

Location	100/102 & 104 Lancaster Road Barnet EN4 8AL	
Reference:	17/0521/FUL	Received: 30th January 2017 Accepted: 30th January 2017
Ward:	East Barnet	Expiry 27th March 2017
Applicant:	Mr B Hoffman	
Proposal:	Overcladding to both buildings. First floor rear extension to no. 104. Creation of roof terrace and new glazed stairwell at rear. Alterations to fenestration including retention of 4no. additional windows in the side elevations of no.104	

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 16-1235-01B, 16-1235-02B, 16-1235-03, Planning, Design and Access Statement.

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 the rear terrace balcony screening 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 and details as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and the amenities of future occupiers 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 2015.

- 4 Before the building hereby permitted is first occupied the proposed additional window(s) in the north and south flank elevations of no. 104 Lancaster Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

- 5 Other than the terrace shown on the approved plans, the roof of the extension hereby permitted shall only be used in connection with the repair and maintenance of 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 ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

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.

Officer's Assessment

1. Site Description

The application site comprises two buildings located on the western side of Lancaster Road. The street is primarily residential in character with commercial premises at No.100-102, 104 and 106-108. The area is primarily characterised by brown brick buildings or buildings finished in a mixture of brown brick and render.

Both properties the subject of this application are part single/ part two storey flat roofed buildings and are former commercial premises which have the benefit of prior approval for conversion to residential use.

2. Site History

104 Lancaster Road

15/02662/PNO: 104 Lancaster Road, Barnet, EN4 8AL. Change of use from Class B1 (Office) to Class C3 (Residential) (6 Units).

Decision: Prior approval required and approved.

Decision Date: 16 July 2015.

15/05804/FUL: 104 Lancaster Road, Barnet, EN4 8AL. Installation of additional windows to an existing building and the removal of some existing windows.

Decision: Approved subject to conditions.

Decision Date: 9 November 2015.

16/5007/RCU: 104 Lancaster Road, Barnet, EN4 8AL. Demolition and rebuild of single storey rear projection. Installation of additional windows to an existing building and the removal of some existing windows (retrospective application).

Decision: Approved subject to conditions.

Decision Date: 22 September 2016.

100-102 Lancaster Road

15/07008/PNP: 100-102 Lancaster Road, Barnet, EN4 8AL. Change of use from (Class B8) to (Class C3) Residential, to provide 7no. units, including alterations to fenestration.

Decision: Prior Approval Required and Refused.

Decision Date: 7 January 2016. **Appeal allowed.**

15/04450/PNO: First Floor 100-102 Lancaster Road, Barnet, EN4 8AL. Change of use of front section of the first floor from Use Class B1 (office) to Use Class C3 (residential) to provide (2 Units)

Decision: Prior approval required and approved.

Decision Date: 27 August 2015.

100-102 and 104 Lancaster Road

16/7260/FUL: 100/102 and 104 Lancaster Road, Barnet, EN4 8AL. Overcladding to both buildings. First floor rear extension to no. 104. Creation of roof terrace and new glazed stairwell at rear. alterations to fenestration including insertion of 4no. additional windows in the side elevations of no.104.

Decision: Refused (The proposed cladding by reason of its design and materials would be inappropriate and out of context with the prevailing character of the area and would introduce a feature detrimental to the character and appearance of the host property and wider street scene).

Decision Date: 10 January 2017.

3. Proposal

This proposal is for:

- overcladding to No.100, 102 and 104 using brick slip overcladding and infill panels.
- A first floor rear extension of 2.6m to no. 104 with a roof terrace projecting 2.7m further and new glazed stairwell at rear.
- Alterations to fenestration of No.104 including insertion of 2 additional windows in each of the north and south side elevations of no.104 at first floor level.
- A terrace area at first floor level between the existing rear elevation of no. 104 and the proposed staircase enclosure, to provide external amenity space for the occupiers of the first floor flats.

4. Public Consultation

Consultation letters were sent to 82 neighbouring properties. 6 responses have been received, comprising 6 letters of objection.

The objections received can be summarised as follows:

- Loss of light, privacy and creates overlooking issues
- Balcony out of character
- New windows creating privacy issues
- Noise and increased rubbish from balcony use

- Traffic and Parking issues in road already
- Health and safety concerns about current building works. Site not screened
- Previous applications refused

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 2016

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 October 2016)

- 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

First floor rear extension and balcony at No.104

The proposed first floor extension will measure 2.6m in depth and 6.4m in width and the balcony will project a further 2.7m with a glazed staircase beyond. It is noted that the adjoining neighbour at No.106-108 projects the full depth of the property at first floor with no windows on this side of the building. It is further noted that the building at 106-108 is not residential and is currently being used as a commercial garage. The extension will match the depth of No.100-102's first floor and will not project further than the rear elevation of that property. It is considered that this extension will not cause demonstrable harm to the character of the dwelling or the character of the surrounding area or to the amenity of neighbouring properties.

Concerns have been raised about the balcony appearing out of character with the area. It is noted that the balcony would be sited to the rear of the property at no. 104 only and would not be visible from the streetscene or from the commercial neighbour at No. 106-108. It is considered that due to the proposed location of the balcony and the external staircase it will not have an adverse impact on the character of the building or the character of the surrounding area.

Concerns have been raised regarding the balcony creating issues of overlooking and privacy. It is noted that the balcony is proposed to the rear of the building at no. 104 and faces onto railway tracks, the Southern elevation looks onto the blank wall of No.106-108 (commercial) and the Northern elevation faces onto the roof of No.100-102. No. 104 does not adjoin the existing residential dwellings in Lancaster Road which lie to the north of no.100 to 102. It is further noted No.100-102 and 106-108 have no outdoor amenity space to be overlooked by the balcony. It is therefore considered that the balcony will not cause demonstrable harm to the residential amenities as a result of the developments proposed in this application to such an extent that would warrant a reason for refusal due to its location.

Windows

The proposed new windows to the side of No.104 are not considered to materially alter the character and appearance of the host property, given that the majority of the changes are to the side and rear elevations that are not highly visible from the streetscene. As such, they are not considered to have a detrimental impact upon the character and appearance of the host property or the area. Given that the adjoining property to the south (no. 106) is commercial, there will be no undue overlooking from the additional windows on this side. The new windows at no. 104 will look onto the existing side elevation of nos. 100-102. It is considered that the new windows will not impact detrimentally on the amenity of the future occupiers of that property, provided that they are obscure glazed.

Overcladding

The previous application 16/7260/FUL was similar to the current proposal except that the cladding proposed was to be grey rainscreen cladding panels with PPC aluminium capping to the roof. That application was refused as it was considered that the proposed cladding by reason of its design and materials would be inappropriate and out of context with the prevailing character of the area and would introduce a feature detrimental to the character and appearance of the host property and wider street scene. The current application has therefore replaced the cladding panels with brick slip overcladding and infill panels. These are considered to be more appropriate within the streetscene, particularly given that the buildings are to be in residential use. Subject to appropriate conditions, it is considered that the use of such detailing will not be harmful to the appearance of the buildings or this part of the streetscene.

5.4 Response to Public Consultation

- The concerns regarding loss of light, overlooking, privacy and character have been addressed in the report above.
- As prior approval has already been granted for the use, parking matters were taken into consideration at that time. The extension currently proposed does not increase the number of residential units, but provides enlarged living rooms for some of the flats.
- The objections regarding noise and rubbish arising from building works are not planning considerations in the context of this application.

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 recommended for approval, subject to conditions.

8. Site Map

