

LOCATION: Alston Works, Alston Road, Barnet and The Old Laundry Works, Falkland Road, Barnet, Herts, EN5 4EL

REFERENCE: B/02621/13

Received: 26 June 2013

Accepted: 10 July 2013

WARD(S): High Barnet

Expiry: 09 October 2013

Final Revisions:

APPLICANT: Glenroy Estates Ltd.

PROPOSAL: Continued use of 30 of the existing units within the existing buildings as live work units. Provision of 4 refuse/recycling stores (two abutting southern wall of Building 4, one abutting northeast wall of Building 6 and one within the Old Laundry Works complex). External alterations to Building 5 comprising provision of obscure pvc panels to existing external staircase serving floors 1,2 and 3 on east elevation. Installation of fixed, obscure glazing to lower parts of windows to first, second and third floors on east elevation of Building 5 and first floor, west elevation of Building 2, The Mews. Permanent fixing shut and further obscuration of redundant fire escape at ground floor, west elevation of Building 2, The Mews. Provision of 45 parking spaces. (AMENDED PLANS)

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Planning Statement, AW.50.1.1 (Rec 30/10/2013), AW.50.1.1.A (Rec 30/10/2013), AW.50.1.1.B (Rec 26/06/2013), AW.50.1.2 (Rec 26/06/2013), AW.50.1.3 (Rec 26/06/2013), AW.50.1.4 (Rec 26/06/2013), AW.50.1.5 (Rec 26/06/2013), AW.50.1.6 (Rec 26/06/2013), AW.50.1.7 (Rec 26/06/2013), AW.50.1.8 (Rec 26/06/2013), AW.50.1.9 (Rec 26/06/2013), AW.50.1.10 (Rec 26/06/2013), AW.50.1.11 (Rec 26/06/2013), AW.50.1.12 (Rec 26/06/2013), AW.50.1.13 (Rec 26/06/2013), AW.50.1.14 (Rec 26/06/2013), AW.50.1.15 (Rec 26/06/2013), AW.50.1.16 (Rec 25/02/2014), AW.50.1.17 (Rec 30/10/2013), AW.50.1.18 (Rec 25/02/2014), AW.50.1.19 (Rec 25/02/2014), AW.50.1.20 (Rec 25/02/2014), TOL.FR.001 (Rec 26/06/2013), TOL.FR.002 (Rec 26/06/2013), TOL.FR.003 (Rec 26/06/2013).

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 The use hereby permitted shall be ceased within three months of the date of failure to meet any one of the requirements set out in (i) to (iv) below:

i. within 1 month of the date of this decision details of the materials to be used for the proposed screen enclosure to the staircase on the eastern elevation of the building identified as Building 5 on Plan No AW.50.1.1, shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

ii. if within 3 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

iii if an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.

iv. the approved scheme shall have been carried out and completed in accordance with the approved timetable and shall be permanently retained as such

Reason:

To ensure a satisfactory appearance for the development and to protect the amenities of the neighbouring residents.

3 Within three months of the date of this decision, windows at first, second and third floor level in the eastern elevation of the building identified as Building 5 on Plan No AW.50.1.1 will be both obscured to the satisfaction of the Council and fixed shut, up to a height not less than 1.7m above the floor of the room or corridor in which the window is installed and permanently retained as such.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

4 Within three months of the date of this decision, windows at first floor level in the western elevation of the building identified as Building 2 The Mews on Plan No AW.50.1.1 will be both obscured to the satisfaction of the Council and fixed shut, up to a height not less than 1.7m above the floor of the room in which the window is installed and permanently retained as such.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

5 Within three months of the date of this decision, windows at ground floor level in the western elevation of the building identified as Building 2 The Mews on Plan No AW.50.1.1 will be both fully obscured to the satisfaction of the Council and fixed shut, including the disablement and removal of hinges and

opening mechanism to the redundant fire escape and permanently retained as such

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

- 6 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no additional windows shall be placed at any time in the first, second or third storey of the eastern elevation of the buildings identified as Building 4, Building 5 or FR1 on Plan No AW.50.1.1, or the western elevation of the buildings identified as Building 2, Building 6, FR6 or FR7 on Plan No AW.50.1.1

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

- 7 The staircase to the eastern elevation of the building identified as Building 5 on Plan No AW.50.1.1 shall only be used in connection with access and egress to and from the building and shall at no time be converted to or used as a balcony, roof garden or similar amenity or sitting out area.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

- 8 Notwithstanding the provisions illustrated in Plan AW.50.1.1.A (Rec 30/10/2013), the use hereby permitted shall be ceased within three months of the date of failure to meet any one of the requirements set out in (i) to (iv) below:-

(i) within 1 month of the date of this decision details of a revised parking scheme shall have been submitted for the written approval of the local planning authority and the scheme shall include a minimum of one directly allocated space per live-work unit and a timetable for its implementation.

(ii) if within 3 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

(iii) if an appeal is made in pursuance of (ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.

