

LOCATION: 1 Elmstead Close, London, N20 8ER

REFERENCE: B/05719/13

Received: 04 December 2013

Accepted: 13 January 2014

WARD(S): Totteridge

Expiry: 10 March 2014

Final Revisions:

APPLICANT: Mr D Nandi

PROPOSAL: Retention of part demolition and re-construction of dwelling. Single storey side extension. New side porch. New basement level. Insertion of 6no. rooflights to facilitate a loft conversion.

RECOMMENDATION: Approve Subject to Conditions

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

- Supporting Statement by Robin Bretherick Associates dated 03/12/2013
- Site Location Plan (scale 1:1250)
- GDP30/RP01, GDP30/RP02, GDP30/RP03, GDP30/RP04, GDP30/RP05, GDP30/RP06, GDP30/RP07, GDP30/RP08 and GDP30/RP09.

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 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).

3 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 Adopted Barnet Development Management Policies DPD (2012).

- 4 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows, other than those expressly authorised by this permission, shall be placed at any time in the side elevation(s), of the extension(s) hereby approved.

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).

- 5 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other days.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

INFORMATIVE(S):

- 1 i) 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 Government's reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The London Plan is recognised in the NPPF as part of the development plan.

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."

NPPF retains 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.

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.

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 11th 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's Residential Design Guidance SPD was adopted by Cabinet 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:

Site Address: 1 Elmstead Close, London, N20 8ER
Application Number: 03645/09
Application Type: Householder
Decision: Refuse
Decision Date: 04/01/2010
Proposal: **Two storey front extension. First floor rear extension. Single storey side extension including demolition of existing porch.**

Site Address: 1 Elmstead Close N20
Application Number: N02338F
Application Type: Full Application
Decision: Refuse
Decision Date: 05/03/1980
Proposal: **First floor rear and front extensions and two-storey side extension**

Site Address: 1 Elmstead Close N20
Application Number: N02338E
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 15/12/1971
Proposal: **single storey brick extension to replace existing timber extension**

Site Address: 1 Elmstead Close N20
Application Number: N02338D
Application Type: Full Application
Decision: Refuse
Decision Date: 06/10/1971
Proposal: **single storey front extension, conversion of garage into habitable accommodation single storey replacement rear extension and gable and side extension**

Site Address: 1 Elmstead Close N20
Application Number: N02338C
Application Type: Full Application
Decision: Refuse
Decision Date: 01/09/1971
Proposal: **two storey front extension, single storey side extension and conversion of garage into habitable accommodation.**

Site Address: 1 Elmstead Close Totteridge N20
Application Number: N02338B
Application Type: Full Application
Decision: Refuse
Decision Date: 02/06/1971
Proposal: **two storey front and rear extensions, single storey side extension and conversion of garage into habitable room**

Site Address: 1 Elmstead Close Totteridge N20
Application Number: N02338
Application Type: Full Application
Decision: Refuse
Decision Date: 22/07/1970
Proposal: **ground floor extension**

Site Address: 1 Elmstead Close London N20
Application Number: N02338A
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 22/03/1971
Proposal: **dining room and lounge extensions, conversion of garage into habitable room and double garage**

Site Address: 1 Elmstead Close LONDON N20
Application Number: N02338H
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 14/12/1999
Proposal: **Ground floor rear extension. Loft conversion incorporating side dormer window extension in roof. Porch extension to side elevation facing Willow End.**

Site Address: 1 Elmstead Close Totteridge N20
Application Number: N02338G
Application Type: Full Application
Decision: Refuse
Decision Date: 21/01/1985
Proposal: **Part two-storey, part first floor front and side extension**

Site Address: 1 Elmstead Close, London, N20 8ER
Application Number: 03556/10
Application Type: Householder
Decision: Refuse
Decision Date: 27/10/2010
Proposal: **Part single, part two storey side / rear extension including dormers in front and rear roofslope of extension. Replacement of door on rear elevation with new window.**

Site Address: 1 Elmstead Close, London, N20 8ER
Application Number: B/03679/11
Application Type: Householder
Decision: Approve with conditions
Decision Date: 19/03/2012
Proposal: **Proposed single storey side extension, creation of a basement under existing rear extension and internal alterations. New front porch.**

Consultations and Views Expressed:

Neighbours Consulted: 6 Replies: 6 objections have been received
Neighbours Wishing To Speak 3

The objections raised may be summarised as follows:

- The proposed development is larger than that approved under previous planning

application ref: B/03679/11 and it would result in the property becoming more dominant.

