

Location **Dellfield Court 1 Etchingam Park Road London N3 2DY**

Reference: **22/5013/FUL** Received: 11th October 2022

Accepted: 11th October 2022

Ward: West Finchley Expiry 6th December 2022

Case Officer: **Tina Oliveira**

Applicant: Mr Gavin Bass

Proposal: Installation of a modular plantroom unit housing water tanks and pumping equipment for a sprinkler installation to the rear of the block. Construction of an electrical plantroom at the rear of the block with related relocation of an existing shed. Construction of a generator switch room to the front of the block. New bin enclosure to the front of the block (AMENDED DESCRIPTION AND PLANS)

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:

Design and Access Statement dated 11/10/22

Construction Phase Plan dated 25/11/22

Refurbishment Works Method Statement dated 25/11/22

70088109/SA/10 Rev A Existing Plans and Elevations

70088109/SA/11 Rev C Proposed Plans and Elevations

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) and enclosures shall match those detailed in the approved plans.

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 1 no. *Prunus serrula* 'Tibetica' planted at 14/16 cm girth shall be planted before the end of the next planting season following the completion of the application (either wholly or in part). The tree shall be planted within 2m of the cherry tree removed on the front left hand side of the property in front of the proposed generator switch room, as shown on the approved drawings.

If within a period of five years from the date of any planting, the tree is removed, uprooted or destroyed or dies (or becomes, in the opinion of the local planning authority, seriously damaged or defective), further planting of appropriate size and species shall be planted at the same place in the next planting season.

Reason: To maintain the visual amenities of the area and in accordance with local planning policy DM01 and regional policy G7 of the London Plan 2021.

- 5 The level of noise emitted from the sprinkler system plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property in day to day operation (excluding emergency situations and testing).

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with Policies DM04 of the Development Management Policies DPD (adopted September 2012) and D14 of the London Plan 2021.

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 is located at Dellfield Court, 1 Etchingam Park Road, London N3 2DY consisting of a retirement and sheltered housing block, with front and rear amenity space, with off-street parking within the front amenity space. The site is located within the West Finchley ward.

The site is not within a conservation area (designated as Article 2(3) land in The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended) and is not within an area covered by an Article 4 direction. There are no trees covered under Tree Preservation Orders.

2. Site History

Reference: 22/5855/FUL

Address: Dellfield Court, 1 Etchingam Park Road London N3 2DU

Decision: Pending Consideration

Decision Date: Not applicable

Description: Temporary erection of 3no. prefabricated two storey cabins to the front parking area to be used for contractors' welfare facilities.

Reference: C14560/01

Address: 1 Etchingam Park Road London N3 2DU

Decision: Approved subject to conditions

Decision Date: 19.12.2001

Description: Demolition of existing buildings and replacement with part single, part two and part three storey building to be used as a 39 place residential care home. Drop off area and four parking spaces at front.

Reference: C14560C/02

Address: 1 Etchingam Park Road London N3 2DU

Decision: Approved

Decision Date: 28.02.2003

Description: Submission of details of boundary treatment, surface finishes refuse store pursuant to conditions 2, 3 and 5 of planning permission ref. C14560/01 dated 19.12.01 for a residential care home.

Reference: C14560B/02

Address: 1 Etchingam Park Road London N3 2DU

Decision: Approved

Decision Date: 01.05.2002

Description: Submission of details of materials, pursuant to condition 3 of planning permission reference C14560/01 dated 19.12.01 for a residential care home.

Reference: C14560A/02

Address: 1 Etchingam Park Road London N3 2DU

Decision: Approved

Decision Date: 09.05.2002

Description: Details of turning spaces and parking spaces pursuant to Condition 9 of planning permission ref C14560/01 dated 19 December 2001 in respect of a new part single, part two, part three storey residential care home.

Reference: C14560D/03

Address: 1 Etchingam Park Road London N3 2DU

Decision: Approved

Decision Date: 27.03.2003

Description: Details of extract ventilation equipment pursuant to Condition 7 of planning permission ref C14560/01 dated 19.12.01 for a residential care home.