(iv) the approved scheme shall have been carried out and completed in accordance with the approved timetable, that the minimum of one directly allocated space per live-work unit shall not be used for any purpose other than the parking of vehicles in connection with those units, that any remaining spaces shall not be used for any purpose other than the parking of vehicles in connection with any operation ongoing within a commercial or

live-work unit within the Alston Works or Old Laundry Works site and shall be permanently retained as such

Reason:

To ensure that parking is provided in accordance with the Council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area.

- 9 Within three months of the date of this decision, the refuse and recycling stores shown on Plan AW.50.1.1.B shall be provided in accordance with those details in the four locations identified in Plan AW.50.1.1.A and shall be permanently retained and maintained as such

Reason:

To ensure a satisfactory appearance for the development and to protect the amenities of the area.

- 10 The business floor space of the live-work units hereby permitted shall not be used for any purpose other than the one falling within Class B1 of the schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, namely:

Use for any of the following purposes:

- (i) As an office (other than a use within Class A2)
- (ii) For research and development of products or processes, or
- (iii) For any industrial process (other than a use within Class B2)

PROVIDED IN ALL CASES that such uses are carried out for a commercial purpose or intent and a use which can be carried on in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit

Reason:

To ensure the preservation of the commercial element and to protect the amenities of the neighbouring occupiers within Alston Works, Old Laundry Works and the surrounding area.

- 11 A minimum of 50% of the floor space of any unit shall be used solely or partly for a business purpose in accordance with Condition 10

Reason:

To ensure the preservation of the commercial element and to protect the amenities of the neighbouring occupiers within Alston Works, Old Laundry Works and the surrounding area.

- 12 Within three months of the date of this decision, and at no less than annual intervals thereafter, the freeholders of the property shall provide the Local Planning Authority in writing:

- (i) A plan of the ground and upper floors of the buildings identified as being within the lease as illustrated in Plan AW.50.1.1 as a whole, their individual units and their unit number
- (ii) A schedule of the nature of all business activities operating from each live-work unit
- (iii) The percentage of the total floor space of each live-work unit solely or partly in use for business purposes
- (iv) The names of all tenants of the live-work units and their addresses
- (v) The names of all residential occupants of the live-work units together with details of the business activity they operate from the unit or, if no such business activity is operated, their relationship to any person who does

Reason:

To ensure the preservation of the commercial element and to protect the amenities of the neighbouring occupiers within Alston Works, Old Laundry Works and the surrounding area.

- 13 The internal layout of the buildings identified as being within the lease as illustrated in Plan AW.50.1.1 shall remain unchanged from that illustrated in the approved plans cited at Condition 1 of this Decision Notice

Reason:

For the avoidance of doubt, in the interests of proper planning, to ensure the preservation of the commercial element and to protect the amenities of the neighbouring occupiers within Alston Works, Old Laundry Works and the surrounding area.

- 14 No amplified music, voices or other sounds audible at site boundary shall be emitted between the hours of 23:00 and 08:00 the following morning.

Reason:

To protect the amenities of occupiers of adjoining residential properties.

- 15 No refuse collections in relation to the live-work units shall occur at the site between the hours of 18:00 and 08:00 the following morning on Monday – Friday, after 13:00 on Saturdays, or at any time on Sundays and Public/Bank Holidays

Reason:

To protect the amenities of the neighbouring occupiers within Alston Works, Old Laundry Works and the surrounding area.

- 16 No deliveries nor collections (loading or unloading) in relation to the live-work units shall occur at the site between the hours of 18:00 and 08:00 the following morning on Monday – Friday, after 13:00 on Saturdays, or at any time on Sundays and Public/Bank Holidays

Reason:

To protect the amenities of the neighbouring occupiers within Alston Works, Old Laundry Works and the surrounding area.

INFORMATIVE(S):

- 1 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* (2012) provides guidance on how to implement the housing policies in the London Plan.

Relevant London Plan (2011) Policies 3.5, 4.1, 4.4, 5.3, 7.4

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. The Core Strategy provides the overarching local policy framework for delivering sustainable development in Barnet. The Local Plan Development Management Policies DPD sets out the borough-wide planning policies that implement the Core Strategy and is used for day to day decision making.

Relevant Core Strategy DPD (2012) Policies CS NPPF, CS1, CS5, CS8

Relevant Development Management DPD (2012) Policies DM01, DM02, DM14 and DM17

Supplementary Planning Documents and Guidance:

The Council's *Residential Design Guidance* SPD was adopted in April 2013. This sets out information for applicants to help them design a scheme which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation.

The SPD includes details relevant to Barnet such as local character, density, built form, car parking and amenity space standards, as well as the consideration of residential amenity. Through this the SPD sets out the local priorities for protecting and enhancing Barnet's character and provides a local reference point to the suite of national guidance on good design.

