

Location **Macrory Ward Solicitors 27 Station Road Barnet EN5 1PH**

Reference: **17/7125/FUL** Received: 9th November 2017
Accepted: 20th November 2017

Ward: Oakleigh Expiry 15th January 2018

Applicant: Mr JOHN MACRORY

Proposal: Single storey rear extension

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Head of Development Management 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:
 - Site Location Plan
 - Existing and Proposed Ground Floor Plan and Rear Elevations (472017/1)

The above were received on 20/11/2017.

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 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 186-187, 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 application site is a two-storey property in use as an office (B1) on the ground floor and residential above. To the front of the application site is a tarmacked forecourt used to provide on-site parking for both nos.25 and 27 Station Road. To the rear is a long and narrow garden which benefits from both direct front-to-rear access via a side alleyway and direct access from the ground floor office. The adjoining property at no.25 is used for residential flats. The predominant character of this section of Station Road is residential, with a mix of single family occupancy, flat conversions and purpose-built flats. The adjoining property at no.25 benefits from a large single storey rear extension which is used to accommodate self-contained residential units. There is a flank wall window that serves a habitable room of one of the residential units at no.25 that faces onto the application site.

The application site is not located within a conservation area, is neither a statutory or locally listed building and has no TPO trees located within the curtilage of the application site. Furthermore, the site is located in a flood zone 1 area.

2. Site History

Reference: 16/3030/PNO

Address: 25 Station Road, Barnet, EN5 1PH

Description: Change of use from Use Class B1 (offices) to Use Class C3 (residential) to provide (7 Units)

Decision: Prior Approval Required and Approved

Decision Date: 12 July 2016

This permission has been implemented but not in accordance with Condition 1 (Approved Plans).

Reference: B/05446/14

Address: 25 Station Road, Barnet, EN5 1PH

Description: Change of use from Use Class B1 (Office) to Use Class C3 (Residential) to provide 6 units.

Decision: Prior Approval Required and Approved

Decision Date: 06 November 2014

3. Proposal

- Construction of a single storey rear infill extension associated with the existing office use at ground floor, measuring 5.41m in depth, 3.93m in width, with a maximum height of 3.28m. The proposal also includes a roof light on top of the single storey rear extension and a step aiding access to and from the proposed extension and the rear amenity space.

4. Public Consultation

Consultation letters were sent to 144 neighbouring properties. 11.no responses were received comprising 11.no letters of objection. 4.no of the objections received were from addresses outside of the application site's postcode. The objections received can be summarised as follows:

- Extension will double size of Solicitors business and increase demand for on-site parking from staff and clients;
- Station Road is already busy. Increased demand for on-site parking will exacerbate parking / traffic constraints along Station Road;
- Highways should do an assessment as additional demand on parking will be unsafe;
- Certificate B was not issued in regards to the flank wall window at no.25.

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 document. Both were adopted in September 2012. The following policy documents were consulted:

Core Strategy Policies:

- National Planning Policy Framework (NPPF) (2012)
- Relevant Core Strategy Policies: CS NPPF, CS1, CS5, CS14.
- Relevant Development Management Policies: DM01, DM02, DM17.

Supplementary Planning Documents

Sustainable Design and Construction SPD (Adopted 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:

- i. The impact on the appearance and character of the area
- ii. The impact on the amenities of neighbouring occupiers

5.3 Assessment of proposal

The impact on the appearance and character of the area

This application seeks planning permission for a single storey rear infill extension to create additional office space for the existing Solicitors business occupying the ground floor of the application site. The extension does not seek to extend the rear building line of the original building but rather proposes to infill the gap between the rear extension at the adjoining property at no.25 and the inward facing flank wall of the application site. The height would match the height of the single storey rear extension at no.25, although would be shorter in depth. The proposed facing materials would match those used on the original building and would incorporate a flat roof design to reflect the roof form employed at the adjoining property at no.25. It is considered that the proposed single storey extension would comply with Policy DM01 in terms of design, scale and materials and would represent a subordinate and appropriate addition to the host property. Furthermore, the proposed extension would be located to the rear of the application site and therefore would not be visible from the public highway.

A number of objections were received during the course of the public consultation. However, none of those received raised significant objection regarding the proposed extensions impact on the character and appearance of the application site or wider area.

In summary, the proposed single storey rear infill extension is deemed in compliance with Policy DM01 and is not considered to cause harm to the character and appearance of the application site or wider area. It would therefore be recommended for approval on character and appearance grounds.

The impact on the amenities of neighbouring occupiers

As aforementioned, the proposed extension is a single storey rear infill extension. It does not propose to extend beyond the rear footprint of the original building at the application site and would only fill the void between the single storey rear extension at the adjoining property at no.25 Station Road and the inward facing flank wall at the application site. The adjoining property at no.25 currently benefits from a single storey rear extension which would exceed the depth of the proposed extension and would be matching in terms of height. Given the proposed is an infill extension and would not exceed the depth of the adjoining single storey extension at no.25, it is not considered that it would result in harm to neighbouring occupiers by way of a loss of outlook, daylight / sunlight, or privacy. Equally, given the parity in height with no.25, no overbearing impact or overlooking would occur.

