

LOCATION: Brookfields Garage, Victoria Lane, Barnet, Herts, EN5 5UN

REFERENCE: B/00947/14

Received: 21 February 2014

Accepted: 21 February 2014

WARD(S): Underhill

Expiry: 18 April 2014

Final Revisions:

APPLICANT: DPA (LONDON) LTD

PROPOSAL: New roof to existing workshop to increase roof height.

RECOMMENDATION: Approve Subject to Conditions

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

- Ordnance Survey Map Showing the Site Location
- 1006 01, 1006 02, 1006 11 Revision A and 1006 12 Revision A

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.

3 Before the development hereby permitted commences, details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012) and 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

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 Government's 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".

NPPF retains 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.

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 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 11th September 2012

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5 and CS13

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

Relevant Planning History:

Site history for current landparcel:

287508 - Brookfields Garage, Victoria Lane, Barnet, Herts, EN5 5UN

Case Reference: **B/00947/14**

Planning applications picked up in spatial search

Site Address: south-west end of Victoria Lane High Street Barnet
Application Number: N00028E
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 21/08/1968
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **continuation of use for car park**
Case Officer:

Site Address: South-west end of Victoria Lane High Street BARNET Herts EN5
Application Number: N00028F
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 04/08/1971
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **continuation of use of car park**
Case Officer:

Site Address: Land in Victoria Lane Barnet Hill BARNET Herts EN5
Application Number: N00028G
Application Type: Full Application
Decision: Refuse
Decision Date: 13/06/1973
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Prefabricated spray booth**
Case Officer:

Site Address: South-west of Victoria Lane off High Street BARNET Herts EN5
Application Number: N00028H

Application Type: Full Application
Decision: Approve with conditions
Decision Date: 22/07/1974
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Renewal of permission for continuation of use for car park.**
Case Officer:

Site Address: Land south-west of Victoria Lane & r/o 15 Fitzjohn Avenue BARNET Herts EN5

Application Number: N00028L
Application Type: Full Application
Decision: Refuse
Decision Date: 26/02/1975
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **prefabricated concrete garage for car servicing.**
Case Officer:

Site Address: Repair Garage Victoria Lane BARNET Herts EN5
Application Number: N00028N
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 11/07/1990
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of single storey workshop building to replace existing building and continued use of land as car park.**
Case Officer:

Site Address: Workshop Victoria Lane BARNET HERTS
Application Number: N00028Z
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 15/10/1996
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing motor workshop and erection of new motor workshop with continued use of car park (same as application approved in 1990).**
Case Officer:

Site Address: Land in Victoria Lane Barnet Herts EN5
Application Number: N00028AB/00
Application Type: Retention/ Contin. Use
Decision: Refuse
Decision Date: 05/03/2001
Appeal Decision: Dismissed
Appeal Decision Date: 05/03/2001
Proposal: **Continued use of land at end of Victoria Lane for the Parking of HGV vehicles (no larger than 7.5 tonnes). Use of portocabins for office and storage and separate storage container.**
Case Officer:

Site Address: Brookfields Garage, 1 Victoria Lane, Barnet, Herts, EN5 5UN
Application Number: B/02973/12
Application Type: Full Application
Decision: Refuse
Decision Date: 24/10/2012

Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Re-building of a new garage with 6no. rooflights following demolition of the existing garage building.**
Case Officer: Adam Ralton

Site Address: Brookfields Garage, Victoria Lane, Barnet, Herts, EN5 5UN
Application Number: B/01227/13
Application Type: Full Application
Decision: Not yet decided
Decision Date: Not yet decided
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Demolition of existing garage followed by construction of new garage with 6no. rooflights**
Case Officer: Adam Ralton

Enforcement Notices picked up in spatial search

Reference Name

Description **Alleged Planning Contravention. Part 1 of Local Government Act 1972**

Consultations and Views Expressed:

Neighbours Consulted: 150 Replies: 6 objections received
Neighbours Wishing To Speak 2

The objections raised may be summarised as follows:

- The proposed scale and design of the building resulting from increased in roof height would be detrimental to the visual amenity of the surrounding residential occupiers.
- The proposal will increase the amount of business use and the scope for larger vehicles on the application site and this will increase noise and disturbance for surrounding residents.
- The proposal may cause overlooking and hence loss of privacy for the occupiers of the neighbouring residential properties.
- There is no indication where the gutter for the new arc roof would be sited.
- Right of way for 10 Normandy Avenue at the side of the application site should not incur more congestion.
- The proposal does not show lower east wall towards the front of the application site which borders 10 Normandy Avenue.
- There are number of discrepancies in the given dimensions of the existing garage building.
- According to Design and Access Statement, the proposal may result in light pollution.
- The proposed site outlined in red is not entirely within the applicant's ownership and therefore the applicant need to complete Certificate B and served notice on the relevant owners of the site.

Internal /Other Consultations:

None

Date of Site Notice: 13 March 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site contains a detached garage/workshop building, and is located between Normandy Avenue and Fitzjohn Avenue, accessed from Victoria Lane. A public car park is located to the north of the site, residential gardens to the south and east, and hardstanding areas used in connecting with the storage and repair of vehicles to the west of the existing building. The planning history for the site indicates that a garage building has been in existence in this locality for a number of years.