The Council adopted a *Sustainable Design and Construction* SPD in April 2013, following public consultation. This SPD provides detailed technical requirements for environmental design and construction management and best practice planning guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

Relevant Planning History:

Applications

Site Address:	Alston Works Alston Road Barnet Herts EN5 4EL
Application Number:	B/02372/12
Application Type:	Full Application
Decision:	Approve with conditions
Decision Date:	20/08/2012
Appeal Decision:	No Appeal Decision Applies
Appeal Decision Date:	No Appeal Decision Date exists

Proposal: Installation of roof lights
Case Officer: Lisa Cheung

Site Address: OLD LAUNDRY WORKS FALKLAND ROAD BARNET
Application Number: N01845E/01
Application Type: Full Application
Decision: Refuse
Decision Date: 18/12/2001
Appeal Decision: Withdrawn
Appeal Decision Date: 18/12/2001
Proposal: **Redevelopment of existing industrial site to form four x 2 bedroom houses and three x 3 bedroom houses (DUPLICATE).**
Case Officer: Cathy Munonyedi

Site Address: OLD LAUNDRY WORKS FALKLAND ROAD BARNET
Application Number: N01845D/01
Application Type: Full Application
Decision: Refuse
Decision Date: 29/08/2001
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Redevelopment of existing industrial site to form four x 2 bedroom houses and three x 3 bedroom houses.**
Case Officer: Cathy Munonyedi

Site Address: The Works Gym Unit 14 Alston Works Alston Road Barnet, Herts EN5
Application Number: N04092L/03
Application Type: Material Minor Amendment/Vary Condition
Decision: Refuse
Decision Date: 10/05/2004
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Variation of Condition 2 of planning permissions ref N04092F & G approved under N04092K on 21 January 1998 (Previously Condition 3 of planning permission ref N04092F dated 20 June 1995 and N04092G dated 9 April 1996). Variation to allow the premises to operate 7.00am to 10.00pm on Mondays to Fridays, 7.00am to 5.00pm on Saturdays and 10.00am to 4.00pm on Sundays and Bank Holidays. (AMENDED DESCRIPTION)**
Case Officer:

Site Address: Unit 14 Alston Works Alston Road BARNET Herts
Application Number: N04092K
Application Type: Material Minor Amendment/Vary Condition
Decision: Refuse
Decision Date: 09/04/1997
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Continued use of ground and first floors as gymnasium without complying with conditions 3 and 4 of permissions N04092F & G restricting the hours of opening and the hours of music playing or sound amplification equipment**
Case Officer:

Site Address: Old Laundry Works Falkland Road Barnet Herts EN5 4LQ
Application Number: N01845L/05
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 14/07/2005
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Redevelopment of site to provide six B1 (business) units, in one 2-storey block and one 1storey block with accommodation in the roof space.**

Case Officer:

Site Address: The Old Laundry Work Falkland Road Barnet, Herts EN5 4LQ
Application Number: N01845J/03
Application Type: Full Application
Decision: Refuse
Decision Date: 24/12/2004
Appeal Decision: Dismissed
Appeal Decision Date: 24/12/2004
Proposal: **Redevelopment of existing industrial site to provide 6no. two storey terrace houses and 1no. two storey building to be used as Class B1 office space. Provision of 8no. car parking spaces with access from Falkland Road.**
Case Officer: James Rodger

Site Address: Old Laundry Works Falkland Road Barnet Herts EN5
Application Number: N01845H/03
Application Type: Full Application
Decision: Withdrawn
Decision Date: 17/05/2003
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Redevelopment of existing industrial site to provide 6no. two-storey terrace houses and 1no. two-storey building to be used as Class B1 office space. Provision of 8no. car-parking spaces with access from Falkland Road.**
Case Officer: James Rodger

Site Address: OLD LAUNDRY WORKS FALKLAND ROAD BARNET HERTS
Application Number: N01845F/01
Application Type: Full Application
Decision: Deemed Refusal
Decision Date: 11/09/2002
Appeal Decision: Dismissed
Appeal Decision Date: 11/09/2002
Proposal: **Development of existing industrial site to form five, three bedroom terrace houses and one, four bedroom detached dwelling.**
Case Officer:

Site Address: First Floor, Unit 14, Alston Road BARNET HERTS
Application Number: N04092G
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 19/03/1996
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Change of use from industrial process to gymnasium (Class D2) to be used in conjunction with existing ground floor use.**
Case Officer:

Site Address: Alston Works Alston Road Barnet
Application Number: N04092
Application Type: Full Application
Decision: Not yet decided
Decision Date: 15/10/1973
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **use for fabrication and assembly of metal components**
Case Officer:

Site Address: Alston Works Alston Road Barnet

Application Number: N04092A
Application Type: Section 192
Decision: Lawful Development
Decision Date: 17/12/1973
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **use for manufacture of small mechanical pieces to be used in textile machines**
Case Officer:

