

LOCATION: Checknet and Durkan House, 153-155 East Barnet Road, Barnet
EN4 8QZ

REFERENCE: 15/02019/FUL

Received: 30th March 2015

Accepted: 20th April 2015

WARD: East Barnet

Expiry: 15th June 2015

APPLICANT: GAP C Properties Ltd.

PROPOSAL: Front and rear extensions to upper floor levels including new balconies, re-cladding and associated alterations to fenestration. Installation of 2no. new entrance doors and canopies following removal of 2no. existing glass entrance foyers.

RECOMMENDATION:

To approve subject to conditions:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 928/10, 11, 12, 13, 14, 15, 16, 17 Rev A, 18 Rev A, 19 Rev A and 20 Rev 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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 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 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

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 CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2011.

Informative(s):

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

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 £8925.00 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 £34425.00 payment under Barnet CIL.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

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 CIL 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.

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.

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 at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf
2. Residential Annexes or Extensions: 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

Please visit:

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

Officer's Assessment

1. SITE DESCRIPTION

The application site comprises an 'L' shaped building with parking on the lower floor and 5 upper floors that are currently being converted into flats. The building is located to the east of East Barnet Road and there are no special restrictions on site. The area is mixed in character, comprising a mix of different uses and design of buildings. However, there are a number of residential properties that surround the host site.

2. SITE HISTORY

Reference: B/02948/14

Address: Checknet House, 153 East Barnet Road, Barnet,

Decision: Prior approval required and approved

Decision Date: 23 July 2014

Description: Change of use from B1 office to C3 residential (30 Units)

Reference: 14/08021/192

Address: Checknet House, 153 East Barnet Road, Barnet,

Decision: Lawful

Decision Date: 15 January 2015

Description: Change of use of existing building from B1 Use Class (offices) to C3 Use Class (dwellinghouses), to provide 30 no. self contained flats

3. PROPOSAL

This application proposes the extension of the existing building of the upper floor levels to the front and rear, including the provision of balconies. The front extension would have a depth of 1.5 metres, a width of approximately 29.3 metres, with the height of the extensions projecting no higher than the existing structure and would contain supporting columns at ground floor level, to both the front and rear elevations. The extensions would be clad with a combination of stone effect cladding and aluminium insulated panels to the front and rear facades, with stone effect cladding along the perimeter of the side elevation facades. The proposal also includes the insertion of two ground floor, front entrance doors located at either end of the front elevation.

4. PUBLIC CONSULTATION

Consultation letters were sent to 46 neighbouring properties.

Five responses have been received, comprising 5 letters of objection.

The objections received can be summarised as follows:

- The proposal would result in loss of privacy and overlooking.
- Insufficient parking.
- Light and noise pollution

5. PLANNING CONSIDERATIONS

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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 2015

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 2050. 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.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

The Council's approach to development as set out in Policy DM01 is to minimise the 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 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 demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality; and
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

It is noted that the existing property benefits from a Prior Notification and Certificate of Lawfulness applications for the conversion of the property into 30 self-contained units, as highlighted in the Site History section above. Given that the works regarding these applications have commenced, the conversion of the premises into residential use does not form part of this application.

The proposed extensions, including recessed balconies, would result in the building projecting further to the front by 1.5 metres and to the rear by 1.5 metres. Although the property is visually prominent at present, it is not considered that the extensions would result in the building being more visually prominent than the existing structure to such an extent as to warrant refusal. As such, the extensions are not considered to unduly detract from the character and appearance of the existing building and given its siting, are not considered to adversely impact upon the visual or residential amenities of neighbouring residential occupiers.

The design of the cladding and recessed balconies are considered acceptable and would not be harmful to the character and appearance of the host property or the general locality. The proposed extensions are not considered to affect the neighbouring amenities and are considered to comply with the aforementioned policies and are proportionate and subordinate additions to the main building.

Given that the building is currently in residential use, it is not considered that the creation of the recessed balconies to the rear and front of the building would result in overlooking and loss of privacy to any neighbouring occupier, result in noise and disturbance or excessive light pollution over and above what currently exists on site. In addition, the Council's Residential Design Guidance states that privacy can be safeguarded by achieving adequate window to window, or window to balcony distances between buildings (both existing and proposed). In new residential development there should be a minimum distance of 21 metres between properties with facing windows to habitable rooms to avoid overlooking, and 10.5 metres to a neighbouring garden. Given that the proposal would not result in habitable room windows directly facing neighbouring habitable room window, that neighbouring residential properties to the east along Crescent Rise and to the north along St Wilfrids Road would be over 21 metres away from the extensions and that the rear gardens of these properties would be over 10.5 metres away. It is not considered that the proposal would result in overlooking or loss of privacy over and above what currently exists on the site.

5.4 Response to Public Consultation

Comments addressed in appraisal above.

6. EQUALITY AND DIVERSITY ISSUES

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

7. CONCLUSION

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.

