

Location **7B High Street Barnet Barnet EN5 5UE**

Reference: **14/07166/FUL** Received: 7th November 2014
Accepted: 7th November 2014

Ward: Underhill Expiry 2nd January 2015

Applicant: Jetline Travel Ltd

Proposal: Construction of a second floor to provide additional B1 office space

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: W01A, W02, W03, W04, W05A, W06B, W07, W08, W09B, W10B, W11A, W12A.

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 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 Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4 The premises shall be used for Use Class B1(a) (Office) only and for no other purpose (including any other purpose in Class B of the Schedule to the Town and 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).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

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. 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 £3952 payment under Mayoral 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 is located on the south western side of the High Street, almost opposite the junction with Meadway. The site is located within the Chipping Barnet Town Centre and the ground floor of the application building is within a secondary shopping frontage. The application site is a two storey building, with a front gable feature. The rear wing which projects to the south west has a pitched roof with a single ridge along its length. The building is in use as offices on the ground and first floor.

In terms of facades fronting the High Street, the site is in a fairly mixed area. Whilst the application site is two storeys in height with a gable roof, the adjacent building to the north west is a three storey building with a pitched roof, whilst the adjacent building to the south-east has a main two storey front elevation and a further storey contained within a mansard roof, facilitated by front dormer windows.

In respect of the neighbouring uses, the neighbouring buildings both have commercial uses at ground floor level, with ancillary offices or residential above. In particular, No. 7C High Street (to the north-west) contains residential accommodation at first and second floor levels both in the main frontage building and the rear-projecting wing. Similarly, No. 7A High Street contains residential accommodation above ground floor level.

2. Site History

B/03958/14: Creation of new second floor with mansard roof comprising 11 dormer windows and 17 no. rooflights to facilitate 3No. self-contained residential units and additional office space (B1). Refused. Appeal Dismissed.

B/01450/14: Extension to roof to create additional storey including new mansard roof to provide office (B1), accommodation and four self-contained flats. Withdrawn.

B/03089/10: New second floor extension to existing commercial building to facilitate one new self-contained residential unit. Approved September 2010.

B/01548/09: New second floor extension to existing commercial building to facilitate two new self-contained units. Refused July 2009. Appeal Dismissed.

N00464T/03: Refurbishment of existing ground floor commercial unit, construction of second floor and conversion of first floor to provide a total of 8no. self-contained flats with associated changes to car-parking. Refused December 2003.

N00464S/01: Second floor extension to provide additional office space. Refused December 2001.

N00464R/00: Erection of second floor addition to form office space. Refused April 2001.

3. Proposal

The current applications seeks planning permission for the formation of an extension to the existing roof to form a second floor, to provide additional office (Use Class B1) space. The extension would change the form of the roof behind the main front gable from a pitched roof to a mansard roof with a flat crown element. The new second floor would have a depth of 16.2 metres and a width of 6.6 metres. The proposed roof would project 0.7 metres above the height of the existing front roof gable and the ridge to the existing

pitched roof. The proposed office accommodation would receive light from rooflights within the flat roof only.

As noted at section 2 above, the application site has a history of various planning applications. The most recent application, reference B/03958/14 proposed a second floor extension over the entire first floor of the existing building, to provide three flats. That application was refused by the Local Planning Authority and dismissed at appeal. The current application differs from the previous application, as the quantum of development is considerably reduced with only a second floor extension proposed over the front section of the existing building. In addition the current application proposes office floor space rather than residential floor space.

4. Public Consultation

Consultation letters were sent to 71 neighbouring properties. A site notice was also displayed. Six responses have been received, comprising six letters of objection.

The objections received can be summarised as follows:

- The new extension would result in a loss of light to windows in neighbouring flats at 7C High Street.
- Construction work would cause disturbance to neighbours.
- Development is out of character with neighbouring properties and will be visible from neighbouring properties.
- Development would increase local parking pressures.
- Proposal would overlook neighbouring gardens.

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 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.

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, DM14 and DM17.

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;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

Principle of the provision of additional employment floorspace

Policy DM14 notes that in respect of new office space, all proposals for new office space should follow a sequential approach which considers town centre sites before edge of centre sites. The application site is within the Chipping Barnet Town Centre. The application site already contains office accommodation and the proposal would add to this. On this basis, the principle of providing additional employment floor space is considered acceptable.

Impact of the proposal on the character of the building, the street and the wider locality

The most recent planning application, which was dismissed at appeal, included a new mansard roof to create a second floor. That proposed roof would have had the same appearance when viewed from the High Street as the current application. However, the previous scheme included a mansard roof which would have extended across the entire depth of the building whilst the current scheme seeks only a 16.2m deep roof. In respect of the impact of the roof on the street scene, the Inspector commented in the previous decision that the site is on a slope in the road, and other buildings on the street generally rise in accordance with the slope. There is a dip in the shared height profile above the existing building and the proposed mansard roof extension would regularise the profile on the site in common with the rest of the street. Having regard to this, and the variation in appearance of buildings along this part of the High Street, the Inspector raised no objections to the proposed mansard roof when viewed from the High Street. On this basis, given the size of the mansard roof, that it would be read against the massing of the taller neighbouring buildings, and equally hidden by neighbouring buildings, it is not considered that the proposal would be detrimental to the character and appearance of the street scene or locality.

Impact of the proposal on the amenities of neighbouring properties

The previously refused and dismissed scheme proposed residential accommodation, with rooflights in the mansard roof to ensure rooms had an outlook. In the current scheme, office accommodation is proposed. This includes rooflights in the flat roof only to provide light. As a result of this configuration, it is not considered that the proposal would result in any overlooking to any neighbouring property.