Site Address: Unit 17 Alston Works Alston Road BARNET Herts
Application Number: N04092D
Application Type: Section 192
Decision: Lawful Development
Decision Date: 25/08/1993
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Use of part of building as offices.**
Case Officer:

Site Address: Barnet Business Centre Alston Road BARNET Herts
Application Number: N04092E
Application Type: Full Application
Decision: Refuse
Decision Date: 06/01/1994
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Use of unit 14 as children's adventure play centre with ancillary office, cafeteria and hairdresser's, 9.30am to 7.00pm seven days a week, 52 weeks a year.**
Case Officer:

Site Address: Unit 14 Alston Works Alston Road BARNET Herts
Application Number: N04092F
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 12/06/1995
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Change of use of ground floor from (B1) light industrial unit to (D2) Gymnasium.**
Case Officer:

Site Address: Unit 12 Alston Works Alston Road BARNET
Application Number: N04092J
Application Type: Full Application
Decision: Withdrawn
Decision Date: 19/12/1996
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Change of use from storage (B8) to tattoo studio (A1).**
Case Officer:

Enforcement Notices

Reference Number	ENF/01035/06/N
Description	Enforcement Notice served under Section 171A(1)(a) of the Town & Country Planning Act 1990. (the change of use

of units within the Old Laundry Works site to incorporate residential/live-work accommodation)

Served: 10/08/2010 Withdrawn: 02/02/2011

Reference Name

ENF/01035/06/N (2nd Notice)

Description

Enforcement Notice served under Section 171A(1)(a) of the Town & Country Planning Act 1990. (the change of use of units within the Alston Works site to incorporate residential/live-work accommodation)

Served: 03/10/2012 Withdrawn: 28/01/2013

Reference Name

N1845M/07/ENF

Description

Enforcement Notice served under Section 171A(1)(a) of the Town & Country Planning Act 1990. (Erection of metal gates above 1 metre in height adjacent to Falkland Road)

Served: 23/03/2007 Complied: 24/07/2007

Consultations and Views Expressed:

1st Consultation:

Neighbours Consulted: 223 Replies: 13 (11 objections)

Neighbours Wishing To Speak: 1

The objections raised may be summarised as follows:

- Increased noise and disturbance
- Loss of privacy from overlooking
- Increase in demand for on-street parking leading to unauthorised parking and damage to vehicles from increased conflicting manoeuvres
- Continued/increased mis-use of redundant fire escape to the rear of Unit 4, The Mews (Building 2)
- Discrepancies in plans
- The loss of employment floor space
- Precedent for full residential conversion
- Increase in light pollution
- Lack of details in regard to proposed screen for fire escape to eastern elevation of Building 5 to determine privacy afforded, finish (so as to be congruent in terms of character and appearance) or consistency with fire regulations and emergency egress.
- No measures to reduce noise from increased use of metal fire escape and restrict use of stairwell for purposes other than access
- Limited access for emergency vehicles
- No suggested condition to limit hours of work
- No commitment to deal with proliferation of services and repair/replacement of damaged/degraded rainwater goods and brickwork

- Inadequacy of waste and sewerage provision

2nd Consultation:

Neighbours Consulted: 223 Replies: 7 (4 objections)

Neighbours Wishing To Speak: 2

The objections raised may be summarised as follows:

- Loss of privacy from overlooking (to properties facing Falkland Road)
- Mis-use of redundant fire escape to the rear of Unit 4, The Mews (Building 2)
- Discrepancies in plans (mis-labelling of Puller Road as Sebright Road; internal floor level of Building 2 in cross-section; position of redundant fire escape to rear of Building 2 in elevation)
- Lack of details in regard to proposed screen for fire escape to eastern elevation of Building 5 to determine privacy afforded, finish (so as to be congruent in terms of character and appearance).
- Anti-social mis-use of fire escape to eastern elevation of Building 5
- Control of the use of remaining commercial units
- Limited access for emergency/delivery/refuse collection vehicle access and manoeuvres
- Hours of work
- Inadequacy of waste and sewerage provision

Internal /Other Consultations:

Traffic and Development: 45 off-street parking spaces are proposed. This is comfortably in excess of that required by the Local Plan. 1 space should be formally allocated per unit, with the remaining spaces as informal parking, though demarcated and tied to the site. However, four spaces are identified as unlikely to meet the requirements of the Manual for Streets and a further two at the entrance from Alston Road should be considered for removal/relocation to allow for a passing space within the curtilage. The site has a PTAL score of 2, which represents a generally low accessibility and proximity to public transport services. However, given the retrospective nature of the application, no objections are raised, subject to consideration of a condition to provide a revised parking layout plan and an obligation to restrict access to residential permits for the surrounding CPZ. Similarly, given the retrospective nature of the application, no objections are raised regarding the accessibility of the site to emergency/refuse collection vehicles however, Informatives are advised for the applicant to confirm refuse collection arrangements and to consult the London Fire Brigade.