- The proposed roof windows are installed without planning permission and their numbers and size are considered to be excessive.
- The proposed roof light act as a beacon at night.
- The proposed rooflights and new first floor side windows are causing overlooking and loss of privacy issue for neighbouring No. 2 and 3 Willow End and 14 Greenway Close.
- The development should proposed some screening along the site boundary to minimise its impact on neighbouring occupiers.
- It would affect the value of the properties in the area
- The building works on site does not conform to normal working hours.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application relates to a 2-storey, detached, single-family dwelling located on a corner site on the eastern side of Elmstead Close, at the junction with Willow End. The original property has an existing 2-storey front facing gable feature (which is common to most properties along this part of Elmstead Avenue) and a rear facing gable feature. It also has a 2-storey side projection which measures 1.25m wide and 2.4m in height to the eaves / 6.5m in height to the ridge.

The properties along this part of Elmstead Close are of a similar scale and architectural style with similar roof forms and architectural features such as ground floor bay windows to the front and front facing gable features.

The properties at No.12 Greenway, 1 Elmstead Close and 2 Elmstead Close all form part of a stepped building line along Willow End, maintaining adequate distances between these properties and their northern boundaries.

The area surrounding the application site is predominantly residential in character comprising detached and semi-detached properties.

The property is not listed and is not located within conservation area.

Proposal:

This is a retrospective application seeking permission for the retention of the following:

- Part demolition and re-construction of dwellinghouse involving rebuilding of side wall of the rear part of the house on the side boundary adjoining No. 3 Elmstead Close and gable wing on the side elevation facing Willow Close.
- Single storey flat roofed side extension which is 8.2m (deep) x 2.4m (wide) x 3m (high) and is set-in 4.2m at its narrowest and 6.3m at its widest point from the side boundary adjoining Willow Close.
- New side porch which is 2.4m (wide) x 2.4m (deep) x 3.3m (high - at its highest point). The new side porch is partly splayed, has a pitched roof and is set in line

with the single storey side extension.

- New enlarged basement which extends further into the house and single storey side extension is 8.9m (deep) x 10.7m (wide) x 2.8m (high).
- Reduced depth basement garden. The new basement garden is now 2.4m (deep) x 10.7m (wide) including the retaining wall.
- Minor adjustment to the rear alignment of the rear side wall of the single storey element.
- Internal conversion of void roof space into prayer room and storage room.
- Installation of 6 rooflights of which 4 rooflights providing light into the prayer and storage room is 0.8m x 0.8m each. The other 2 rooflights in the roofslope of the side gable facing Willow Close is 1.2m x 1m each.
- Installation of new windows to the house

Planning Considerations:

The main issue in this case are considered to be covered under two 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.

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 draft 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. It further 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.

Assessment of the Proposal

Background information

The application property has a long planning history. However, the following planning history is most relevant to the proposal:

In March 2012 an application for *"single storey side extension, creation of basement under existing rear extension and internal alterations and new front porch"* was

approved under ref: B/03679/11.

Acceptability of the changes carried out to the plans approved under ref: B/03679/11

• Part demolition and reconstruction of dwellinghouse

The application involving rebuilding of side wall of the rear part of the house set 0.7m from the side boundary with neighbouring No. 3 Elmstead Close is considered to be acceptable as the new side wall replaces the original wall on like for like basis in that it is still a plain wall comprising no windows and maintain the same 0.7m gap to the side boundary with No. 3 Elmstead Close as shown in the approved plan GDP30/PL01 Revision C dated 19/08/2011 under ref: B/03679/11.

