

Location 44 Bridge Lane London NW11 0EG

Reference: 23/2904/FUL
Received: 4th July 2023
Accepted: 6th July 2023

Ward: Golders Green
Expiry 31st August 2023

Case Officer: Douglas Payne

Applicant:

Proposal: Mansard roof extension involving rear dormer and rooflights.
New front circular window and side roof addition

OFFICER'S RECOMMENDATION

Refuse

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 proposals by reason of their design, mass and size, would represent an incongruous development to the dwelling that would be out of character with the established pattern of development and scale of the surrounding area, contrary to Policies CS1 and CS5 of the LB Barnet Core Strategy (2012), Policy DM01 of the LB Barnet Development Management Policies DPD (2012), and the LB Barnet Residential Design Guidance SPD (2016).
- 2 The proposals by reason of their combined siting, massing and size would appear overbearing, creating a sense of visual enclosure upon the neighbouring ground

floor flats of Yew Tree Court and the rear garden of 46 Bridge Lane to the detriment of the residential amenities of the occupiers of that property, contrary to Policies CS1 and CS5 of the LB Barnet Core Strategy (2012), Policy DM01 of the LB Barnet Development Management Policies DPD (2012), and the LB Barnet Residential Design Guidance SPD (2016).

Informative(s):

- 1 The plans accompanying this application are:

Daylight and Sunlight Report ref: 4924 dated April 2023

Existing Plans (amended plans received 29/11/2023):

044BR-A-01-001

044BR-A-01-002

044BR-A-02-001

044BR-A-02-002

044BR-A-03-001

044BR-A-03-002

044BR-A-03-003

044BR-A-05-001

044BR-A-05-002

044BR-A-06-001

044BR-A-06-002

044BR-A-06-003

044BR-A-06-004

Proposed Plans (amended proposed plans received 22/11/2023):

044BR-A-01-001

044BR-A-01-002

044BR-A-01-101

044BR-A-02-001

044BR-A-02-103

044BR-A-02-104

044BR-A-02-105

044BR-A-03-101

044BR-A-03-102

044BR-A-03-106

044BR-A-06-101

044BR-A-06-102

044BR-A-06-104

044BR-A-05-102

044BR-A-05-103

- 2 In accordance with paragraphs 38-57 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

The applicant sought formal pre-application advice which was provided. Unfortunately the submitted scheme is not considered to accord with the Development Plan. If the applicant wishes to submit a further application, the Council is willing to assist in identifying possible solutions through the pre-application advice service.

OFFICER'S ASSESSMENT

1. Site Description

The application site comprises an established, single storey synagogue. The building includes a main wing, which stretches the depth of the property and includes several roof types which break up its bulk. The main roofed section accommodates a hipped roof with a number of side orientated rooflights. The roof is articulated toward its rear by a flat roofed section which then joins to a smaller crowned roof at the rear.

The building is improved by two single storey side extensions along the north-western side boundary, one of which accommodates an additional entrance down a small laneway and the other which projects into the rear garden of the neighbouring site of 46 Bridge Lane.

The neighbouring site at 46 Bridge Lane accommodates a dwellinghouse, which as above raised, has a close built relationship with the existing single storey side extensions of the application site, which project substantially into its rear garden. The opposite neighbouring building at Yew Tree Court accommodates a larger block of flats within a three storey complex. The flats are vertically split, and are typically only afforded single aspect rooms, which either face into the communal courtyard or toward the application site. Corner units form the exception, whereby dual aspect rooms are provided. An officer site visit carried out on 28/11/2023 yielded that the side facing windows of the ground level of the Yew Tree Court Flats which have outlook to the application site included both obscure and unobscured glazing. Instances of habitable rooms including bedrooms and living rooms served by unobscured glazing observed, though obscure glazed windows which would clearly serve bathrooms were also observed.

