

Location **55 Christchurch Avenue London N12 0DG**

Reference: **20/0399/FUL**

Received: 27th January 2020

Accepted: 28th January 2020

Ward: Woodhouse

Expiry 24th March 2020

Applicant: Jami

Proposal: First floor side and rear extensions. New juliette balconies to first and second floor front elevations. Changes to fenestration and creation of new openings. Alterations and extension to roof at second floor level

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:

Design and Access Statement

Location plan

55CA-PL-01 P1

55CA-PL-02 P1

55CA-PL-03 P1

55CA-PL-04 P1

55CA-PL-05 P1

55CA-PL-06 P1

55CA-PL-07 P1

55CA-PL-08 P1

55CA-PL-09 P1

55CA-PL-10 P1

55CA-PL-11 P1

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).

- 5 Before the building hereby permitted is first occupied the proposed window(s) in the first and second floor eastern and western flank elevations facing nos 53 Christchurch Avenue and 1-3 Greenways 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 October 2016).

- 6 a) Prior to the first occupation of the hereby approved development, details of the proposed green roof shall have been submitted to and approved in writing by the Local Planning Authority.

b) The green roof shall be implemented in accordance with the details approved this condition prior to the commencement of the use or first occupation of the development and retained as such thereafter. Should part of the approved green roof be removed, die, become severely damaged or diseased within five years of the completion of development, it shall be replaced in accordance with the details approved by this condition.

Reason: To ensure that the proposed development does not prejudice the enjoyment of the occupiers of their homes in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and 7.15 of the London Plan 2015.

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. 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 relates to a site located on the southern side of Christchurch Avenue, in the Woodhouse ward. The site contains a large former dwelling, in present use as a mental health day centre, which incorporates therapy rooms and three sheltered housing studios to the rear. In that respect, the building contains a long single storey element to the rear.

An area of amenity space is also provided to the rear with parking facilities for four cars to the front. The site is close to Ballards Lane and the Finchley/Church End Town Centre which contains an array of facilities and public transport links. The building provides space over three storeys and has been extended in the past. An external lift provides access to upper floors. The immediate area along Christchurch Avenue contains a mix of dwelling styles. The site is located within an all-day Controlled Parking Zone (CPZ).

2. Site History

Ref: C00414

Address; 55 Christchurch Avenue N12

Development: Two-storey rear extension to Mental Health Hostel.

Decision: Approved subject to conditions

Decision date: 09.08.1965

Ref: C00414A

Address; 55 Christchurch Avenue N12

Development: Demolition of existing building and construction of a hostel for children.

Decision: Approved subject to conditions

Decision date:05.01.1967

Ref: C02573

Address; 55 Christchurch Avenue N12

Development: Ground floor toilet

Decision: Approved subject to conditions

Decision date:05.09.1969

Ref: F/03910/11

Address; 55 Christchurch Avenue N12

Development: Single storey side/ rear extension and single storey infill rear extension. Single storey rear extension to create 3no bedsits at rear of property. Extension to roof including increasing roof height, 2no side dormers at West Elevation and 1no side dormer at East Elevation with associated rooflights on both side elevations to facilitate a loft conversion. First and second floor side extension to accommodate internal lift. Alterations to all elevations.

Decision: Approved subject to conditions

Decision date: 17.12.2011

Ref: F/02563/12

Address; 55 Christchurch Avenue N12

Development: Variation of condition 1 (Plan Numbers) of planning permission (F/03910/11) dated (17/11/2011) for (Single storey side and rear extensions, formation of 3 bedsits at rear, new 2no. storey extension with 2no. dormers at west and 1no. dormer at east. External lift from ground to 2nd floor. Alterations to all elevations). Variation to

include alterations to ridge and eaves heights, the omission of side and rear extensions, changes to the central Day Care with extension, and changes to the door and window arrangements to reorganise the internal layout.

Decision: Approved subject to conditions

Decision date: 13.09.2012

Ref: 15/04791/RCU

Address; 55 Christchurch Avenue N12

Development: Use of the property as a mental health day centre, incorporating therapy rooms and 3no sheltered-housing studios to the rear at ground floor level following grant of consent F/03910/11 and F/02563/12 (RETROSPECTIVE APPLICATION)

Decision: Approved subject to conditions

Decision date: 29.09.2015

Ref: 19/4767/FUL

Address; 55 Christchurch Avenue N12

Development: First floor side and rear extensions. New juliette balconies to first and second floor front elevations. Changes to fenestration and creation of new openings. Alterations and extension to roof at second floor level

Decision: Refused

Reasons:

1, The first and second floor rear flat roof forms combined with curtain glazing and increased eaves level would result in a building appearing visually obtrusive and dominating resulting in a poor relationship with the traditional vernacular of the neighbouring property and local context. The concerns are accentuated by the cumulative visual impact of existing and proposed extensions. As a result, the proposal is contrary to policies CS NPPF, CS1 and CS5 of the Core Strategy DPD (2012), policy DM01 of the Local Plan Development Management Policies DPD (2012) and the Residential Design Guidance SPD (2016).