• Enlarged New Basement

According to the Council's SPD: Residential Design Guidance (adopted April 2013) basement extensions are allowed provided it does not project further than 3m from the rear wall of a house or no more than half its width beyond each side elevations.

The proposed basement at the rear is projecting no more than that was allowed under ref: B/03679/11. However, it now extends further into the house and under the single storey side extension. The proposed side extension is 2.1m wide and is less than half the width of the original house. The proposed basement therefore is no more than half the width of the original house would comply with the guidance set out for "basement extensions" in the Council's SPD: Residential Design Guidance (adopted April 2013) and is considered to be acceptable.

The proposed basement extension by reason of its size, siting and design is not considered to have detrimental impact on the character or appearance of the application property or the general locality.

The proposed basement being at lower ground level, partly screened by retaining wall and further by site boundary fences and being set significant distance from its neighbouring houses in Green Way and Willow Close is also not considered to have a detrimental impact on the amenities of the occupiers of the neighbouring properties in terms of overbearing, overlooking, loss of light, privacy and outlook.

• Basement Garden and Steps

In the previous planning application ref: B/03679/11 a rear light well (basement garden) of a depth of 4.5m and a width of 8.2m comprising steps up to the rear garden was approved. However, in this application the basement garden has been reduced to 2.4m in depth and increased to 10.7 width to extend across the rear and side extension to the house. Also the steps from the basement garden to the rear garden have been deleted. The basement garden reduced to half the depth to that approved under ref: B/03679/11 with removal of steps to the rear garden and an increase of 1.5m in width is considered to be an improvement on the plans approved under ref: B/03679/11 and is therefore considered to be acceptable. The new basement garden of the reduced size is also not considered to have any adverse impact on the amenities of the neighbouring occupiers in terms of overbearing, overlooking, loss of light, privacy and outlook.

• Minor alteration to the alignment of the rear and side wall of the single storey rear

extension

Minor alterations have been made to the alignment of the rear and side walls of the single storey elements. As a result the ground floor rear wall projects 0.075m into the rear garden thus increases the depth of the ground floor rear extension by 0.075m. Also the approved single storey side extension is now made 0.3m wider, 0.55m deeper and 0.2m higher (flat roof extension). The proposed alterations involving marginal increase in the depth of the approved single storey rear extension and small increase the size (i.e. width, height and depth) of the single storey side extension approved under ref: B/03679/11 is not considered to be detrimental to the character or appearance of the application property or the general streetscene.

● Alterations at first floor of the dwelling

At first floor level, the internal layout has been altered and the gable wing on the elevation facing Willow End has been reconstructed to the same size, height and proportion as the original dimensions. However, in the new gable wing the two new windows although are of the same shape, size and glazing as the original windows, their position have been slightly adjusted and are now positioned just above the flat roof of the single storey side extension. The new gable wing replacing the original of the same size, design and proportion is considered to be in keeping with the character and appearance of the house. The position of new windows serving stairs and hallway maintaining well over 21m distance from houses in Willow Close is not considered to have any adverse impact on the amenities of the occupiers of Willow Close in terms of overlooking, loss of privacy and outlook.

● Loft spaces

In the previous planning application approved under ref: B/03679/11, there was no proposal to make use of the roof space within the dwellinghouse and therefore the roofspace remained as void loft space. However, in this application, the changes includes use of previously approved void roof space for storage and prayer room by carrying out internal alterations within roof space and installation of four rooflights to allow adequate light into proposed storage and prayer room in the roofspace. Also further two rooflights are installed in subordinate roof of the dwellinghouse (i.e. roof of the side gable facing Willow Close) to provides more light via void area above first floor stairs and landing. The proposed internal alteration to the roof space to provides additional facility for the occupants of the dwellinghouse and installation of rooflights are considered to be permitted development for which planning permission is not required. The proposed internal changes to the loft space and installation of new rooflights is acceptable and not considered to have any adverse impact on the amenities of the occupiers of neighbouring houses.

