

Location **Apartment 6 Thomas Court 8 Lipton Close London N14 5BY**

Reference: **23/3024/RCU** Received: 12th July 2023
Accepted: 13th July 2023

Ward: Brunswick Park Expiry 7th September 2023

Case Officer: **Alissa Fawcett**

Applicant: Mr - Philippou

Proposal: Erection of storage shed (Retrospective Application)

OFFICER'S RECOMMENDATION

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 Chair (or in their absence the Vice-Chair) 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:

23/3024/RCU Rev A - Location Site Plan
00119-PL-A02-00 Rev A - Pre-existing Plan
00119-PL-A03-00 Rev A - Existing Storage Facility Plan
00119-PL-A04-00 Rev C - Existing Storage Facility (shed) Front Elevation including windows
00119-PL-A04A-00 Rev A - Existing Storage Facility (shed) and Block 3 Front Elevation
00119-PL-A05-00 Rev A - Existing Storage Facility (shed) Rear Elevation
00119-PL-A06-00 Rev A - Existing Storage Facility (shed) West Elevation
00119-PL-A07-00 Rev A - Pre-Existing Front Elevation Block 3
00119-PL-A08-00 Rev A - Pre-Existing Rear Elevation Block 3
00119-PL-A09-00 Rev A - Pre-Existing East Elevation Block 3
00119-PL-A10-00 Rev A - Pre-Existing West Elevation Block 3
Cedar Doors - Door Spec and Warrenty
Cedar Doors - Product Range showing Traditional Side Hinged door with windows

Heritage Statement - RPS Group Ltd.
Supporting Statement - WEA Planning
Email from agent confirming door type uploaded 19th March 2024

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) Within six months of the date of this decision, the existing door shall be replaced with 'Traditional Side Hinged' doors with high level multi-pane glazing in full accordance with the specification from Cedar Door hereby approved and the proposed wooden panelling shall be stained in Dark Oak
b) Thereafter, the external finishes of the building shall be permanently retained and maintained as such

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 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 38-57 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 application site comprises the Grade II listed building known as 'Osidge' - the former Sir Thomas Lipton Memorial Hospital - set along with two other non listed residential buildings, set within a woodland garden site that is approximately 2 ha in area. Most of the trees within the area are protected. The other non listed residential buildings were known as The Bungalow and Shamrock House. The main access site is from Chase Side via wrought iron gates between brick pillars, and there is a secondary access from Oakdale. Apart from these road frontages, the site boundaries are formed by residential properties on Chase Side, to the north-east, Osidge Lane (north-west), and Manor Drive (south-west).

The original parts of 'Osidge' consist of the central three storey element of the house, constructed around 1800. To either side of this are two storey wings that date from Victorian times. The whole building is of historic interest, with the older elements being of greater significance.

The property is of historic interest as the former home of Sir Thomas Lipton, who bequeathed it for the purposes of establishing a nurses' hostel. The grounds while still spacious are understood to have been considerably larger originally, having been subdivided down to provide funding at various times for the hospital.

The Bungalow is on the site of former stables that are likely to have been built in association with the original dwelling, and was converted into a small dwelling in the 1930s. Much of the internal work dates from this time. An older brick garden wall links The Bungalow with 'Osidge', and along with similar brick walls along the boundary adjacent to the site entrance, will be retained in any redevelopment for their historic interest.

Shamrock House was built as accommodation for nurses during the 1960s. It is a typical of any two-storey terraces of houses of the era, and is not considered to be of any historic interest.

There is also a fourth building on the site, albeit non-habitable. This is known as the Ice House, and is a utilitarian structure thought to be of twentieth century origin, which replaces an older structure in the same location.

As detailed below the site has been redeveloped to create a flat development involving the conversion of the existing building stock on site, as well as new residential buildings.

2. Site History

Reference: 18/5666/FUL

Address: Sir Thomas Lipton Memorial Hospital, Osidge, 151 Chase Side, Southgate, London, N14 5HE

Decision: Approved following legal agreement

Decision Date: 3rd October 2019.

Description: Demolition of 3no. existing buildings; Conversion of Osidge House to 11 apartments; Construction of 3 new buildings comprising a three-storey block of 8no. flats, a three-storey block of 3no. townhouses and a two-storey block of 3no. mews houses; Provision of private and communal amenity space, car and cycle parking, refuse and recycling storage with associated hard and soft landscaping

Reference: 18/5672/LBC

Address: Sir Thomas Lipton Memorial Hospital, Osidge, 151 Chase Side, Southgate, London, N14 5HE

Decision: Approved subject to conditions

Decision Date: 16 November 2018

Description: Demolition of 3no. existing buildings; Conversion of Osidge House to 11 apartments; Construction of 3 new buildings comprising a three-storey block of 8no. flats, a three-storey block of 3no. townhouses and a two-storey block of 3no. mews houses; Provision of private and communal amenity space, car and cycle parking, refuse and recycling storage with associated hard and soft landscaping

Reference: 16/7101/FUL

Address: Sir Thomas Lipton Memorial Hospital, Osidge, 151 Chase Side, Southgate, London, N14 5HE

Decision: Approved following legal agreement

Decision Date: 16 June 2017

Description: Demolition of 3 no. existing buildings and conversion of Osidge House to Class C3 residential use providing 16 no. self-contained flats. Erection of 3-storey apartment building to provide 8 no. self-contained flats. Erection of 3 no. 3-storey townhouses and 3 no. 2-storey mews houses. Provision of private and communal amenity space, refuse and cycle storage, off-street parking and associated hard and soft landscaping

3. Proposal

The application seeks retrospective consent for the erection of storage shed.