As outlined in the site description above, there is currently an obscure glazed flank wall window facing onto the application site which would be blocked should the proposed extension be constructed. As part of the assessment of this application, a site visit was conducted at the neighbouring property at no.25 to understand the impact the proposed extension would have on the aforementioned flank wall window. This site visit was also conducted at the request of somebody with an interest in the residential units located within no.25. Their main concern was that the proposed extension would block any natural light received by the flank wall window, which would as a result provide a reduced standard of amenity for the habitable room which the window serves. It was argued that the window was existing and therefore not only should Notice be served on the owner and certificate B completed as part of the planning application (which was subsequently provided), but that their right to light should be respected.

A review of the site's (no.25 Station Road) planning history was conducted to verify the veracity of this assertion. Since 2014, 2.no planning permissions have been granted at no.25 Station Road. The first (ref: B/05446/14) was granted in 2014 for a 'Change of use from Use Class B1 (Office) to Use Class C3 (Residential) to provide 6 units', while the second (ref: 16/3030/PNO) was granted in 2016 for a 'Change of use from Use Class B1 (offices) to Use Class C3 (residential) to provide (7 Units)'. Two important considerations emerged from conducting both the site visit and planning history search. Firstly, the flank window shown on the approved plans was previously a roof light and therefore different in both design and function to the current flank wall window, and secondly the previous permission (ref: 16/3030/PNO) has been implemented but not in accordance with the approved plans. Pictures of the previous skylight were provided which bear little resemblance to the current flank wall window. Indeed, no application has been received and no permission has been given to alter the design of the aforementioned skylight. As no.25 is a flat, it would not benefit from permitted development. Therefore, as the previous skylight has been altered without planning permission and indeed as the previous permission has not been implemented in accordance with the approved plans, it is not considered that the flank wall window benefits from an extant planning permission. Consequently, it is considered that the flank wall window is a civil matter between the owners of nos.25 and 27 Station Road and it does not preclude planning permission being granted for the proposed single storey rear infill extension. The applicant has served notice to the owners of no.25 Station Road via Certificate B. It is worth noting that of the 11.no letters of objection received, 4.no of which are from addresses with a different postcode to the application site, only 1.no refers to the flank wall window as a point of objection.

The majority of objections received refer to the extension's detrimental impact in regards to on-site parking and additional stress on the adjacent public highway. As aforementioned, some objections are from people who only visit Station Road and are worried the 5.4m deep rear extension will inconvenience their access to the street as a result of increased traffic congestion. Others refer to highway safety concerns and the increased demand for parking as a result of the proposed extension. In regards to parking, both nos. 25 and 27 have access to 3.no on-site parking spaces each. In terms of a parking requirement, Table 6.2 'Car Parking Standards' of Policy 6.13 of the London Plan (2016) states that for B1 office use in outer London locations, 1.no parking space is required per 100-600m² (Gross Internal Area). The proposed extension would measure 21.7m². It is therefore not deemed that the proposed extension would require additional on-site parking provision. Indeed, it is considered that the 3.no parking spaces provided for the application site would be policy compliant and that the proposed extension would not result in a significant increase in levels of site trip generation, with the proposed extension only serving to increase the size of an existing meeting room as opposed to the creation of an additional business unit. Consequently, it is deemed that the proposed extension would be acceptable on highways

grounds and would not result in harm to the residential amenity of neighbouring properties by way of an unreasonable demand for on-site parking, or a detrimental impact on the adjacent public highway.

Based on the above, it is not deemed that the proposed single storey rear infill extension would cause significant harm to the residential amenity of neighbouring occupiers. The assessment undertaken above has given due consideration to the flank wall window at no.25, but given the site history and fact the development has not been implemented in accordance with the approved plans, it is deemed that this is a civil matter and does not preclude granting permission for the proposed single storey rear infill extension. Consequently, the application is recommended for approval on amenity grounds.

5.4 Response to Public Consultation

The public comments received have been acknowledged and have been addressed in the above report. For clarity, see below:

- Extension will double size of Solicitors business and increase demand for on-site parking from staff and clients:

The extension is to increase the size of an existing meeting room and does not propose to create an additional business unit. There is no evidence provided to suggest that the extension would increase the demand on the application site's off-street parking provision.

- Station Road is already busy. Increased demand for on-site parking will exacerbate parking / traffic constraints along Station Road:

This has been addressed in the report above. It is not considered that an extension to an existing meeting room would result in traffic constraints along Station Road, or increase the demand on the applications site's existing off-street parking provision. It is deemed that the application site complies with Policy 6.13 of the London Plan (2016) and Policy DM17 of Barnet's Development Management Policies (2012).

- Highways should do an assessment as additional demand on parking will be unsafe:

This is not deemed to be necessary. See response to the above point.

- Certificate B was not issued.

Certificate B has been completed and Notice served on all relevant persons.

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 the proposed single storey rear infill extension would have an acceptable impact on the character and appearance of the application site and wider streetscene, and would not cause significant

harm to the residential amenity of neighbouring occupiers. Therefore, this application is recommended for approval.