The building comprises two distinct elements, the northern flat roof element 10.2m (deep) has a maximum height 2.9m (high) to flat roof, abutting the rear buildings of Nos. 10 and 12 Normandy Avenue. The second element 5.2m (deep) with a mono-pitched roof has a ridge height of 4.52m to 3.7m from its highest to lowest point and eaves height of 4.2m to 3.4 from its highest to lowest point. This element will not be altered as part of the proposal.

Proposal:

The application is for installation of a new curved roof to the flat roof element of the existing workshop to increase internal height. The proposed curved roof rises from east to west side of the existing workshop and therefore the height of the resulting workshop on the east side would be 2.65m which gradually increases to a maximum of 4.52m on the west side of the workshop.

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 Council's approach to extensions and alterations to existing buildings as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity.

Policy DM01 of the Development Management Policies (Adopted) 2012 states that all development should represent high quality design and should be

designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Policy DM02 states that where appropriate, development will be expected to make a positive contribution to the borough. The development standards set out in Policy DM02: Development Standards are regarded as key for Barnet to deliver the highest standards of urban design.

Assessment of the proposal

The application site as noted above comprises a garage/workshop building that has been present at the site for a number of years. As a result, the principle of the use of the existing garage/workshop area for vehicle repairs is acceptable.

The proposal is to replace the existing flat roof with a curved shaped roof, that would have a lowest height of 2.65m on the east side and would gradually increase to a maximum height of 4.52m on the west side. The proposed curved roof replacing the existing roof would be an improvement on the current situation and would improve the appearance of the building. The existing garage/workshop building is set to the end of Victoria Lane, a narrow access lane serving the garage and a vehicle storage area. Victoria Lane is not a main road or a public through road. Given its location in a yard area, set back from the public highway, the proposed new roof to the building is not considered to be detrimental to the character and appearance of the area. It would not appear as a prominent building within the street scene, and would appear functional in the context of the vehicular repair and storage operations.

Residential Amenity

The proposed curved roof as discussed above only relates to the flat roof part of the existing garage/workshop building (i.e. up to the depth of 10.2m from the front) while rearmost part of the building remains unchanged. The proposal therefore is not considered to have any adverse impact on the amenities of the occupiers of the residential property (i.e. No. 14 Normandy Avenue) located at the rear of the proposed garage/workshop building.

The new curved roof rises from east to west side of the existing garage/workshop building. The east side of the garage/workshop building abuts the rear gardens of neighbouring residential properties No. 10 and 12 Normandy Avenue therefore its impact on these residential properties needs to be assessed. It should be noted that the proposed curved roof on the east side has a height of 2.65m and therefore its height would be marginally higher (i.e. 0.2m) from the front most part of the garage/workshop and 0.25m lower than the middle part of this building whilst the rearmost part this building remains the same as existing. The proposal therefore on the east side of the garage/workshop building is considered to be an improvement on the existing situation as the existing roof on the garage/workshop building would be replaced with a new curved roof which would result in a slightly lower height building on the east side. The proposal therefore is not considered to have

any adverse impact on the amenities of the occupiers of the neighbouring properties No. 10 and 12 Normandy Avenue.

The proposed east elevation indicates that there would be 4 narrow rooflights (0.2m x 2m) to be installed in the new curved of the garage/workshop building. However, it is considered that as the proposed rooflights would be narrow and positioned approximately 3m above the ground level, it would not give rise to any loss of privacy or cause overlooking problems for the occupiers of neighbouring residential properties in Normandy Avenue (in particular No. 10 and 12 Normandy Avenue).

The highest part of the new curved roof would be on the west side that would face an existing car park which is separates the proposed garage/workshop by 21.4m from the neighbouring residential properties No. 15, 17 and 19 in Fitzjohn Avenue. The proposal therefore is not considered to have any adverse impact on the amenities of the occupiers of these neighbouring residential properties in Fitzjohn Avenue.

The front of the existing garage is located at the end of Victoria Lane, a narrow access lane serving the garage and a vehicle storage area. Victoria Lane is not a main road or a public through road. Given its location in a yard area, set back from the public highway, the proposed new roof to the building is not considered to be detrimental to the amenities of the occupiers of neighbouring commercial premises.

3. COMMENTS ON GROUNDS OF OBJECTIONS

With regards to objections received regarding the ownership of the applicant site, the applicant's agent has now sent in e-mail dated 24/04/2014 confirming the application site is owned by the two applicants for this application.

With regards to discrepancies in the plans submitted have now been checked, corrected and submitted as amended plans and are considered to be acceptable.

The proposal as discussed in the "assessment of the proposal" section of this report is not considered to have any adverse impact on the amenities of the occupier of the neighbouring residential properties in Normandy Avenue and FitzJohn Avenue in terms of loss of light, outlook and privacy and overlooking.

The existing garage/workshop is car repair garage and replacement of the existing roof of the garage to provide better repair facility can not on its own be envisaged that it would result in increase business which may generate more noise, disturbance and congestion for the neighbouring residential properties.

Drainage is not a planning matter.

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 this proposal would comply with the Adopted Barnet Local Plan policies and guidance 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 therefore recommended for Approval.

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