2. The proposed front gable and associated roof extensions of the west elevation combined with the first and second floor flat roof rear additions, due to their siting, height, design, massing and excessive rearward projection at an elevated position, would have an adverse impact on the visual and residential amenities of the neighbouring occupiers at nos 53 Christchurch Avenue and 1-3 Greenways, including an increased sense of enclosure, loss of light and privacy to these neighbouring occupiers, contrary to policy CS5 of Barnet's Adopted Core Strategy (2012), policy DM01 of the Adopted Development Management Policies DPD (2012) and the Adopted Residential Design Guidance SPD (2016).

Decision date: 28 October 2019

3. Proposal

A first-floor side infill extension with curtain wall glazing and aluminium frame would extend forward of the lift shaft approx. 7.50m and be set in approx 0.60m from the principle front wall;

End gable roof to the east flank roof and extension over the proposed first floor side infill;

First floor rear extension with crown roof form centrally located within the existing rear wall and extend approx. 4.50m depth x 6.0m width x 3.20m height, 2.20m high to the eaves. Integration of a green roof on the flat roof below;

Green roof canopy above a new fully glazed entrance approx. 1.20m depth and at a height of approx. 2.90m above natural ground level;

Front gable feature with render finish and white timber frame windows, would extend approx, 5.90m depth along the flank of the building (which would result in an increased height of 2.0m above the existing ridge level), be set in further approx. 1.0m and extend a further 9.20m depth rearwards (at a lower height of 1.650m). This would result in a staggered western flank elevation, which would be set in approx 2.30m from the common boundary with the sub-station and approx. 6.90m from the nearest most rear corner of nos 1-3 Greenways.

4no. new flank window openings at second floor level on the west flank wall. 5no. new flank window openings at first floor level on the west flank wall.

2no. new Juliette balconies to first and second floor front elevations and 2no. new front dormer windows;

New solar panels on the resulting flat roofslope at second floor level as a result of the reconfigured roof form;

1no. new door opening at ground level and 1no. new window opening on the east flank wall at first and second floor level;

Matching brickwork and roof tiles to match existing where applicable;

Internal alterations include:

Existing no. of offices across all floors = 15no. offices across all floors

Proposed no. of offices across all floors = 9no. offices across all floors (Therefore a reduction by 6no. offices across the footprint of the building)

Relocation of stairwell;

Creation of an opening plan reception area at ground level:

Replacement of 1no. existing meeting room with 1no. office at ground floor level;

Replacement of 2no. existing meeting rooms with 1no. training room and the creation of 1no. staff room at first floor level. Additional meeting room to be created by way of the first-floor rear extension;

Replacement of all existing offices on the second-floor level with counselling rooms.

4. Public Consultation

Consultation letters were sent to 71 neighbouring properties.

10 letters of objections have been received on the basis of the following grounds:

- o Incremental encroachment on neighbouring properties through successive new developments to the property, resulting in a significant and cumulative growth of the property.
- o Loss of privacy and visual amenity
- o Increased noise levels
- o Issues around structural integrity, maintenance and responsibility

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 revised National Planning Policy Framework (NPPF) was published on 19th February 2019. 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, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. 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, CS10, CS11.
- Relevant Development Management Policies: DM01, DM02, DM03, DM04, DM13, 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 Local Plan (Reg 18) 2020

Barnet's Local Plan -Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's emerging Local Plan. 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 emerging policies and draft site proposals.

Supplementary Planning Documents

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:

- 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.
- Parking and highways

5.3 Assessment of proposals

Background

Application ref 19/4767/FUL was refused Planning Consent on the 28th October 2019. Following the Council decision, the applicant engaged the LPA in negotiation. Revised changes have been made to address Council concerns as follows:

- o The integration of a staggered west flank elevation at second-floor level and overall reduced height increase, further distanced away from the common boundary with the sub-station and the nearest most rear corner of nos 1-3 Greenways.

- o Reduced depth of the first-floor rear extension from 5.20m depth x 4.50m width x 2.70m height to 4.50m depth x 6.0m width x 3.20m height, 2.20m high to the eaves. Change from flat roof form to hipped roof form with crown. Change of external surface materials from curtain wall glazing, aluminium frame with lead flat roof form to brick to match.

The above changes have reduced the overall bulk of development particularly to the west flank elevation at first and second floor level. A reduced rear depth at first floor level and integration of matching materials with hipped roof form has provided an improved built relationship. A staggered flank elevation has introduced a further separation distance from the nos 1-3 Greenways, resulting in a lesser impact upon access to light and outlook to these properties.

The LPA has considered the revised changes to acceptably overcome reasons for refusal.

Impact on the character and appearance of the property and general locality

The National Planning Policy Framework 2019 reiterates the original guidance from the 2012 version stating 'the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

In addition to the NPPF, Policy CS5 of the Core Strategy states that the Council 'will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high-quality design'. In addition to this, Policy DM01 of the Council's Development Management Policies 2012 states that 'development proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets' development (should) demonstrate a good understanding of the local characteristics of an area. Proposals which are out of keeping with the character of an area will be refused'.

