

**Location**                                **Church End Library 24 Hendon Lane London N3 1TR**

**Reference:**                            **18/3470/FUL**                                Received: 5th June 2018  
Accepted: 11th June 2018

**Ward:**                                    Finchley Church End                                Expiry 6th August 2018

**Applicant:**                            Mr Albert May

**Proposal:**                            Conversion of the former Church End Library to D1 (Health Facility) involving alterations to front elevation and internal alterations

**Recommendation:** Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Site Plan, D-ELV-001 rev001, CEL-ID-001 rev001, Existing ground floor plan, Existing first floor plan

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 including fenestration and spandrel panels to be used for the external surfaces of the building 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 2016.

- 4 The premises shall be used for DI (Health Centre only) and for no other purpose (including any other purpose in Class D 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.

- 5 The use hereby permitted shall not be open to members of the public before 09.00 or after 17.30 on weekdays and Saturdays and not all on Sundays and Bank and Public Holidays.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

- 6 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

- 7 a) No development shall take place until a scheme of hard and soft landscaping to the front forecourt area, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, has been submitted to and agreed in writing by the Local Planning Authority.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

- 8 a) Before the development hereby permitted is first occupied cycle parking spaces and cycle storage facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
- b) The development shall thereafter be implemented in accordance with the details as approved under this condition and the spaces shall be permanently retained thereafter.

Reason: To ensure that cycle parking facilities are provided in accordance with the minimum standards set out in Policy 6.9 and Table 6.3 of The London Plan (2016) and in the interests of promoting cycling as a mode of transport in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012.

**Informative(s):**

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 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.

## **Officer's Assessment**

### **1. Site Description**

The Church End Library at 24 Hendon Lane was built in 1964. The building has design features characteristic of the period with rectangular lines and a steel curtain wall. It is not listed but lies within the Finchley Church End Conservation Area.

To the east of the library is a small green public space with a three storey Edwardian block adjacent and in mixed land use with commercial to ground floor and residential above. Most of these properties were built around 1860. To the west and immediately adjacent is St Mary at Finchley Church, originally dating from 675. The main body of the present church is 15th century with the north wall and the base of the tower the oldest parts. To the south, the library faces Pardes House Primary School, a distinctive set of listed buildings dating from the end of the 19thC.

### **2. Site History**

Reference: C11941

Address: Church End Library Hendon Lane London N3

Decision: Approved subject to conditions

Decision Date: 20.12.1994

Description: Erection of single storey extension.

### **3. Proposal**

Conversion of the former Church End Library to D1 (Health Facility) involving alterations to front elevation and internal alterations.

The applicant is the London Borough of Barnet and while it is not a major planning application of any kind, the COU of libraries to other uses are considered 'significant' applications (politically) and therefore required to be determined at committee.

### **4. Public Consultation**

Consultation letters were sent to 161 neighbouring properties. Two responses have been received comprising two letters of comment.

The representations received can be summarised as follows:

- Finchley Society: support the proposal but would like the original coloured spandrel panels to be retained
- Parking for visitors and staff will be difficult.

### **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 revised on 24 July 2018. 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.

The London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan

#### 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, CS11.
- Relevant Development Management Policies: DM01, DM02, DM06, DM13.

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.
- Highway and parking issues

### **5.3 Assessment of proposals**

Impact on the character of the area

The former public library was purpose built in 1964 and falls under Use Class D1, a non-residential institution. The proposal is for a health clinic for people with mental health issues, and therefore the use remains D1. It will operate under usual business hours and act as an advice, guidance and referral centre.

It is recognised that there has been a reduction in the provision of public libraries in recent years. Although it does not fully compensate for the loss of the Church End library, a smaller public library has been incorporated within the development at Arcadia Road. Since the planning use class remains the same and the building retains a public service role, the proposal is considered appropriate and acceptable.

The structure of the present building will be retained and there will be no alterations to the footprint, height, mass or form. The alterations are confined to replacement glazing and fenestration to the main facade and alterations to the entrance area. The upgrading will allow the building to conform to Part L. The Finchley Society have requested that the original blue spandrel panels are retained. It is recommended a condition can secure details of facing materials, including the colour and texture of the panels.

The present building is in a poor state of repair, has been vacant for at least 18 months and the refurbishment will lead to an improvement in the immediate area including the setting of listed buildings, townscape and the character and appearance of the conservation area.

#### Impact on the amenities of neighbours

The proposed use falls within the same public non-residential institutional use and the hours of use will ensure that it functions and operates within standard times. The property is located on a main road and the immediate area is in mixed use. A clinic for assisting in guidance and direction on mental health issues is considered acceptable in this location and will not lead to any adverse amenity impact to neighbours.

#### Highways

The site is located on a main road with regular bus routes. It is about a ten-minute walk from Finchley Central Underground Station. The area to the front has a small forecourt which was historically used for informal parking. A condition will be attached to the decision to ensure a landscaped scheme is provided to the front together with cycle parking facilities.

### **5.4 Response to Public Consultation**

This is covered in the evaluation.

### **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. The establishment of a clinic for mental health for Network will provide short term support for adults that require temporary guidance and direction in regard to mental health issues.

### **7. Conclusion**

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