The structure measures 4.5m in width, 2.4m in height, with a 2.3m width door and a flat roof.

The structure abuts the flank wall of the host property, closing up the gap between the building and the rear boundaries of residential properties along Osidge Lane.

Since the application was first submitted the details of the exterior have been amended to show the elevations of the structure with timber panelling in dark Oak, and a timber door with top lights.

4. Public Consultation

16 consultation letters were sent to neighbouring properties.

11 responses have been received, comprising of 6 objections, 3 letters of support and 2 representations.

The objections can be summarised as follows;

- This is a garage not storage shed
- Detracts from character and appearance
- Not included within original plans
- Service charge should be reduced for other residents
- Loss of garden / green space

Internal consultees:

Heritage: No objection to timber door with windows

Trees and Landscaping: No objections

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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 updated on 19th December 2023. 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 2021

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. 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 new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous 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.
- Relevant Development Management Policies: DM01, DM02, DM06, DM17.

The Council's approach to extensions 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 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.

Barnet's New Local Plan (Reg 24)

Barnet's Draft Local Plan - Reg 24: The Reg 22 version of the draft new Local Plan was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission, the Local Plan underwent an Examination in Public (Reg 24). The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites.

In order to address issues of legal compliance and deficiencies in soundness the Council has produced Main Modifications to the Local Plan (LINK). These Main Modifications were approved by Cabinet on March 12th and will now be subject to a period of formal public consultation commencing in May 2024. Whilst the Council moves forward to formal adoption of the Local Plan (subject to the outcome of the public consultation and the Inspectors Report) the Main Modifications shall be considered, in the interim, a relevant material consideration in the Council's decision making on planning applications.

The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of the policies and site proposals in the draft Local Plan and the stage that it has reached.

Supplementary Planning Documents

The Council Guide 'Hampstead Garden Suburb Conservation Area Design Guidance' as part of the Hampstead Garden Suburb Character Appraisals was approved by the Planning and Environment Committee (The Local Planning Authority) in October 2010. This leaflet in the form of supplementary planning guidance (SPG) sets out information for applicants on repairs, alterations and extensions to properties and works to trees and gardens. It has been produced jointly by the Hampstead Garden Suburb Trust and Barnet Council. This leaflet was the subject of separate public consultation.

Residential Design Guidance SPD (adopted October 2016)

- Sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation. The SPD states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The Council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. Extensions should normally be consistent in regard to the form, scale and architectural style of the original building which can be achieved through respecting the proportions of the existing house and using an appropriate roof form.
- In respect of amenity, states that extensions should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook, appear overbearing, or cause an increased sense of enclosure to adjoining properties. They should

not reduce light to neighbouring windows to habitable rooms or cause significant overshadowing, and should not look out of place, overbearing or intrusive when viewed from surrounding areas.

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:

- Impact on character and appearance
- Impact on amenity of neighbouring occupiers
- Impact on heritage
- Impact on highways
- Impact on trees

5.4 Assessment of proposals

The existing site is in residential land use and is occupied by Thomas Court, a block of eight flats. The six ground floor units are split-level, providing 2 and 3-bedroom accommodation at first floor level, with balcony access to the rear. Two 2-bedroom apartments are provided at second floor level, with access to a roof terrace.

To the north-west of this block, a small area of land between the flatted building and the wider site boundary (which is the subject of this application) was approved as an area of lawn, and no other planting had been proposed for this area following the discharge of Condition 9 (Landscaping), planning reference 18/0250/CON of the original permission 16/7101/FUL dated 23/06/17.

The proposal is for the retention of the existing storage building attached to the main block. As noted above, the scheme has been amended since the original submission to show the timber cladding dark stained to the exterior of the structure and a new timber, side hinged door.

Impact on character and appearance

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states in point b that: "Development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets".

Policy DM06 of Barnet's Development Management Policies Document DPD (2012) states in point b that development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet.

As detailed above, Lipton Close has been redeveloped to provide a new residential development with a mix of flatted blocks, townhouses and mews houses.

The new storage structure is positioned to the north-western side of block 3, now known as Thomas Court. If we assess the structure as a side extension, the Council's Residential Design Guidance (2016) notes the following;

"Side extensions should not be more than half the width of the original house. In addition, the setting back of the front wall of side extensions from the front building line can help to reduce the visual impact on the street scene. First floor side extensions should normally be set back 1 metre from the front main wall of the existing house."

