

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

**REFERENCE:** B/03629/14 **Received:** 07 July 2014  
**Accepted:** 10 July 2014

**WARD(S):** Underhill **Expiry:** 04 September 2014

**Final Revisions:**

**APPLICANT:** c/o DPA (London) Ltd

**PROPOSAL:** New roof to existing workshop to increase roof height and single storey side extension to existing workshop

**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 Application Site
- 1006 01 Revision B; 1006 02 Revision B; 1006 11 Revision B and 1006 12 Revision C.
- Acoustic Assessment of noise at Brookfield Garages produced by Ned Johnson Acoustic Consultants accompanied by plan drawing no. 1006.401 and dpa letter by Luke Saunders.
- E-mail from Luke from <architectural@dpa-architects.co.uk> dated 02/09/2014 clarifying proposed roof insulation details for the application premises.
- E-mail from Luke from <architectural@dpa-architects.co.uk> dated 03/09/2014 confirming employee and car parking situation for the application site.

**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 The materials to be used in the external surfaces of the building(s) shall match those used in the existing building(s).

Reason:

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

**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.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £1792 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £6912 payment under Barnet CIL.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named

parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The Community Infrastructure Levy becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

#### Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

You can apply for relief or exemption under the following categories:

##### 1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6314/19021101.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

##### 2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

### 3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the [legislation.gov.uk](http://legislation.gov.uk)

Visit:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

## 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".

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/03629/14**

**Planning applications picked up in spatial search**

**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:** 1 Victoria Lane, Barnet, Herts, EN5 5UN  
**Application Number:** B/00827/11  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 15/09/2011  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Continued use of part of site for storage of scaffolding boards.**  
**Case Officer:** Mary Kearns

**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

**Site Address:** Brookfields Garage, Victoria Lane, Barnet, Herts, EN5 5UN  
**Application Number:** B/00947/14  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 13/05/2014  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **New roof to existing workshop to increase roof height.**  
**Case Officer:** Mumtaz Shaikh

### Consultations and Views Expressed:

Neighbours Consulted: 150    Replies: 7 objections received  
Neighbours Wishing To Speak 1

### The objections raised may be summarised as follows:

- The planning process is being abused by the applicant in that the applicant is clearly making tactical multiple applications in the hope that local residents will be worn down and not object.
- The proposal would result in increased scale and footprint of the building to allow 2 additional car lifts and it would lead to increased noise, disturbance and pollution from the resulting use
- The application shows no current employees on the site and no figures are given for the proposed employee.
- The application says there is no parking currently on site. However there is always significant car parking on site. Currently there are around 20 car parking spaces including commercial vehicles.
- The proposal would be out of keeping, overbearing and detrimental to the visual amenity of the locality and it will deteriorate the area.
- The existing building is an eyesore, the metal roof is incompatible and a change of roof material /colour could help alleviate the problem. Extending the roof at the rear would exacerbate this problem.
- It would lower the house value in the area.
- It provides no details of its impact on the surrounding.
- The proposal moves the present accesses's to the garage away from the access road and instead directly face the rear gardens of properties in Fitzjohn Avenue.
- The proposal includes no plans to improve existing car park and improve boundaries of the site
- The proposal does not list hours of working
- It would affect privacy of residents in Fitzjohn Avenue

Reconsultation on amended description was carried out. However, no further objections were received.

Internal /Other Consultations:

- Environmental Health - No objections to the proposal

Date of Site Notice: 17 July 2014

## **2. PLANNING APPRAISAL**

Site Description and Surroundings:

The application site contains a detached repair 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) x 7.3m (wide) has a maximum height 2.9m (high) to flat roof, abutting the rear buildings of Nos. 10 and 12 Normandy Avenue. The second element 5m (deep) x 8.3m (wide) with a mono-pitched roof has a ridge height of 4.5m to 3.8m from its highest to lowest point and eaves height of 4.2m to 3.4 from its highest to lowest point. In addition to this, the existing repair garage/workshop building has a 1.6m (wide) x 9.1m (deep) open car port type structure (i.e. it is covered by roof and supported by timber pillars and building walls) on the west side of the building overlooking the car park located within the application site.

Proposal:

The proposal involves *"removal of existing car port type structure on the west side of the existing repair garage/workshop building and erection of a new single storey side extension as a replacement. The proposal also involves a new roof to existing workshop including increase in roof height.* Planning application ref: B/00947/14 for *"New roof to existing workshop to increase roof height"* was recently approved by the Members of the Chipping Barnet Area Planning Committee on 08/05/2014. Given the approved development has not been implemented, the description of the current application is amended to include the development approved under ref: B/00947/14 to form part of this application.

The proposed new single storey extension on the west side of the existing repair garage/workshop would be set-back 1.1m from the front of the existing garage/workshop and it would increase the width of the front element of the existing repair garage/workshop by 4.2m and therefore the existing front element would



increase in width from existing 7.3m to 11.5m to accommodate two additional car lifts. The new side extension would also increase the width of the rear element of the existing repair garage/workshop by 3.2m and therefore the existing rear element would increase in width from existing 8.3m to 11.5m to increase the size of the existing car lift area.