The London Plan also contains a number of relevant policies on character, design and landscaping matters. Policy 7.4 of the London Plan states that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass; contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area; is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings; allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and is informed by the surrounding historic environment.

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.

The site, whilst in community institutional use, is located in a former residential dwelling and the character of the road is residential. The proposed development involves significant alterations to the building. The extensions and alterations would support more useable and increased internal space to facilitate the existing use. The use of the site for the provision of health services is long standing and therefore the principle of the development, although located in a residential area, has been established.

The existing property is architecturally conventional. The aesthetic appearance of the building would be altered from a detached to a semi-detached hence create a pair of semi-detached properties with no. 53 to the immediate east. Semi-detached properties are an established pattern of arrangement on Christchurch Avenue and therefore this element would reflect the character of the wider street scene.

The development draws influence from the traditional period vernacular of this neighbouring property through the mirroring of a rendered finish front gable and, closely reflects the overall built form and proportions by way of a reconfiguration of the roof form, increase of the ridge level by approx. 0.5m, eaves level by approx. 2.0m and overall width of the property by approx 10m. The use of Juliette balconies, front dormers and curtain wall glazing on the front elevation reflect existing features on Christchurch Avenue. The front dormer windows are modestly sized and well proportioned. The creation of a more grandiose entrance with curtain wall glazing would have no significant impact on the established pattern of development. The proposed fenestration does suggest a non-single-family residential use of the building and diminishes any symmetry across the pair however, on balance the changes are considered acceptable.

Compared to the previous refused scheme ref 19/4767/FUL, a staggered west flank elevation at second-floor level and staggered height increase across the building is proposed. The first-floor rear addition would be centrally located within the rear wall at first floor level and comparably, has been reduced in depth. A change from flat roof to hipped roof form with crown, clad in brickwork to match is proposed. The aforementioned changes combined would result in reduced overall bulk of development particularly to the west flank elevation at first and second floor level. Whilst, a reduced rear depth at first floor level and integration of matching materials with hipped roof form would visually result in an improved built and visual relationship in regard to the traditional vernacular of the neighbouring property and local context.

Solar panels have been shown to be positioned on the reconfigured crown roof surface at a lower position and therefore would not be readily visible from the public realm.

On the above basis, the development is considered acceptable on the grounds of impact on character and appearance.

Impact on the amenities of neighbouring occupiers

Local Plan policies require high quality design in all new development that creates attractive places which are welcoming, accessible and inviting. Policy DM01 states that proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for potential occupiers.

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in

respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

A staggered rear east flank elevation at a distance of 2.20 metres from the common boundary with no 53, is not considered to result in a loss of light and visual amenity.

Compared to the previous refused scheme ref 19/4767/FUL, the opportunity for overlooking into adjacent neighbouring properties, has been limited through a reduced amount of curtain wall glazing and flank facing window openings. Nonetheless, a condition has been attached requiring the use of obscure glazing and non-openable flank facing windows above ground level, to guard against excessive impacts on the amenity of neighbouring residents. This would mean however that many of the windows would have no outlook.

It is considered that a reduced rear depth at first floor level, a staggered west flank elevation and varied heights across the building, has introduced a lesser impact upon nos 1-3 Greenways than in the previous scheme. On balance, the combined level of changes are not considered to lead to any undue harm in regard to loss of light, outlook or a sense of enclosure.

The nearest rear adjoining property to the south on Woodberry Way is set in excess of 25 metres away. Given the distances involved, the development is not considered to lead to any undue harm on amenity to those neighbours.

On the above basis, the development is considered acceptable on the grounds of impact on residential amenity.

Parking and highways

Internal upgrades of the premises would result in the reduction of offices from 15 to 9 rooms. This would facilitate an enhanced use of the space through the implementation of a staff room, a meeting room, training and counselling rooms. The existing level of 4no. on-site parking spaces for staff would be maintain within the front forecourt area.

55 Christchurch Avenue is within an all-day Controlled Parking Zone (CPZ). The location has good public transport links within walking distance and is in close proximity to a local town centre with high levels of accessibility. The proposal does not have an appreciable impact on local highway network.

5.4 Response to Public Consultation

- o Incremental encroachment on neighbouring properties through successive new developments to the property, resulting in a significant and cumulative growth of the property.

The cumulative scope of development, is not considered to result in an unacceptable level of over-development of the site.

- o Loss of privacy and visual amenity

This concern has been generally addressed in the main body of the report.

- o Increased noise levels

No additional residential use is involved. Internal upgrades would support more useable and increased internal space to facilitate the existing use. The proposal involves a reduction in the number of offices. Therefore, no additional noise is expected over and above the existing levels.

- o Issues around structural integrity, maintenance and responsibility

The above concern raised is not considered a material planning consideration.

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

For the reasons highlighted above, the application is recommended for APPROVAL.

