

**LOCATION:** 19 Hendon Avenue, London, N3 1UJ

**REFERENCE:** F/01809/13

**Received:** 13 May 2013

**Accepted:** 29 May 2013

**WARD(S):** Finchley Church End

**Expiry:** 24 July 2013

**Final Revisions:**

**APPLICANT:** Mr Sanjeev Kanoria

**PROPOSAL:** Variation of Condition No.1 (Plan Numbers) to previously approved application Ref: F/03847/12 dated: 6/3/2013 for "Loft extension with 3no front rooflights and 3no rear rooflights to facilitate a loft conversion. Single storey rear and first floor rear extensions, balcony above single storey rear extension and formation of pitched roof to replace existing on side outbuilding." Amendments to include: improved lift position; new basement and garage roof access."

**RECOMMENDATION: Approve Subject to Conditions**

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Site Location Plan
- Drawings HEN\_P04j, HEN\_P03j, HEN\_P05j, HEN\_P06j, HEN\_P02j, HEN\_E03a, HEN\_E02a, HEN\_P01j, HEN\_E06a, HEN\_E04a, HEN\_E05a, HEN\_E00a, HEN\_E01a and HEN F01a
- Email from Matthias Hamm of spaceAgent on 14 February 2013 at 09:16

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (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 policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).

4 No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 5 No siteworks or works on this development shall be commenced before a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 Trees in relation to design, demolition and construction - Recommendations are submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with such approval.

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 6 The use of the extensions hereby permitted shall remain ancillary to and occupied in conjunction with the main building which shall at all times remain in residential use (Class C3) only.

Reason:

To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties.

- 7 Before the building hereby permitted is occupied the proposed rear dormer window within the proposed roof of the outbuilding 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 Adopted Barnet Development Management Policies DPD (2012).

- 8 No development shall take place until a 'Demolition & Construction Method Statement' has been submitted to, and approved in writing by, the Local Planning Authority. The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution. Throughout the construction period the detailed measures contained within the approved Statement shall be strictly adhered to.

Reason:

In the interests of highway safety and good air quality in accordance with Policy DM17 and DM04 of the Adopted Barnet Development Management Policies DPD (2012) and policy 5.21 of the London Plan (2011).

**INFORMATIVE(S):**

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on

solutions. 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 Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.

## **1. MATERIAL CONSIDERATIONS**

### National Planning Policy Framework

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

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

### The Mayor's London Plan July 2011

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 2031. 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 Mayor's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

### Relevant Local Plan (2012) Policies

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.

Relevant Development Management DPD (2012): Policies DM01, DM02.

### Supplementary Planning Documents and Guidance

The Council Guide 'Extension to Houses' was approved by the Planning and Environment Committee (The Local Planning Authority) on March 2010. This leaflet in the form of a supplementary planning guidance (SPG) 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 Council's Residential Design Guidance SPD was adopted in April 2013. This 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.

Included advice 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.

In respect to amenity, 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.

The Council adopted a Sustainable Design and Construction SPD in April 2013, following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

### Relevant Planning History:

<b>Application:</b>	Planning	<b>Number:</b>	F/03847/12
<b>Validated:</b>	31/10/2012	<b>Type:</b>	HSE
<b>Status:</b>	DEC	<b>Date:</b>	08/03/2013
<b>Summary:</b>	APC	<b>Case Officer:</b>	Junior C. Moka
<b>Description:</b>	Loft extension with 3no front rooflights and 3no rear rooflights to facilitate a loft conversion. Single storey rear and first floor rear extensions, balcony above single storey rear extension and formation of pitched roof to replace existing on side outbuilding.		

### Consultations and Views Expressed:

Neighbours Consulted:	10
Replies:	2
Neighbours Wishing To Speak:	2

The objections raised may be summarised as follows:

- loss of privacy
- basement would create disturbance
- conditions of the original consent should apply

**The application is referred to committee at the request of Councillor Eva Greenspan (Finchley Church End) for the following reason: "The extensions would be too large".**

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The site is a large single-family detached property. The property lies on a substantial plot located on the southeast side of Hendon Avenue. The surrounding area consists of predominantly residential properties.

### Planning History and Proposals:

Planning permission was granted in March 2013 for various extensions to the house as follows:

- Loft extension with 3 front rooflights and 3 rear rooflights to facilitate a loft conversion
- Single storey rear and first floor rear extensions
- Balcony above single storey rear extension
- Formation of pitched roof to replace existing on side outbuilding.

The current application seeks permission for a material minor amendment to the March consent. The amendments include alterations to the building to provide an improved lift position, a new basement and garage roof access.

### Planning Considerations:

The main issues in this case are considered to be covered under three main areas:

- The living conditions of neighbouring residents;
- Whether harm would be caused to the character and appearance of the area and street scene, having regard to the size and siting of the proposal.
- Whether harm would be caused to any protected trees on site

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 of the Development Management Policies (Adopted) 2012 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 that development makes a positive contribution to the borough. The development standards set out in Policy DM02: Development Standards are regarded as key for Barnet to deliver the highest standards of urban design.

The Council's SPD 'Residential Design Guidance' states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant.

The Council's Design Guidance Note 5 on Extensions to Houses advises that 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.

The proposed changes are minor in nature when compared with the March 2013 approval. The proposed additional extensions to the main roof and the garage roof would be subordinate additions to the building and accord with the principles of development set out in the aforementioned policies.