In respect of the visual impact of the proposal on the amenities of neighbours, in dismissing the previous appeal the Inspector noted the replacement...roof would be clearly visible from the south-eastern facing flats of the first floor of No.7C and the rear-facing flats on the first and second floors of No. 7C. The Inspector concluded that the additional massing in close proximity of the roof extension to the affected windows would result in a significantly enclosing element appearing in views from these windows, thereby harming the outlook and living conditions of the occupants of these dwellings.

In the current scheme, the depth of the proposed mansard roof adjacent to No. 7C has been reduced from 35 metres to 16.2 metres. The proposal would project 4 metres beyond the rear wall of the rear-facing flats at No. 7C, rather than 23 metres in the previous application. It is noted that the flats in the south east of No. 7C have windows which face the application site and would be directly affected by the proposed development. However, these side windows are secondary windows to the rooms they serve (a bedroom, and a kitchen/diner). As a result, the rooms would retain a primary outlook/aspect which would not be adversely affected by the proposed development. The limited depth and distance between the proposal and the other flats at 7C are such that there would be no adverse impact. On this basis, it is considered that the proposal would have an acceptable impact on the living conditions of the occupants of flats in No. 7C High Street.

Whilst the proposed development would be visible from No. 7A High Street, given its limited depth beyond the rear of this property, and the omission of any windows facing this neighbouring property, it is not considered that the proposal would be detrimental to the amenities of the occupants of this neighbouring property.

The proposed roof extension is sufficient distance from the other neighbouring properties at Bedford Avenue such that there would be no adverse impact on the amenities of the occupants of these neighbouring properties.

Parking provision and impact on highway safety

The application site is in a town centre location, near public transport facilities and within a controlled parking zone. As a result, and given the small size of the proposed building, no objections are raised in respect of parking provision.

5.4 Response to Public Consultation

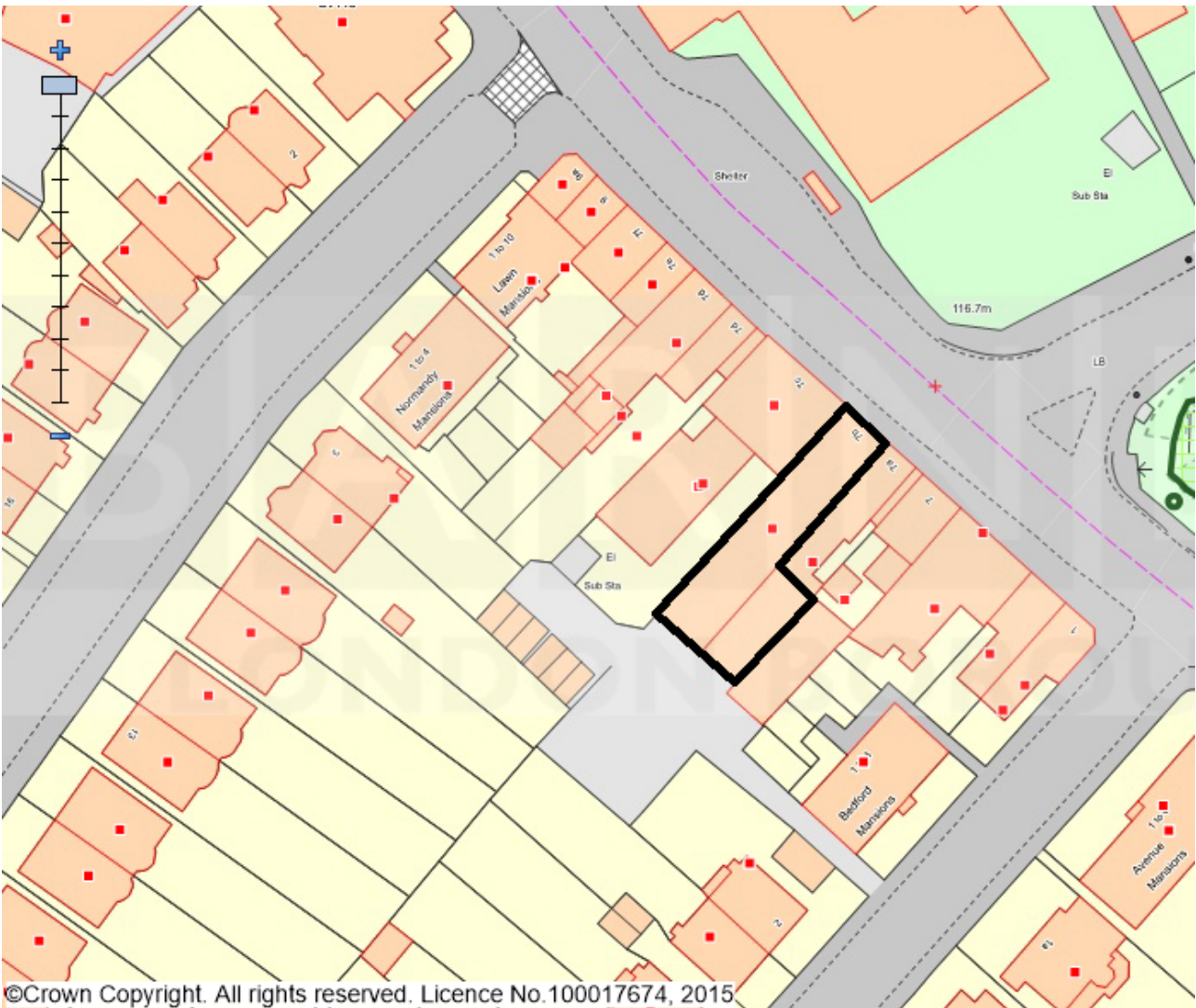
Disturbance during construction works are not a material planning consideration. All other matters raised are addressed in the appraisal above.

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

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



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