3. Proposal

The application seeks approval for the Installation of a modular plantroom unit housing water tanks and pumping equipment for a sprinkler installation to the rear of the block. Construction of an electrical plantroom at the rear of the block with related relocation of an existing shed. Construction of a generator switch room to the front of the block. New bin enclosure to the front of the block. (Amended description and plans)

The proposed developments to the front of the sheltered home include the following: -

Generator Switch room: This development is proposed to be within the width of the existing left hand side bin enclosure. It will be flat roofed and measure 2.16 metres in depth, 3.16 metres in width and 2.80 metres in height. To the front of this proposed generator room will be a concrete slab having a height of 0.10 metre, depth of 1.20 metres in and width of 4.00 metres.

New Bin Enclosure: A new bin enclosure is proposed at the right-hand side, front of the building, diagonally sited, measuring 1.70 metres in depth, 3.20 metres in width and 1.85 metres in height.

The proposed works to the rear of the sheltered home include the following: -

New Electrical Switch Room: This room is proposed to the left-hand side corner of the premises adjoining the side boundary to Lodge Mead Court and the rear boundary to No.196 Ballards Lane. It will be flat roofed and measure 2.55 metres in depth, 4.05 metres in width and 2.70 metres in height. An existing shed No.1 is proposed to be relocated to the outer end of two other existing sheds, to accommodate this new electrical switch room. Further an existing gate will be marginally relocated. This gate will maintain the existing access to the side passage between the host side and Lodge Mead Court.

New Sprinkler Plant: A new sprinkler unit is proposed to the rear right hand side amenity area along the rear and side boundary lines. The unit would measure 2.50 metres in depth, 5.00 metres in width and have a height of 2.10 metres to flat roof with max. height of 2.40m. The proposed sprinkler unit would be enclosed in a fence made of galvanised powder coated railings along the garden facing elevations. It would hold a gate along the side for access measuring 1.90 metres in height. The effective depth of the fence with the gate would measure 4.25 metres in depth, 6.43 metres in width and 1.90 metres in height. The entire set up would be housed on a 0.10-metre-high concrete base.

With the proposed siting of the sprinkler unit, an existing rear planter within this location would be reduced in width to be 2.50 metres wide and 1.83 metres deep. A new planter is proposed along the garden front of the unit which measures 1.24 metres in depth, 6.43 metres in width and 1.03 metres in height.

Through the life span of the application, amendments were sought to restrict any increase in the width of the existing front bin enclosure, now proposed to be used as the generator switch room. This was achieved by the relocation of the proposed electrical switch room to the left-hand corner of the rear amenity with an associated move of an existing shed to accommodate this. Further amendments were provided to change the material and reorient the proposed front right hand side bin enclosure, to negate any negative impact on the root protection area of a neighbouring tree and to respect the character of the surrounding area.

4. Public Consultation

Consultation letters were sent to 161 neighbouring properties. 7 objections received.

Concerns raised include:

- Impact on outlook
- Impact on home value
- Noise impact
- Impact on health due to contamination from metal unit
- Impact on character of residential area due to industrial unit
- Safety of adjoining residents due to current state of host site
- Removal of tree

4.1 Internal Consultation

The Environmental Health officer has no comments on the proposals.
The Highways department raises no objections following amendments received with regards to the Construction Management Statement.

No comments were received from the London Fire Brigade.

The Tree officer raises no objections following amendments received to reposition the proposed bin enclosure and to contain the proposed generator room within the width of the existing bin enclosure. Through the life span of this application, a tree to the front, left hand side of the application site was removed. A condition has been attached to this consent to replace this.

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 20th 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, 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 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, DM04

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 22) 2021

Barnet's Draft Local Plan -Reg 22 - Submission was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission, the Local Plan will now undergo an Examination in Public. The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. It represents Barnet's draft 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 the policies and site proposals in the draft Local Plan and the stage that it has reached.

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.
- Whether harm would be caused to nearby tree(s)

5.3 Assessment of proposals

Proposal:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the site context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), D1 and D4 (both of the London Plan 2021).

Clause 14.39 of the residential design guidance states that outbuildings within the front curtilage can be considered only where detached buildings in front gardens form part of the existing character of the street. For instance, where detached buildings were built as part of the original form and layout of an estate.