The proposal also includes installation of a new curved roof of the existing front 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. It should be noted that the new curved roof approved under previous application ref: B/00947/14 would now extend over the new single storey side extension to the front element of the existing repair garage/workshop building and the height of the new curved roof over the new side extension would be restricted to 4.52m at its highest point as approved in the previous application ref: B/00947/14. The new single storey side extension to the rear element of the existing workshop building would have a new roof with a height of 3.76m and this would match the lowest height of the existing sloping roof over the rear element of the existing building.

#### Planning Considerations:

The main issues 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 single storey 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.

It should also be noted that as *"new roof to existing workshop to increase roof height"* has been fully assessed and approved under previous planning application ref: B/00947/14 by the Members of the Chipping Barnet Area Planning Committee on 08/05/2014. Therefore the only new element that needs to be considered in this application is the *"single storey side extension on the west side of existing repair garage/workshop and extension of the approved curved roof over this extension"*.

The proposed new single storey side extension would replace existing single storey dilapidated car port extension and the replacement of existing unsightly flat roof of varied roof heights with a new insulated curved shaped roof that would have a height of 2.65m on the east side gradually increasing to a maximum height of 4.52m on the west side.

It is considered that the proposal would make a significant improvement to the appearance of the existing building. 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 single storey side extension and the proposed new curved roof 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 single storey side extension is set-away approximately 19m from the rear boundaries of residential properties of No. 15 to 19 Fitzjohn Avenue. The boundaries of these properties are well screened by densed trees and planting, and therefore not considered to have any adverse impact on the amenities of the occupiers of these neighbouring residential properties.

The proposed single storey side extension abuts the rear boundaries of properties No. 12 and 14 Normandy Avenue. However, given the modest height of the extension and the fact that the boundaries of these properties are largely screened by their rear fence together with planting and trees. This is not considered to have any adverse impact on the amenities of the occupiers of this neighbouring house.

The proposed curved roof as discussed in the previously approved application ref: B/00947/14 still 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 the rearmost part of the existing building remains unchanged. In terms of "new curved roof", the main difference between that previously approved and the current application is that the approved curved roof would be extended over the proposed single storey side extension. This is considered acceptable with no appreciable adverse impact on the surrounding area.

The existing garage/workshop is open between 08:00 to 17:00 and at present has one car lift located at the rear adjacent to the rear part of the rear garden of the

neighbouring house No. 14 Normandy Avenue. The proposed extension to this part of the garage/workshop is to create adequate size bay to carry out the same function and to accommodate new equipment. The remaining part of the proposed single storey extension would take place in front of this existing car lift bay area to accommodate two additional car lift bays and to accommodate the new equipment. It should be noted that the two additional new car lifts / bays would be approximately 5m away from the rear boundary of No. 14 Normandy Avenue. According to the noise report submitted with the application, the proposed extension is not expected to increase the existing business significantly on the application site. At present, there are approximately 3 cars per day at the garage. The expectation is that there will be three to four additional cars a day to the garage. The applicant therefore commissioned Acoustic Consultant to produce and submitted Acoustic Report to demonstrate that the proposed extension resulting in small increase in workshop size and business would not have detrimental impact on the amenities of the occupiers of neighbouring houses in terms of noise. The noise report has been assessed by the Council's Environmental Health Noise Officer and it is concluded that the noise report is considered acceptable. The extra noise that will be resulting from additional car lifts which will be internally housed, would be attenuated by the proposed reasonable insulation in the new roof and therefore noise from less than 10 cars visiting the site per day, would not result in significant increase in noise affecting neighbours during the day. The proposal based on this information is not considered to have any detrimental noise impact on the amenities of the occupiers of neighbouring residential properties on both Normandy Avenue and Fitzjohn Avenue.

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

With regards to objections received they are considered as follows:

- The applicant has followed a planning process for their applications whereby neighbouring properties have been consulted and objections received are considered in the assessment of the proposal.
- With regards to noise, the proposal would result in small increase in the footprint of the existing garage/workshop to house 2 additional car lifts. It is acknowledged that this would result in small increase in business. However, the Noise Report is considered to address this issue.
- The applicant's agent has now confirmed that there are all together 3 employees including himself.
- The ordnance survey map submitted with the application shows the boundaries of the application site outlined in red which comprises a large un-marked car park on the west side of the existing garage/workshop that would accommodate for off-street parking required for the garage/workshop.
- The application site is located in Victoria Lane, which 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 single storey extension 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.

- The objection regarding proposal affecting house prices in the area is not a relevant planning objection as houses prices are affected by housing market in the area.
- The Noise Report confirms that the existing garage/workshop is open between 08:00 to 17:00.

#### **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.

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

**REFERENCE: B/03629/14**



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