

Location	Unit 4 Hawthorn Business Park 165 Granville Road London NW2 2AZ	
Reference:	22/0189/FUL	Received: 14th January 2022 Accepted: 17th January 2022
Ward:	Childs Hill	Expiry 14th March 2022
Case Officer:	Wilf Foster	
Applicant:	c/o agent	
Proposal:	Change of use from office use to religious meeting room with ancillary office space [amended]	

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 Chairman (or in their 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:

Drawings: 210 Proposed Ground Floor Plan revA; 211 Proposed First Floor Plan revA; 212 Proposed Second Floor Plan revA; 220 Proposed Elevations.
Parking Beat Survey, Traffic Surveys UK, June 2020.
TRANSPORT STATEMENT, Velocity Transport Planning, January 2022.
TRAVEL PLAN STATEMENT (TN001), January 2022.

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 Details of cycle parking including the type of stands, gaps between stands, location of cycle parking and type of store proposed shall be submitted to and approved in writing by the Local Authority. Thereafter, before the development hereby permitted is occupied, a minimum of 1 long stay and 2 short stay cycle parking spaces in accordance with the London Plan Cycle Parking Standards and London Cycle Design Standards shall be provided and shall not be used for any purpose other than parking of vehicles in connection with the approved development.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles in the interests of pedestrian and highway safety and the free flow of traffic 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.

- 4 The use hereby permitted shall not be carried on before 9am or after 9pm on weekdays or Saturdays, or before 10am or after 7pm on Sundays and Bank and Public Holidays.

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

- 5 The premises shall not be used for the purposes of banqueting, wedding receptions or parties.

Reason: To safeguard highway safety and the residential amenities of neighbouring occupiers in accordance with Policies DM01 and DM17 of Barnet's Development Management Policies DPD 2012.

- 6 The premises shall not be occupied by more than 35 people at any time.

Reason: To safeguard highway safety and the residential amenities of neighbouring occupiers in accordance with Policies DM01 and DM17 of Barnet's Development Management Policies DPD 2012.

- 7 The premises shall be used for a religious meeting room and ancillary office space and for no other purpose, (including wedding or similar parties or any other purpose in Class F.1) 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.

- 8 a) Before the development hereby permitted is first occupied, details of enclosures and screened facilities for the storage of recycling containers and wheeled refuse bins or other refuse storage containers where applicable, together with a satisfactory point of collection shall be submitted to and approved in writing by the Local Planning Authority.
- b) The development shall be implemented in full accordance with the details as approved under this condition prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012); CS14 of the Adopted Barnet Core Strategy DPD (2012); and Policies D6 and SI7 of the London Plan 2021.

- 9 The development shall be carried out in accordance with the travel plan measures contained within Section 3 of the approved Travel Plan Statement (TN001), January 2022.

Reason: To encourage the use of sustainable forms of transport to the site in accordance with policies Core Strategy (adopted) 2012 CS9 and Development Management Policies (adopted) 2012 DM17.

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.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'.

This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

We believe that your development is liable for CIL. The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. The London Borough of Barnet first adopted a CIL charge on 1st May 2013. A new Barnet CIL Charging Schedule applies from 1 April 2022 (<https://www.barnet.gov.uk/planning-and-building/planning/community-infrastructure-levy>) which applies a charge to all residential (including sui generis residential), hotel, retail and employment uses.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

OFFICER'S ASSESSMENT

1. Site Description

The application site is located on the western side of Granvill Road, within the Hawthorn Business Park. The surrounding area comprises a mix of residential and non-residential

uses.

The site contains a three storey building known as Unit 4, sited within a terrace of similar commercial units. The site was last in use as an office (Class E(g)). It is understood to have been vacant for more than a year.

The site is not within a conservation area and does not contain any listed buildings.

2. Site and other Relevant History

Reference: 17/5517/PNO

Address: Units 3 & 4, Hawthorn Business Park, 165 Granville Road, London, NW2 2AZ

Decision: Prior approval required and refused

Decision Date: 17 October 2017

Description: Change of use from Use Class B1 (office) to Use Class C3 (10 residential units)

3. Proposal

The application seeks approval for "Change of use from office use to religious meeting room with ancillary office space [amended]".

