

LOCATION: Fuller Street Garages, Hendon, London NW4

REFERENCE: H/03634/13 **Received:** 14 August 2013

Accepted: 14 August 2013

WARD(S): Hendon **Expiry:** 09 October 2013

**Final
Revisions:**

APPLICANT: Barnet Homes

PROPOSAL: Demolition of 9 garages and resurfacing of car park for use of 31 cars in new designated parking bays by residents and non-residents.

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 143 717 001, 143 717 002, 143 717 003.

Reason:

For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

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.

INFORMATIVE(S):

1. i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

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 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. 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, is indivisible from good planning, and should contribute positively to making places better for people". 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.

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 and is recognised in the NPPF as part of the development plan.

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.

The Mayor's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

Relevant Local Plan (2012) Policies

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM04, DM17.

Supplementary Planning Documents and Guidance

The Council has adopted two supporting planning documents to implement the Core Strategy and Development Management Policies DPDs. These are now material considerations. The Residential Design Guidance SPD and Sustainable Design and Construction SPD are now material considerations.

Site Address: Church End Housing Area, NW4
Application Number: W/02453/70
Application Type: Outline Application
Decision: Approve
Decision Date: 13/02/1974
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **108 dwellings and 7 shops and parking**
Case Officer:

Site Address: Church End (Hendon) Housing Redevelopment, NW4
Application Number: W/02453/J/75
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 07/01/1976
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Church End (Hendon) Housing Redevelopment, NW4 - Stage IIB:
Provision of 96 dwellings.**
Case Officer:

Site Address: Church End (Hendon) Housing Area
Application Number: W/02453/G/74
Application Type: Full Application
Decision: Approve
Decision Date: 29/04/1974
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **104 DWELLINGS AND ANCILLARY WORKS**
Case Officer:

Consultations and Views Expressed:

Neighbours Consulted: 71 Replies: 2
Neighbours Wishing To Speak 0

2 Objections were received and a joint letter with 13 signatories objecting to the development.

The objections raised may be summarised as follows:

- Development would result in overlooking and be overbearing
- would impact on residents and the character of the area
- commercial parking would be adjacent to neighbouring gardens and cause noise, pollution, nuisance and dust
- The applicant has acted unlawfully proceeding with the commercial parking in a residential area

Internal /Other Consultations:

N/A

Date of Site Notice: 22 August 2013

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is a car park accessed from Fuller Street.

To the north of the site is 16 Sunningfields Road, to the east are 10-16 Fuller Street and to the south houses on Prince of Wales Close and Fuller Street.

The surrounding area is predominantly residential.

Proposal:

The proposals are for the demolition of 9 garages and resurfacing of the car park for use of 31 cars in new designated parking bays by residents and non-residents. The demolition has already been carried out.

Planning Considerations:

The item has been referred to the Planning and Environment Committee as the applicant is Barnet Homes.

Planning permission is required as the car park is changing from residential parking spaces to a commercial car park, where permits will be sold to residents and non-residents.

The main issues are considered to be:

- Whether the proposed introduction of a commercial use on the site is acceptable
- Whether the proposals would harm neighbouring amenity
- Whether the proposals would have an acceptable impact on highway and pedestrian safety

Whether the proposed introduction of a commercial use on the site is acceptable

The site was formerly used as 9 garages and forecourt for use by residents. Residents would still have the ability to use the parking spaces though permits would need to be purchased.

It should be noted that it is not uncommon for domestic garages to be used for storage or similar activities. Information suggests that four of the garages were used for this purpose.

Whilst the surrounding area is predominantly residential, the site is located close to Church Road which forms part of Brent Street Town Centre.

Essentially the use would remain the same ie for the parking of vehicles, though it is noted that the use would potentially be more intensive given the increased number of spaces.

The applicant has advised that the parking spaces at Fuller Street are and will continue to be available for residents' use. Residents are charged £25.00 for the first permit, per annum and then £20.00 per permit thereafter. Visitor permits are £25.00 per strip and each strip has 10 permits. So far 65 permits have been issued this year to residents and 8 to St Mary's school.

It is not considered that the difference between the previous domestic garages and the proposed car park use would be so different in character that it would harm the character of the locality.

There is no restriction on the hours of use of the car park.

It is not considered that the introduction of non-residential car parking would materially harm the character of the area.

Whether the proposals would harm neighbouring amenity

It should be noted that there are residential properties in close proximity to the site. It is the case that residents would have been able to park their cars on the site previously, however now these spaces would also be available to the public for parking, subject to demand. Whilst this would be likely to result in some increase in terms of the number of vehicles using the site given the larger number of parking spaces (it is anticipated this would be largely be used by residents as well as other vehicles to access nearby town centres and amenities), it is considered that the use would not result in a material impact on the residential amenities of neighbouring residents.

Whether the proposals would have an acceptable impact on highway and pedestrian safety

The proposal replaces 9 garages and unmarked forecourt with 31 formally marked out parking spaces. In this respect there would be an increase in parking provision to serve the area.

The parking layout would allow for the manoeuvring of cars and would not harm highway or pedestrian safety.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Development would result in overlooking and be overbearing:

Other than the increase in the number of parking spaces and loss of the garages, the development would not have a visual impact on neighbouring residents. The new car parking spaces would not harmfully overlook neighbouring residents.

Commercial parking would be adjacent to neighbouring gardens and cause noise, pollution, nuisance and dust:

The site was already used as a residential domestic car parking and it is not considered that the new use would cause a harmful level of pollution, noise, nuisance or dust.

The applicant has acted unlawfully proceeding with the commercial parking in a residential area:

It is acknowledged that the use has taken place without permission and the applicant is seeking to regularise this.

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 proposals are recommended for **APPROVAL**.

SITE LOCATION PLAN: Fuller Street Garages, Hendon, London NW4

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