3. COMMENTS ON GROUNDS OF OBJECTIONS

With regards to objections received, they are considered within the "assessment of the proposal" part of this report. The objection relating to proposal affecting house prices in the area is not a relevant planning objection as it is controlled by market value of the area.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Council's Equalities Policy or the

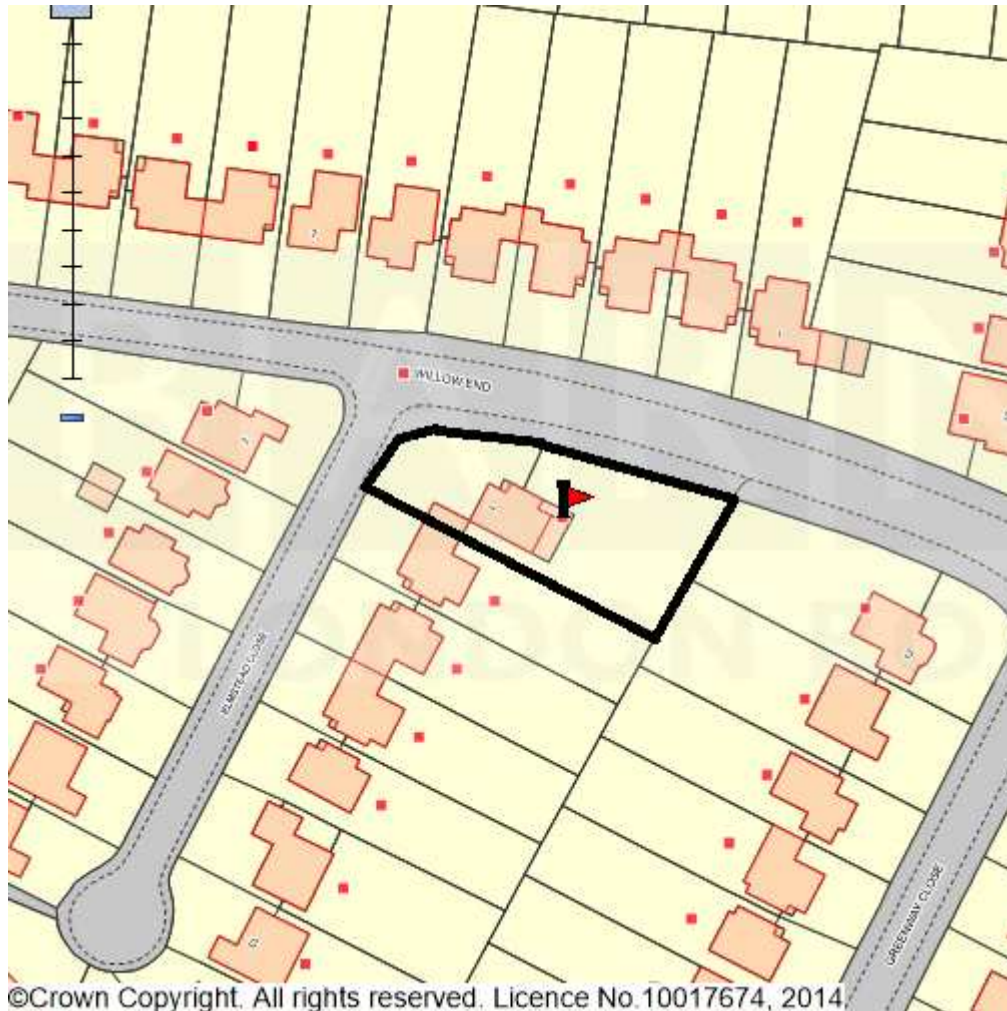
commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

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. This application is therefore recommended for APPROVAL.

SITE LOCATION PLAN: 1 Elmstead Close, London, N20 8ER

REFERENCE: B/05719/13



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