The majority of the surrounding area accommodates semi-detached, two storey dwellinghouses. It is noted that another low rise building accommodating a place of worship is located nearby the site at 54 Bridge Lane and that closer to the nearby main road of

Finchley Road, a greater occurrence of flats and taller buildings is observed. The neighbouring three storey flat complex at Yew Tree Court forms the tallest building in the immediate surrounding area.

2. Site History

Planning

Reference: F/02678/11

Address: 44 Bridge Lane, London, NW11 0EG

Decision: Approved subject to conditions

Decision Date: 10 October 2012

Description: Amendment to planning permission F/03117/10 dated 29/09/10 for 'Single storey side and rear extensions and alterations to existing side access pathway including enclosed pathway between buildings'. Amendments to include installation of air conditioning/ heat recovery unit following alterations to roof of existing single storey extension to flat roof; repositioning and re-sizing of rooflights; alteration to partition wall between 44 & 46 Bridge Lane and linking together of the roof with louvred screens.

Reference: F/03117/10

Address: 44 Bridge Lane, London, NW11 0EG

Decision: Approved subject to conditions

Decision Date: 29 September 2010

Description: Single storey side and rear extensions and alterations to existing side access pathway including enclosed pathway between buildings.

Reference: C15322/03

Address: 44 Bridge Lane, London, NW11 0EG

Decision: Approved subject to conditions

Decision Date: 3 June 2003

Description: Single storey rear extension following removal of electricity substation.

Reference: F/00006/10

Address: 44 Bridge Lane, London, NW11 0EG

Decision: Approved subject to conditions

Decision Date: 15 February 2010

Description: Single storey side and rear extensions and alterations to existing side access pathway

Enforcement

No planning enforcement history.

3. Proposal

The proposed development seeks large extensions to the existing place of worship to accommodate an additional level. The extensions are comprised of a large mansard roof extension above the main body of the building and an additional side extension component positioned over the existing single storey side extension. Both are mansard in style and form a crown roof, a steep angle is retained and albeit forming a roof extension, the resulting presentation can be described as having the bulk of an additional storey.

The design intent of the proposal seeks to retain the existing floor to ceiling height of the ground level, therefore though two storeys are proposed, the presentation would have a very similar height as would a typical three storey building. The overall height would extend to almost reach the height of the roof of the neighbouring block of flats. A lift shaft is additionally proposed to the side of the site, which would project beyond the bounds of the proposed two storey side extension and would have the presentation of concrete.

The mansard roof would be defined across its front elevation by a large front dormer window, of a distinct, semi-circular shape. The mansard roof pitch would be steep, though a small break between the edges of the eaves to the start of the mansard roof would be achieved. The bulk of the roof would be somewhat broken up by the use of a large, glazed section, which is identified as 'glazing' under the proposal plans. The flat roof sections of both the main roof and side extension would include rooflights, which would be near flush with the roofslope. A small rear dormer is proposed to the rear roofslope, which would be half the width and half the height of the rear roofslope and would be served by a large window opening.

The proposal would be constructed from materials that would match that of the existing building.

Several officer site visits were carried out and site pictures have been uploaded to file.

4. Public Consultation

Two-hundred and five (205) consultation letters were sent to neighbouring properties. Seventy-six (76) letters were received supporting the application and one (1) was received in objection. One (1) additional letter of objection was received, however during the assessment period this was updated to a letter of support.

Supportive comments are summarised as:

- Community benefit
- Growth and benefit to the Synagogue
- Increased functionality of Synagogue
- Appropriate design
- Limited impact of proposal on neighbouring and nearby properties
- Support additional membership for all ages

Comments in objection can be summarised as:

- Loss of light
- Overlooking
- Loss of property value

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 most recently amended on 5 September 2023. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2021

The London 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 for the next 20-25 years. 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 relevant policies are D1 and D4.

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, CS4, CS5.
- Relevant Development Management Policies: DM01 and DM02.

