housing and successful sustainable communities whilst protecting employment opportunities. The second strand of the approach, "Enhancement", provides strong planning policy protection for preserving the character and openness of lower density suburbs and conservation areas. The Three Strands Approach will form the “spatial vision” that will underpin the Local Development Framework.

Relevant policies to this case: GBEnv1, GBEnv2, D1, D2, D3, D5, H16 & H27.  
Design Guidance Note No 5 – Extensions to Houses

The Council Guide ‘Extension to Houses’ was approved by the Planning and Environment Committee (The Local Planning Authority) on March 2010. This leaflet in the form of a supplementary planning guidance (SPG) sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation.

Included advice states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The council is committed to protecting, and where possible enhancing the character of the borough’s residential areas and retaining an attractive street scene.

In respect to amenity, the extension should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook and be overbearing or cause an increased sense of enclosure to adjoining properties.

The basic principles the Local Authority has adopted in respect to different types developments are that they should not unduly reduce light or outlook from neighbouring windows to habitable rooms, overshadow or create an unacceptable sense of enclosure to neighbouring gardens. They should not look out of place, overbearing or bulky from surrounding areas.

The Council has also adopted (June 2007), following public consultation, a Supplementary Planning Document “Sustainable Design and Construction”. The SPD provides detailed guidance that supplements policies in the Unitary Development Plan, and sets out how sustainable development will be delivered in Barnet. Part 6 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

#### Core Strategy (Publication Stage) 2010:

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development

Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

The Council published its LDF Core Strategy Publication Stage document in September 2010. The document has been subject to three rounds of public consultation and is in general conformity with the London Plan: therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant policies: CS5, DM01, DM02.

Relevant Planning History:

Nil

Consultations and Views Expressed:

Neighbours Consulted:	23	Replies:	3
Neighbours Wishing To Speak	0		

The objections raised may be summarised as follows:

1. Loss of light;
2. Loss of outlook;
3. Overlooking and loss of privacy from proposed terrace;
4. Out of character - scale and appearance;
5. Overbearing;
6. If allowed, no scaffolding or equipment should be placed on objector's property.

Date of Site Notice: 18 August 2011

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

The application site is a semi-detached dwelling located on Ballards Lane. The property appears on the Council Tax Valuation List to be a 3 self contained flats, all within the Band 'C' Classification. This group of properties on Ballards Lane are characterised by two storey rear projections as a result of their 'L' shaped footprints.

Proposal:

The proposal relates to a basement extension including the creation of two associated rear lightwells and two rear dormer windows roof extensions.

The proposed larger rear dormer window has a width of 2.1 metres and a height of 1.5 metres and the smaller rear dormer window has a width of 0.9 metres and a height of 1.5 metres. It must also be noted that the proposed projection (depth) of the rear lightwells to the basement are 0.8 metres.

The large rear dormer window has been greatly reduced and first rear extension had been removed from the original proposal following officer's advice.

### Planning Considerations:

The main issue in this case are considered to be covered under two main areas:

- The living conditions of neighbouring residents;
- Whether harm would be caused to the character and appearance of the area and street scene, having regard to the size and siting of the proposal.

### The living conditions of neighbouring residents

One of the Councils key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbours amenity is unlikely to be supported. Good neighbourliness is a yardstick against which proposals can be measured.

Unitary Development Plan Policies D5 and H16 seek, amongst other things, to ensure adequate outlook for occupiers adjoining new development, and that new residential developments should provide and preserve adequate residential amenity, however the policies, and the preamble in the preceding paragraphs, do not offer any guidance for assessment. It is therefore necessary for a judgement to be made by the decision maker with regard to this issue in each case.

As a result this proposed rear dormer window is not considered to result in a overlooking of neighbours, loss of outlook from and light to the neighbouring properties and would comply with policy D5.

### Character and appearance

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 dwellings, the layout, intensity, and relationship with one another and their surroundings. Proposals involving the redevelopment of sites in residential localities are required to reflect the particular character of the street in which the site is located and the scale and proportion of the houses.

The proposed dormer window accords with Council Guidance (Note No.5 – Extensions to Houses). It is not considered that these extensions would cause any significant detriment to the amenities of neighbouring occupiers as stated in Design Guidance (Note No. 5 – Extensions to Houses). There are numerous examples of properties along this stretch of Ballards Lane where similar dormer windows have been constructed.

The proposal for the basement (will be linked to the ground floor by an internal stair) is considered to be an acceptable addition. It is considered that in many cases within the borough basements are not acceptable. However, given the arrangement of the properties within Ballards Lane, it is considered acceptable. The proposed basement extension is considered to be designed in a way in which it is not considered to be obtrusive in the street scene. It is considered that to all neighbours, the basement will be virtually invisible due to its internal access.

The proposal has a whole would not cause any significant harm to the street scene. In that respect, it would not conflict with relevant saved policies of the Barnet Unitary Development Plan (UDP). It would comply with policy GBEnv1, which seeks to protect and enhance the quality and character of the built environment, and with the aims of UDP policies GBEnv2 and D1 with respect to high quality design. In the terms of UDP policy D2, local character would be preserved, and the appearance, scale, bulk, height and pattern of surrounding buildings, and the overall character and quality of the area, would be respected. The proposal would harmonise with and respect the character of the area, as required by UDP policy H16.

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

Since the application was originally submitted there have been a number of alterations and amendments to this application. As such these reasons of objections notes above are not considered sufficient to constitute a reason for refusal as the amendments are considered to have addressed these concerns.

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

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

### **5. CONCLUSION**

The proposal complies with the requirements of PPS1, which states in part that, 'design which is inappropriate in its context, or which fails to take the opportunities available for improving character and quality of an area and the way it functions, should not be accepted'.

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet UDP policies and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. This application is in keeping with Council Policies and Guidelines and is therefore recommended for **APPROVAL**.

**SITE LOCATION PLAN:** 257 Ballards Lane, London, N3 1NG

**REFERENCE:** F/03126/11



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