As with the March 2013 permission, the proposals although substantial in nature (creating a large number of bedrooms) would comply with the aforementioned policies and Council Design Guidance on Extensions to Houses as they would constitute a proportionate addition to the dwellinghouse. The proposal would have an acceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers.

The site contains four trees subject to a tree preservation order; two at the front and two at the rear and other non-protected trees. Given the sufficient distance between the protected trees and the property it is considered there would be no significant harm from the proposed scheme on to the trees although suitable conditions could be placed on the decision notice requiring the submission of tree protection measures were the Council minded to approve the application. In this regard the proposal is considered acceptable and complies with the Council's relevant policies and guidance.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

The three grounds of objections can be addressed as follows:

- Loss of privacy: The proposed changes are not considered to cause any demonstrable harm to amenity including loss of privacy when compared with the

previously approved drawings.

- Basement would create disturbance: The basement is relatively small at 50 m<sup>2</sup> and a planning condition relative to its construction is recommended.
- Conditions of the original consent should apply: All previous conditions have been carried forward in this recommendation.

#### **4. EQUALITIES AND DIVERSITY ISSUES**

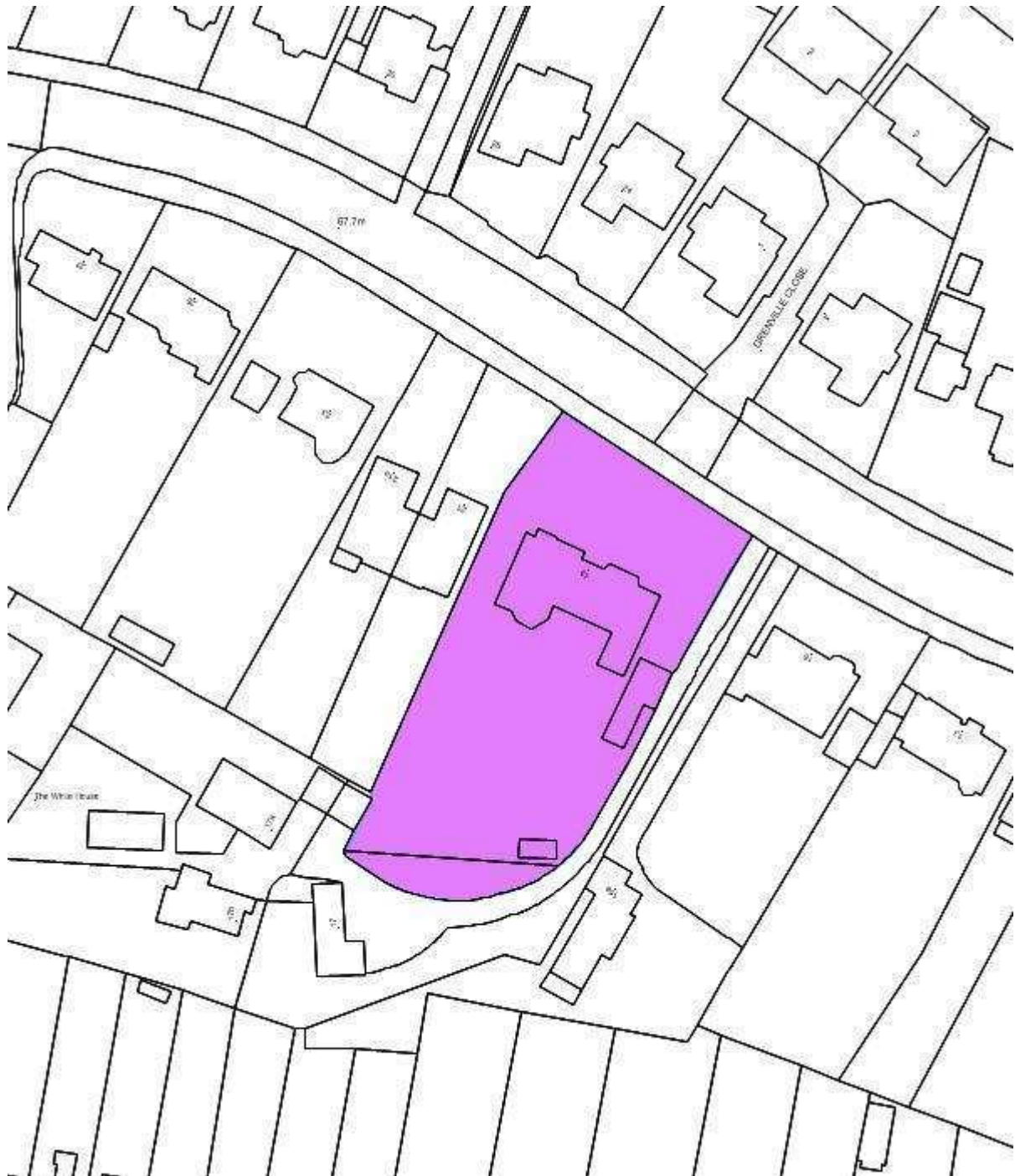
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

#### **5. CONCLUSION**

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet Local Plan policies and guidance and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers or any protected trees. This application is therefore recommended for **APPROVAL**.

**SITE LOCATION PLAN:** 19 Hendon Avenue, London, N3 1UJ

**REFERENCE:** F/01809/13



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