Date of Site Notice: 18 July 2013

Date of Site Visit: 08 November 2013

2. PLANNING APPRAISAL

Site Description and Surroundings:

Alston Works (AW) is a large late-Victorian and Edwardian brick built former factory complex comprising seven buildings of varying height, including a core of four-storey buildings (Buildings 4 and 5), a single storey range to the north-east boundary (Building 6), a small studio unit at the Falkland Road entrance (Unit 1) and two sets of mews buildings set over two floors, one adjoining the southern boundary of the site (The Coach House - Building 1) and one on the western boundary (The Mews - Building 2). The site is surrounded by the rear elevations and rear gardens of two-storey terraced housing to the north and east (Falkland Road), west (Puller Road) and a pair of three storey flat blocks to the south (Alston Road). Associated with this main site is a single storey range of further industrial buildings accessed separately from Falkland Road which relates to the former Laundry Works (OLW).

Proposal:

This application seeks consent for the continued use of 30 of the units within the existing buildings as live-work units. The resulting breakdown of units, with floor areas for those residentially occupied, is as follows:

Alston Works:

Building 1

Coach House 1 – 66.77m²
Coach House 2 – 69.96m²

Unit 1

30.67m²

Building 2 – The Mews

Unit 1 – 105.64m²
Unit 2 – 105.64m²
Unit 3 – Commercial Only
Unit 4 – 60.42m²
Unit 5 – 92.46m² (+ ground floor lobby)

Building 3

Unit 19 – Commercial Only
Unit 19a – 92.75m²
Unit 19b – Commercial Only
Unit 19c – 58.48m²
Unit 18 – 104.85m²
Unit 20 – 42.5m²
Unit 16 – 228.72m²

Unit 7 – 126.04m²
Unit 8 – 115.35m²
Unit 6 – 189.05m²
Unit 5 – 163.77m²

Building 4

Unit 23 - Commercial Only
Unit 25 - Commercial Only
Unit 14 - Commercial Only
Unit 13 - Commercial Only
Unit 12 - Commercial Only

Building 5

Unit 2 - 235.06m²
Unit 24 - Commercial Only
Unit 11a - Commercial Only
Unit 11c - Commercial Only
Unit 11d - Commercial Only
Unit 11b - 153.5m²
Unit 10a - 135m²
Unit 10b - 133.62m²
Unit 9a - 149.39m²
Unit 9b - 166.70m²

Building 6

Unit 4a - Commercial Only
Unit 4b – 68.11m²
Unit 3a – 97.85m²
Unit 3b – 97.73m²
Unit 3c - Commercial Only

Old Laundry Works

FR1 - Commercial Only
FR2 - Commercial Only
FR3 - 120.52m²
FR4 - 71.04m²
FR5 - 55.76m²
FR6 - 93.87m²
FR7 - 52.08m²

Additional provisions include:

- Four timber refuse/recycling stores, each housing six refuse and four recycling bins. These will measure 5.4m x 2.4m and will be 2.45m high and will be located two abutting southern wall of Building 4, one abutting northeast wall of Building 6 and one within the OLW complex.
- External alterations to Building 5 comprising the provision of obscure pvc panels to

the existing external staircase serving the first, second and third floors on the eastern elevation to mitigate overlooking by effecting a screen. It will be the full width of the staircase (approximately 6.7m), return the full depth of the staircase to the northern elevation (c. 3.8m) and half the depth to the southern elevation (c. 1.9m) and will rise to c. 1.9m above the cill level of the door at third floor level.

- Fixed, obscure glazing to the lower parts of windows to first, second and third floors on eastern elevation of Building 5 and first floor of the western elevation of Building 2, to mitigate overlooking, together with the permanent fixing shut of the redundant fire escape at ground floor level and its obscuration along with the other existing windows at ground floor level.

- The provision of 45 parking spaces

Planning Considerations:

In determining this application, the main planning considerations are:

- The change of use (the re-designation of employment land)
- The effect on the character and appearance of the site and surrounding area
- The effect on the amenities of neighbouring residential occupiers
- The effect on living conditions of prospective occupiers of the live-work units

The change of use (the re-designation of employment land):

As a single, large-scale employment site, Alston Works and Old Laundry Works represent an anachronism. In more recent times the buildings have come to be used for a series of independent, small-scale enterprises and studios and latterly as live-work units.

This is indicative of both broader changes in the logistical requirements for contemporary industrial settings and a reflection of the particular constraints of the site. This is reflected in the findings of the *Employment Land Review* (2009), which highlighted the fact that it represented a constrained site with poor quality stock and narrow access, whose position within a residential area offers limited potential for redevelopment for employment use.

The *Review* recommended that the site be released for redevelopment for other uses and this resulted in the de-designation of the protection of the site from its former status as a locally significant industrial site in the subsequent Local Plan (2012).

Under the terms of Policy DM14 of the Development Management Policies (2012), when considering proposals for the loss of an existing employment space outside of those designated sites, where it has been demonstrated that the site is no longer suitable and viable for existing or alternative business use, the priority for re-use will be a mixture of small business units with residential use.