Following amendments, the proposed front generator room will not change from the width of the existing element (bin enclosure) at the site. The generator switch room will be contained within this existing element and will marginally increase in depth with a rearward projection of 0.50 towards the front line of the building. This increased depth would not alter the adjoining existing passageway at this end of the building. There would be an increase in height from the existing element by 0.50 metres to have a wall height of 2.80 metres.

Officers consider that the proposed generator room would not significantly alter the street scene considering there is an existing element of similar width as proposed, having materials to match that with the existing. The additional height of 0.50 metres from that existing is not seen to be a disproportionate addition within the context of the three-storey sheltered block to its rear. The proposed concrete base to the front of the generator switch room will provide for a levelled area to house a backup generator set in case of an emergency. A need for this was clarified to be the requirement of a dedicated spot for a generator in the case of a fire emergency. The marginal height of this slab is not considered detrimental to the character of the surrounding area.

The proposed generator switch room is therefore seen as an acceptable addition subservient to the main building and in character with the application property and the street scene of the surrounding area.

The proposed bin enclosure is seen as a subservient addition within the front amenity space having a subordinate height of 1.85 metres. Its diagonal positioning would reduce

it's visibility within the street. Following amendments, the proposed bin enclosure will have three sides constructed of steel posts and rock panel wood look cladding to have a timber look finish. This material was considered safe as against timber, being fire resistant within the context of the use of the premises. The proposed bin enclosure is not seen to be detrimental to the character of the property and the surrounding area.

Following amendments, the repositioning of the electrical switch room to the rear of the sheltered home is seen to have an acceptable impact on the character of the host site. It would not have any considerable impact on the street scene being rear. The proposed electrical switch room will be in brick to match the existing building and will have a height of 2.70 metres. This development is considered to be a subordinate addition within the rear curtilage of the property.

The proposed sprinkler plantroom is to be located along the eastern rear boundary of the block. It is also adjacent to the rear garden of Spencer Court but is separated by a wall. The depth and width of the proposal is moderate when considered by itself and when considering its location in accordance with the gated area around the structure, it is not considered that the overall scheme is inappropriately located. The height of the structure with an additional aspect which reaches 2.40m will not protrude above the boundary fence, it is adjacent to and is appropriate in relation to a single storey outbuilding. Its depth and width are not overly large and would not appear disproportionate to the size of the rear garden. The proposed concrete base will provide level ground around the plantroom, and given its size, it is considered acceptable for the scheme. The 1.90m high metal railings will surround the structure ensuring it is kept secure from any unauthorised persons. Though of functional appearance, it is not considered unduly detrimental to the character of the area.

The proposed sprinkler unit, by virtue of its design, appearance and positioning is not considered to appear unacceptably dominant or obtrusive within the context of the application site. It is noted that the enclosure to it does not match the existing palette of materials at the site but is noted to contribute to the safety and functioning of the sheltered home within the property.

Given the above, the proposed sprinkler unit with its associated enclosure and planters are considered to have an acceptable impact on the character of Dellfield Court and surrounding vicinity of Etchingam Park Road.

Development forms and uses within the wider area are varied so the proposal, which is acceptably subordinate within the context of the application site, is not considered to harmfully conflict with the wider pattern of development.

As such, it is found that the established character and appearance of the existing sheltered home would not be affected, should this proposal receive approval; therefore, in this regard, it is compliant with Policy DM01 of Barnet's Development Management Policies DPD.

- Whether harm would be caused to the living conditions of neighbouring residents.

It is 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.

Para.14.40 of Barnet's Residential Design Guide (2016) states that extensions to properties should not be overbearing or unduly obtrusive and care should be taken to ensure they do not result in harmful: loss of privacy by overlooking adjoining properties; loss of light or overshadowing of adjoining properties, particularly loss of light to main windows serving principal rooms such as living or dining rooms; loss of outlook from adjoining properties; sense of enclosure or overbearing impact on adjoining properties; loss of garden, landscaping or open space, which contributes to local amenity; loss of parking space that is desirable to retain.

Impact on Adjoining Flats at Lodge Mead Court:

The proposed developments closest to these adjoining neighbours are the generator switch room and the electrical switch room.