There are no external changes proposed to the existing building. The proposed change of use would provide a religious meeting room (Sui Generis) use at the site including ancillary office space at second floor level.

The proposal would provide 2no off-street car parking spaces.

4. Public Consultation

A site notice was posted on 20 January 2022. Consultation letters were sent to 160 neighbouring properties.

A total of 9no responses have been received, comprising 9 letters of objection and 1 neutral representation.

The contents of the letters in objection can be summarised as follows:

- Concern regarding access and impact on parking congestion in the surrounding area.
- Concern regarding noise impacts from the proposed use.

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 20 July 2021. 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 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.

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.

Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. 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

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:

- Principle of development;
- 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;
- Whether harm would be caused to the surrounding highways network.

5.3 Assessment of proposals

Principle of development

The proposal involves the loss of the existing office space. Policy DM14 of the Local Plan states that "loss of a B Class use will only be permitted where it can be demonstrated to the council's satisfaction that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of effective marketing has been undertaken." It is noted that the existing unit has been vacant for more than a year. Marketing information has been provided demonstrating a lack of demand for the property in its existing use. Significant weight is given to the proposed use, which would be a community facility involving retention of some employment. Taking into account the marketing evidence and the nature of the proposed use, it is on balance considered that the proposal would comply with Policy DM14.

Impact on the character of the area

All proposed developments should be based on an understanding of the local characteristics, preserving or enhancing the local character and respecting the appearance, scale, mass and height of the surrounding buildings, spaces and streets in accordance with DM01 of the Development Management Policies DPD (2012).

There are no external changes proposed to the existing building. As such, it is not considered to be detrimental to the visual amenities of the site or the local character.

The proposal would involve a maximum capacity of 35 persons at any one time. This is considered to be a relatively modest intensity of use that would be appropriate given the mixed character of the surrounding area. Conditions are attached regarding the nature of the proposed use, permitted activities, and hours of use. These would ensure that the use is carried on as a religious meeting room only and not a use such as a place of worship or function space. As such, it is not considered that the development would have a detrimental impact on the local character subject to the attached conditions.

Officers it is considered that the proposed development would have an acceptable impact on the character of the area and the streetscene, in accordance with planning policy including Policy DM01.

Impact on the amenities of neighbours

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

One of the Councils key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbours' amenity is unlikely to be supported. Good neighbourliness is a yardstick against which proposals can be measured.

As above, the relatively modest intensity of use and conditions restricting the use of the

site for events such as wedding receptions or parties, in addition to restricting the number of users at any one time to 30 persons, are considered to mitigate potential impacts to neighbouring amenity.

As such, there is not considered to be any adverse impact on the residential amenities of neighbouring occupiers, subject to the attached conditions.

Highways

The site is within an area with a PTAL score of 2, which indicates a moderately poor level of accessibility by public transport. The proposals include the provision of 2no off-street parking spaces.

The application includes a transport statement providing details of a parking survey which indicates that there is a parking stress of approx. 80% in the surrounding roads, with more than 30 spaces available on street. The proposed development is anticipated to generate a parking demand of approx. 6 vehicles, given the relatively low number of users and the modal split indicated in the submitted transport information. The anticipated overspill of up to 4no spaces is considered to be comfortably accommodated on street, taking into account the capacity as above.

Highways officers have been consulted on the submitted parking stress survey, travel plan statement, and transport statement. They have confirmed that the submitted information is sufficient, and that the development is considered to be acceptable on highways grounds, subject to a condition requiring the measures detailed within the travel plan statement to be implemented.

Regarding cycle parking, there would be a requirement for a minimum of 1no long stay and 2no short stay spaces, in accordance with London Plan standards. A condition is attached to require this provision.

Overall, the proposals are not considered to result in an unacceptable impact on the surrounding highways network, subject to the proposed conditions.

Refuse

A condition is attached requesting further details of the storage facilities. This is considered satisfactory in this instance.

5.4 Response to Public Consultation

- Concern regarding access and impact on parking congestion in the surrounding area.
 - Concern regarding noise impacts from the proposed use.
- These issues are addressed in the above report.

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



Granville Road



Granville Road