In this proposal 16 of the 46 units spread across the two sites remain wholly in commercial use, suitable for the burgeoning number of small and medium-sized enterprises (SME's), whilst the remaining 30 (the subject of this application) have

been converted to combination 'live-work' units. The integration of office, studio and storage floor space with residential accommodation is considered to represent a positive re-deployment of the space, which also encourages the prospering creative industry sector in the Borough, as identified in the Core Strategy (2012).

Finally, it is considered that the adaptive reuse represented by the scheme constitutes a positive contribution to sustainable development, bringing a large part of the site in to a new, intensive form of use in a low-cost manner, which enables the occupants to make the most of its attributes while minimising their need to travel.

In light of these factors, the re-designation of the site from larger-scale industrial employment to mixed employment and residential use is considered to be appropriate.

The effect on the character and appearance of the site and surrounding area:

The only significant material operational development proposed as part of the scheme is the erection of a screen to the staircase on the eastern elevation of Building 5. This is to be constructed of opaque pvc panels placed in front of the staircase and rising to a point approximately 1.9m above the cill of the door on the top floor.

The screen will be visible from the rear rooms and gardens of properties backing on to the site from Falkland Road. Concerns were raised about the lack of detail provided in regard to the extent of the screen, the finish (panel size, colour, frame, performance specifications etc) or consistency with fire regulations and emergency egress. However, during the application phase amendments were agreed and further detail provided to illustrate that the screen will return along the sides of the staircase, (half the depth on the southern elevation and the full depth on the northern elevation). It is considered that on the basis of the information provided, the principle of the screen is acceptable in terms of character and appearance. Conditions are proposed requiring further details and specifications to be approved prior to installation and to secure its construction and retention thereafter.

Concerns were also raised in regard to a now redundant fire escape to the rear (western) elevation of Building 2 (The Mews). This appears to have been formerly a door which must have led to steps down to an alleyway which discharges on Puller Road.

At some point the steps down have gone and the door has been replaced with a full length casement opening window featuring a wide uPVC frame and bulky hinges. It is not clear how many years it has been since this was changed however, amendments made during the application phase include a proposal to disable it by way of removal of the hinges so as to effect a fixed window and apply additional obscuration. These amendments are considered to constitute a minor improvement in terms of the character and appearance of the window and as such, the Council retain no objection.

Other than the screening to the staircase, no other material alteration to the existing buildings is proposed and therefore will result in little visual impact on the character of the site or the surrounding area.

Given the previous and potential future unrestricted use of the site for intensive, large-scale commercial operations, it is considered that the current incarnation of smaller units, including the 30 live-work units which this application is seeking retention for, has resulted in a softening of the industrial impact on the character of the area, notably through the greater use of smaller vehicles (predominantly private motor vehicles) to service the site and the generation of less significant and hazardous waste.

The proposal also includes the provision of four bin stores within the curtilage of the site. These timber buildings are largely concealed of all but fleeting views from the surrounding roads. Those adjacent to Buildings 4 and 6 will be overshadowed by the larger brick structures against which they will stand, whilst the one within the OLV complex will stand adjacent to the rear timber boundary fence of No 55 Falkland Road.

In light of these factors, the effect of the development on the character and appearance of the site and surrounding area is considered to be appropriate.

The effect on the amenities of neighbouring residential occupiers:

The main consequences of the development for the amenities of neighbouring occupiers are considered to relate to:

- Increased noise and disturbance
- Means of access and egress (chiefly the fire escapes on eastern elevation of Building 5 and the redundant former fire escape on the western elevation of Building 2)
- Potential overlooking in to the rear rooms and gardens of properties on Falkland Road and Puller Road
- The effect on vehicular traffic

In respect of occupation of the site, concerns have been raised as to the potential for noise and disturbance, particularly late at night. Although not recently employed for heavy industrial purposes, as a historic site which predates Town & Country Planning, its use is largely unrestricted by condition. As such, use of the site twenty-four hours a day, seven days a week is already theoretically possible and may extend to purposes that might be considerably more onerous.

It is considered that a live-work use for the units would generate few, if any, *additional* comings and goings when compared to full occupation of the site on a purely commercial basis. It is likely to result in a smaller number of overall employees, a significant number of which will not be making commuter journeys. Despite the increased security of a round-the-clock presence, the nature of residential occupation does give rise to the potential for increased incidences of late night parties etc. However, whilst this would be the same in any relatively densely occupied urban or suburban setting (or, in the event that having been recommended for release, the site is re-developed for a purely or largely residential use), the change of use here provides the opportunity to append a raft of conditions to restrict use, sound amplification, the timing of commercial refuse collection and deliveries etc.