The proposed generator room would not protrude beyond its existing building line to the front. It is sited approximately 5.00 metres from the flank wall of this adjoining neighbour. As such, no significant impact is seen on the amenity enjoyed by the adjoining flats at Lodge Mead Court. The additional increase in height of 0.50 metres, would not be higher than the windows sills at these neighbouring first floor flats and is not seen to alter the existing outlook enjoyed by these neighbouring dwellings. Further it is noted that the proposed generator switch room is to contribute to the safety and functioning of the sheltered home within the property and the use of the same would be incidental to a fire emergency.

The proposed electrical switch room would be adjoining the pram sheds along this boundary that belong to these neighbouring dwellings. It would be further screened by an existing wall along this boundary. Further, the subordinate height of the proposed outbuilding would not alter the existing outlook of these neighbouring dwellings. This development is therefore not seen to have an undesirable impact on the neighbouring amenity of occupiers of Lodge Mead Court.

Impact on Nos.1-8 Spencer Court:

The proposed sprinkler unit would be along the rear boundary to these dwellings. The proposed unit would not be higher than the existing boundary wall to these neighbouring units and is not seen to have any significant impact on the amenity of these neighbouring occupiers.

Impact on Nos.1 and 2 Holder Close:

The proposed sprinkler unit will be blocked from view to these neighbouring dwellings on account of the close boarded fence between the host site and these adjoining neighbours. However, a small additional protrusion over the main unit would be higher than this neighbouring fence. Considering this would be screened from the views of these neighbours on account of the dense garden shrubs and plants to the rear garden of these neighbours, the proposed sprinkler unit is not seen to have a detrimental impact on the outlook of these neighbouring dwellings. It is not considered that the overall scheme would cause undue harm to the residential amenities of these adjoining occupiers.

Environmental Health officers have considered the proposal and raised no objection. It is noted that the unit will only be functional when in operation (ie: in an emergency or under test). Nonetheless, a precautionary condition is included to this consent.

The overall proposal is therefore considered appropriately located. The plans indicate that the rear developments will largely not protrude above the boundary wall to which it will be

located adjacent to and therefore will not be visible from the grounds of such properties. Furthermore, the proposed developments are suitably distanced away from the windows of habitable rooms of any nearby units. As such the proposal is considered to have an acceptable impact on the amenities of neighbouring occupiers.

Whether harm would be caused to nearby tree(s)

The application site does not have trees covered under a tree preservation order. However, amendments were sought in the positioning of the proposed bin enclosure to prevent any negative impacts on an adjoining tree. Further amendments were sought in regards to changes to the area currently in use as a bin enclosure to prevent any damage to the roots of trees in the immediate vicinity of this existing unit.

Through the life span of this application, a tree adjoining the existing bin enclosure has been removed and tree officers have subsequently advised a condition to this consent to replace the said tree.

5.4 Response to Public Consultation

Impact on outlook

Along the front left-hand side, the proposed generator switch room will not extend to the front of the existing unit. The neighbouring flats at Lodge Mead Court do not benefit from any windows along their flank walls adjoining the proposed works. In addition, the proposed generator switch is sited over 5.00 metres from this adjoining neighbour. The proposed developments within the rear of the application site would be no higher than the shared boundary walls to these adjoining neighbours. Officers therefore see no detrimental impact on the outlook to these neighbouring flats.

Impact on home value

Not a material consideration in the assessment of this application.

Noise impact

Any noise that could arise at all, would be only in the situation of an emergency and extend for the duration of the emergency.

Impact on health due to contamination from metal unit

No evidence has been found/presented to justify this.

Impact on character of residential area due to industrial unit

Discussed above in the report under the character assessment. The proposed works are fire precautionary measures in the event of an emergency.

Safety of adjoining residents due to current state of host site

The proposed works are proposed for the use in the event of a fire emergency and are no indication of the current state of the host site.

Removal of tree

A condition is proposed requiring a replacement tree on site.

5.5 Response to Internal Consultation

The council's environmental health officer assessed the impact of the air con condenser on neighbouring amenity. Given the nature of the development, there is not too much in the way of concern regarding environmental issues (Air quality, traffic noise, contaminated land) and raised no objections subject to conditions.

Following amendments received, the Council's highway officer has raised no objections to the proposed works.

Following amendments, the Tree Officer has raised no objection to the proposed works and has advised a condition for a replacement tree at the host site.

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 subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for APPROVAL.