Whilst the extension serves one property within the block, Thomas Court reads as a whole, not separated into individual units. Therefore, the structure which is the subject of this application meets the requirements set out above, in that it is less than half the block, set from both the front and rear main elevations. As such the development, as amended to incorporate a more appropriate finish, is considered to be an acceptable and subordinate addition to Thomas Court, which does not detract from either the character and appearance of the Thomas Court block or wider Lipton Close estate.

Whilst there are no other side extensions presently found on the blocks within Lipton Close it is not considered that this application presents an unacceptable precedent. The area where the storage structure is sited was a small patch of left over land between the flank wall of Thomas Court and the site boundary which did not significantly enhance the site overall whilst the vegetation on the other side of Thomas Court has a more open, public appearance with pedestrian path crossing over it. This area provides a pleasant setting for the building and its loss would potentially be harmful to the character and appearance of the host property and wide application site.

Looking at the structure as a garage extension, it is noted that there are no other garage buildings present within Lipton Court, although a row of car ports are positioned opposite the application site, and some parking spaces provided near to the main listed building on site. The car ports are flat roofed timber structures. The exterior of the structure that is the subject of this application, named as storage rather than an actual garage, is clad in timber with a flat roof. This can be considered to be similar to the timber, flat roofed nature of the car ports ensuring it does not appear out of character with other similar developments within Lipton Close.

Impact on amenity of neighbouring occupiers:

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states in point e that: Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

The proposal is for the retention of the existing storage shed, sited between the flank wall of the block of flats and site boundary. Its positioning is such that no other residential properties within Lipton Close will have a close view of the structure from within their properties or amenity areas. Any of the residential properties which are beyond the site boundary are separated from the development by their sizeable rear gardens. As such it is not considered that the development will give rise any loss of amenity to neighbouring occupiers.

Impact on Heritage:

The structure which is the subject of this application is located between the flank wall of the block of flats it forms part of and the site boundary. The listed building on site is positioned centrally within the overall site. There is no visibility of the listed building from the application

site such that they might be read in conjunction with each other - and therefore it can be considered that the proposal does not impact on the significance of the listed building.

Although visual separation does not necessarily mean that a development would not impact on the setting of a heritage asset, in this case the modest, subordinate nature of the structure requiring consent and the context provided by its siting and the car port structure is not considered to be intrinsically harmful to setting of the listed building.

The Council's Heritage manager has reviewed the scheme and subject to the proposed amendments to the scheme, including side hung timber doors and dark staining to the timber cladding, is satisfied with the development and raises no objections.

Impact on the Highway:

The positioning of the storage structure abutting the main building and set back from the road is not considered to give rise to any impact to the public highway.

Impact on trees:

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states in point k: "Trees should be safeguarded. When protected trees are to be felled the council will require replanting with suitable size and species of tree where appropriate."

The Tree Officer has assessed the scheme and raises no objection. Their comments are as follows:

The shed has been erected in close proximity to 1 x robinia which is situated on the boundary between 1 to 8 Thomas Court and Osidge Lane

- o This tree was scheduled to be removed according to the arboricultural impact assessment submitted as part of discharge of conditions 18/0250/CON - during discharge of conditions 18/0250/CON the removal of this tree was deemed "acceptable with replacement planting"

- o This tree is not included in any Tree Preservation Orders present at the site, nor would it be appropriate for inclusion in a new TPO given the extant permission for removal under 18/0250/CON

- o The works associated with the erection of the shed is likely are likely to have resulted in soil compaction and potentially the severance of roots, depending on foundation type used - the landowners have a duty of care to manage trees on the site, including any associated risks that may arise as a result of development-led impacts to this robinia

- o There is unlikely to be excessive post-development pressure to this tree as a result of its proximity to the new shed due in part to historic pruning works

Any associated impacts to trees situated within TPO/CA/25 (confirmed 1972) is likely to be minor, in large part due to the presence of existing hardstanding in this area of the site.

The works do not contravene Barnet's Local Plan (Development Management Policies) - Policy DM01, or The London Plan (2021) - Policy G7.

5.4 Response to Public Consultation

The comments made that this is a garage not storage shed are noted. The application has been assessed looking at both points of view.

The concerns raised that the storage shed detracts from character and appearance of the area are noted. However, it is considered that the positioning of the storage shed on the edge of the site is such that views of it are not readily available.

The concerns raised that this addition was not included within original plans are noted and reflected in the requirement for the applicant to apply for planning permission retrospectively.

The issue raised in regard to the service charge is not a material planning consideration and cannot be dealt with under this application.

The concerns raised that this application results in the loss of garden / green space is noted. As detailed above, the application property retains a rear garden area and there remains sufficient planting within whole site overall.

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, the proposal as amended, would not detrimentally impact on the qualities of the building or street frontage and protect the character of the area. The proposed alterations are such that, as conditioned, it preserves the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property and wider site.

This application is recommended for APPROVAL.