The unrestricted use of the fire escape on the eastern elevation of Building 5 for

access and egress would present serious concerns for overlooking in to the rear rooms and gardens of properties on Falkland Road. As outlined above however, the application proposes the installation of an opaque pvc screen to reduce lateral views along the rear elevations of the adjoining properties. This would be adequate to mitigate any overlooking and it is therefore considered that on the basis of the information provided, the principle of the screen is acceptable in amenity terms, subject to the proposed conditions.

A number of concerns were also raised in regard to the now redundant fire escape to the rear (western) elevation of Building 2 (The Mews). This is understood to still constitute an occasional and informal means of access to the outside for the occupiers leading to informal use of and gathering in the alleyway.

Furthermore, despite the rear building line of the properties facing Puller Road being at some distance, concerns have also been raised in respect of overlooking achieved through this window as a result of the comparatively raised internal floor level in Building 2. There is a slight dappling effect in the glass, but this does not afford sufficient obscuration. However, as part of the amendments made during the application phase, it is now proposed to disable it by way of removal of the hinges so as to effect a fixed window and apply additional obscuration. Conditions are proposed requiring these works and their retention thereafter.

Along similar lines, residential occupation of Building 2 and Building 5 present the prospect of overlooking from within the units themselves. The application proposes the fixing shut and obscuration of the lower part of windows in the upper floors of the eastern elevation of Building 5 and the first floor of the western elevation of Building 2. Windows (other than the redundant fire escape) on the ground floor of the western elevation of Building 2 are also proposed to be fixed shut and obscure glazed. Again these measures would mitigate any overlooking and conditions are proposed requiring its installation and retention thereafter.

Concerns have also been raised in respect of the effect of the use on the presence and movement of vehicular traffic. Currently the site includes three open courtyard areas used informally for parking and servicing. The application proposes formal demarcation of parking, providing 45 spaces however, four spaces are identified as unlikely to meet the requirements of the Manual for Streets in the current arrangement. A condition is therefore proposed to provide a revised parking layout plan with a minimum of one allocated space per unit, with the remaining spaces as informal parking, available to both commercial and live-work units, though demarcated and tied to the site. This is still considered to be adequate provision with regard to the expectations of the Development Plan.

It is not considered that, given this provision, regularisation of the use would lead to additional demand for on-street parking or conflicting manoeuvres beyond that which might otherwise exist. It should be noted that the surrounding streets are already a Controlled Parking Zone and the potential for unauthorised parking is a matter for enforcement through alternative legislative provisions and not a planning consideration.

Although constricted, given the retrospective nature of this application the

accessibility of the site to refuse collection vehicles is not considered to justify a reason for refusal. The agent for the applicant has confirmed that they propose to continue with the existing private refuse collection arrangements. Emergency vehicle access is a matter for consideration separately under building regulations.

Of the four bin stores proposed within the curtilage of the site, that adjacent to Building 6 is set away from the boundaries with surrounding properties, whilst this store and those adjacent to Building 4 will be overshadowed by the larger brick building against which they will stand. They will be visible from the upper floors of surrounding properties but, by virtue of their relatively small size, finish and distance, it is not considered that they would be detrimental to that outlook and they represent an improvement on the otherwise uncontrolled distribution of waste and recycling bins.

The easternmost bin store adjacent to Building 4 and the one sited within the OLW complex will stand adjacent to the boundary fence.

Adjacent to Building 4 the bin stores adjoins the boundary with No 17 Falkland Road. It is fortuitous however, that this property benefits from a wider than average rear garden as a result of a bend in that road and the bin store stands perpendicular to the fence, with only its shortest elevation abutting. Although the top part is likely to be visible, as a result of the wider garden it is not considered to contribute to an increased sense of enclosure, whilst by virtue of the distance from the rear building line, the timber finish and the environmental benefit, it would be acceptable.

Within OLW, the store will stand adjacent to the rear boundary fence of No 55 Falkland Road and the top will be visible from the ground floor and rear garden thereof. However, despite its elevated position, it is considered again, that by virtue of the distance from the rear building line, the timber finish, the constricted nature of that part of the site and the environmental benefit, it would be acceptable.

In light of these factors, the effect of the development on the amenities of neighbouring residential occupiers is considered to be acceptable.

The effect on living conditions of prospective occupiers of the live-work units:

The scale of the buildings on the site affords the live-work units generally comfortable proportions. Even with consideration for the area of any 'commercial' element, the unique and inherently dynamic blurring of commercial and residential floor space within live-work units means that all are considered to provide more than adequate living space for the current and future occupiers and all except Unit 1 exceed the requirements of Policy 3.5 of the London Plan (2011), Annex 4 of the supporting *Housing: Supplementary Planning Guidance* (2012) and the Council's adopted *Sustainable Design and Construction SPD* which would otherwise apply to solely residential dwellings. There are however, no set standards for live-work hybrid-type units.

Despite the fixing and obscuration of the lower sections of windows to the upper floors of the eastern elevation of Building 5 and those in the western elevation of Building 2, where those windows do serve living accommodation, the upper parts of those large windows (with the exception of the redundant fire escape) may continue to provide

towards adequate natural light and ventilation, whilst outlook is secured through windows in the opposite elevation(s).