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

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 the principle of the proposed development is supported;
- Impact upon the character and context of the site and surrounds; and
- Whether the proposed development ensures a good standard of amenity to neighbouring properties

5.3 Assessment of proposals

Principle of Development

Section 14.1.9 of Barnet's Development Management Policies stipulates that: 'introducing a wider mix of uses on a community site or intensifying a community use or function is supported in the Core Strategy, provided accessibility and the impact on residential amenity is addressed.'

The proposed extension is targeted at improving the useable space and function of the existing synagogue. The applicant has argued that the extension is not intended to provide for an increase in membership, rather to provide more functional and flexible rooms that could accommodate for infrequent special events and religious holidays, much of the additional space would serve for lifts to provide for equitable access. The proposed increase would result in an increase in space of 210sqm.

The principle of the proposed development is accepted on the basis that it would notably improve the currently tired facilities of the Synagogue. The facilities are demonstrably cramped, and the additional floor space is shown to increase the provision and functionality of multipurpose rooms. On this basis, albeit the increase in floor space could feasibly accommodate an increase in members, the proposal has demonstrated that membership would be consistent with current levels. The majority of members are understood to utilise public transport facilities to attend and activity levels of the premises are not anticipated to increase beyond the existing level.

Impact upon the Character and Context of the site and surrounds

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

The proposed development would have an unacceptable impact upon the character and context of the site and surrounds. This is wholly consequential of the negative cumulative impact of the proposal. More specifically, the massing, height, size and design of the proposed roof extensions would lead to an incongruous form that would fail to take into consideration the character and context of the surrounding area. Individual elements are discussed in greater detail below.

It is noted that the application has been amended from its original design, though these amendments have not responded to Council's full requested design changes.

Despite the proposal including just two storeys, owing to exceptionally tall floor to ceiling heights, its presentation is closer to three storeys. When combining this with the bulk of the mansard roof, the resulting presentation of the main mansard would be out of proportion with the surrounding area, presenting as incongruous. Though efforts have been made to reduce the overall bulk of the roof, including the glazed section, and the gap between the edge of the mansard and the eaves of the building, these do little to combat the incongruous

bulk of the proposal. It is considered that an additional mansard level could feasibly be received onsite, however the proposed design has failed to show a strong understanding of the local character and pattern of development observed in the surrounding area.

The proposed two storey side extension is in principle objected to. It would unbalance the overall presentation of the building to the street, would infill gaps between existing buildings that are commonplace and assist in defining the character of the surrounding area, and would greatly increase the bulk of the proposal. The two storey side extension would present as incongruous with the surrounding area to the detriment of the site and surrounds. It is noted that part of the two storey side extension accommodates a lift shaft, which would provide equitable access onsite. While providing equitable access through the design is applauded, the lift shaft should be contained within the confines of the building and roof and should not extend outward. The blank lift shaft would present poorly to the surrounding area and worsens the impact of the proposed two storey side extension. Should the applicant seek a resubmission of the application, it is advised that a two storey side extension would not be considered acceptable. A lift shaft should also be confined within the main building and roof slope.

Individual design elements such as the large semi-circular front dormer window assists in defining the frontage of the site and carries through existing positive design elements. This coupled with the slope of the mansard at the site's frontage creates a positive design feature.

The proposed rear dormer would be half the width and height of the rear roof slope and would have a subordinated presentation. As an individual design element, the rear dormer would have an acceptable impact upon the site and surrounds. Similarly, the proposed rooflights would have an acceptable impact.

Overall, the proposed development would have an unacceptable impact upon the character and context of the site and surrounds and fails to comply with Local Plan Policy DM01.

Impact upon the amenities of nearby and adjoining occupiers

The proposed development would have an unacceptable impact upon the amenities of the neighbouring and nearby properties. The neighbouring dwelling units at Yew Tree, and in particular, those which have outlook toward the application site at ground level would be unduly impacted upon by the proposal. Similarly, the neighbouring site at 46 Bridge Lane would be subject to an unacceptable impact.

The applicant has supplied a day and sunlight assessment, which found that the impact of the proposed development to the neighbouring properties insofar as a loss of light, was at an acceptable level only. The report was prepared by suitably qualified professionals, and thus the report is accepted, and the proposed development is found not to incur an unacceptable loss of sunlight upon neighbouring properties.

The neighbouring ground floor flats at Yew Tree Court have outlook toward the application site. These units are served by windows that include a mix of obscure and non-obscure glazed windows. All rooms with windows facing the application site are understood to be single aspect only, with the exception of rooms at the building corners. This makes the windows particularly susceptible to an impact whereby the application site is extended vertically.

An officer site visit carried out on 28/11/2023 to the passageway between the application site and ground floor properties at Yew Tree Court found that non-obscure windows serving

habitable windows were present. Several of these windows served dining rooms and several served bedrooms. Though these windows are somewhat subject to a sense of visual enclosure, per the existing impact of the application site, they retain a degree of outlook. The proposed development would entirely diminish this, creating a sense of visual enclosure and a loss of outlook to several ground floor dwelling units at Yew Tree Court.

First floor flats at Yew Tree Court that address the application site presently enjoy a good outlook and access to clear sky, which could additionally be impacted upon by the extension proposed. A mix of obscure and non-obscure glazing can be observed to these windows which based on observations of the ground floor flats, will include a mix of habitable and non-habitable rooms. Within the application material, a sectional side elevation plan (dwg no. 044BR-A-05-103) shows that the proposed roof alteration would pass a 25 degree test set at 1.5m above the floor level of the first floor flats of Yew Tree Court. In this regard, the proposed development is not considered to lead to an unacceptable creation of a sense of visual enclosure nor loss of outlook to the first floor flats of Yew Tree Court that overlook the application site.

The opposite neighbouring property at 46 Bridge Lane would be impacted upon by the proposal. When considering the most recently amended set of proposed plans however, the footprint of the proposed two storey side extension is now positioned sufficiently far enough away from the first floor window to avoid creating a sense of visual enclosure upon it. The same cannot however be said for the rear garden of 46 Bridge Lane, which albeit already impacted upon by the existing single storey side extension, would be further and unacceptably impacted upon by the proposed two storey side extension.

The amended plans have seen the footprint of the proposed two storey side extension brought away from the site's northwestern side boundary, which subsequently avoids unacceptably impacting upon the rear garden of 48 Bridge Lane.

The proposal would include several new windows and glazed elements. The large forward facing window would address the street and albeit forming the largest opening along the street, the separation distances to properties on the opposite side of Bridge Lane and the existing level of mutual overlooking overcomes resulting overlooking to other properties. The proposed rear dormer would be served by three windows which would have partial outlook to the rear gardens of nearby properties along the southeastern side of Hayes Crescent. This outlook is partially obscured by a large mature tree. The level of overlooking is considered appropriate, owing to the partial vegetation buffering and that the overlooking would not be direct. Nearby habitable windows would be well separated from the proposed rear dormer window, avoiding an unacceptable impact.

The proposed development is found to have an unacceptable impact insofar as a loss of outlook and creation of a sense of visual enclosure, upon the neighbouring ground floor properties facing the application site at Yew Tree Court and an unacceptable impact upon the rear garden of 46 Bridge Lane. The proposal is therefore non-compliant with the amenity related requirements of Local Plan Policy DM01.

5.4 Response to Public Consultation

All material objections have been addressed within the body of this 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

Having taken all material considerations into account, the principle of the proposed development is supported. Notwithstanding this however, the proposed development would have an unacceptable impact upon the character and context of the site and surrounds and would impact unacceptably upon the amenities currently enjoyed by the neighbouring properties, this application is therefore recommended for REFUSAL.



Site Location Plan