It is acknowledged that the site provides no private outdoor amenity space for any of the units within its curtilage. However, it is considered that the expectations of the Development Plan in that respect are an unreasonable prospect in the retro-fitting of this historic site, which was not originally conceived for such a purpose. Its occupation has been and will continue to be, taken-up in full knowledge of that fact, whilst the site is in an edge of town centre location and within relative proximity of a number of green spaces (including Byng Road Playing Fields, Ravenscroft Gardens, Hadley Green and Common and King George's Fields).

In light of these factors, the proposed units are considered to provide for sufficient living conditions for future occupants of the units.

Other Matters:

Contributions: Since the service of the previous Enforcement Notices, the Council has adopted a Community Infrastructure Levy Charging Schedule in line with the amendments to planning gain pursuant to the Planning Act 2008. This levy, together with Mayoral CiL obligations, is not secured by a Legal Agreement, but through separate legislation. As such, a formal mechanism to secure obligations would not be required to be submitted as part of this planning application, though in any event the development is not subject to a CiL liability under the new regime.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The majority of objections raised have been addressed in the appraisal above. With regard to:

- *No suggested condition to limit hours of work*

Although a raft of conditions is proposed for the use of the live-work units, a condition limiting the hours of any 'work' element therein is not considered to meet the requirements of Para 206 of the National Planning Policy Framework (2012). Such a condition is likely to be unenforceable and imprecise, being difficult to detect given the wide and dynamic range of possible activities which may over time constitute the 'work' element and the fact that, regardless of any 'work' ongoing, the units could reasonably be expected to be occupied at any time. Furthermore, broader conditions on the Class of use which may be carried on and the concomitant residential occupation should restrict the 'work' element to one which is compatible in terms of character and amenity, with the broader residential context of the site and render such a condition unnecessary.

- *No commitment to deal with proliferation of services and repair/replacement of damaged/degraded rainwater goods and brickwork*

These works do not form part of the proposal subject to this application. The Local Planning Authority would be happy to investigate any existing or future unauthorised

installations brought to their attention however, it should be noted that these may not be such as to constitute a material operational development in Planning terms.

- *Inadequacy of waste and sewerage provision*

This is not a Planning matter however, a grant of consent does not exempt the owners from meeting their other obligations in respect of Building Regulations, Thames Water etc.

- *Discrepancies in the plans*

Following the first consultation, discrepancies were highlighted in respect of the mis-labelling of Puller Road as Sebright Road on the Location Plans and AW.50.1.18. This was addressed in the Amended Plans however, as a result of an administrative oversight, the two re-labelled Location Plans were not scanned. As such, this matter was raised again during the second consultation. These plans have since been scanned. In the second consultation it was also alleged that AW.50.1.18 does not depict the redundant fire escape and mis-represents the relative internal floor level of Building 2 (The Mews), whilst the redundant fire escape in AW.50.1.16 is depicted at a slightly lower level. AW.50.1.18 does not depict the fire escape because it is a cross section through a different part of the building. That the internal floor level and level of the fire escape as depicted in AW.50.1.16 may be slightly below the true level, this is not considered to prejudice any representations and does not impact upon the determinations made in respect of the consequences for character and amenity and the scope of the conditions to be applied.

- *Precedent for full residential conversion*

Any further conversion of the premises (be that the conversion of other commercial units or the conversion of live-work/commercial units to solely residential occupation) will require a further grant of consent. Every application is considered on the basis of its own merits and in light of the contemporary policy context, including that which relates to the re-designation of employment land.

- *Increased light pollution*

As outlined in the main report, although not recently employed for heavy industrial purposes, as a historic site which predates Town & Country Planning, its use is largely unrestricted by condition. As such, use of the site twenty-four hours a day, seven days a week is already theoretically possible. Although it is more likely that there will be 'out-of-hours' occupation of the site with a residential element, it is not considered that associated internal light projection would be such as to justify a refusal, whilst the installation of further external lighting (where it constitutes a material development) will require further express consent from the Local Planning Authority.

- *Control of remaining units*

As above, as a historic site which predates Town & Country Planning, its use is largely unrestricted by condition. This application only extends to the 30 units identified and as such, it does not afford the Council to apply conditions to the remainder of the site.

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

Having taken all material considerations into account, it is considered that, subject to compliance with the attached conditions, the proposed development would be acceptable in planning terms. The re-designation of the site is compliant with the extant policy framework, whilst the development presents no detrimental impact to the character and appearance of the application site and the surrounding area. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers or present and future occupiers of the live-work units themselves. The reasons for issuing the previous Enforcement Notices have been overcome and this application is therefore recommended for **APPROVAL**.

SITE LOCATION PLAN: Alston Works, Alston Road, Barnet and The Old Laundry Works, Falkland Road, Barnet, Herts, EN5 4EL

REFERENCE: B/02621/13



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