

**LOCATION:** 67 Warwick Road, Barnet, Herts, EN5 5EH

**REFERENCE:** B/06000/13

**Received:** 19 December 2013

**Accepted:** 22 January 2014

**WARD(S):** High Barnet

**Expiry:** 19 March 2014

**Final Revisions:**

**APPLICANT:** Mr & Mrs Mansi

**PROPOSAL:** Single storey side and rear extension following demolition of existing garage.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Block and Roof Plans, CM2013/1, CM2013/2b, CM2013/3a, CM2013/4b (Received 18-December-2013).

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 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).

- 5 Before the building hereby permitted is occupied the proposed window(s) in the side elevation facing Barons Court 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).

- 6 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.
- 2 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

## **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 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 London Plan (2011):

The London Plan (2011) 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. The Plan provides a unified framework for strategies that are designed to ensure that all Londoner's benefit from sustainable improvements to their quality of life.

Relevant London Plan (2011) Policies: 7.4 and 7.6

### Barnet 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 (DPD). Both Dpds were adopted on 11th September 2012

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

Relevant Development Management DPD (2012): Relevant Policies DM01 and DM02

Policy DM01 of the Development Management Policies DPD (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 of the Development Management Policies DPD (2012) states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that all new development should make a positive contribution to the borough. The standards outlined in this policy are considered to be essential for the delivery of the highest standards of urban design in Barnet.

On 18<sup>th</sup> April 2013 the Council formally adopted a new Supplementary Planning Document (SPD) entitled 'Residential Design Guidance'. This new SPD updates and consolidates older guidance on the design of residential extensions and conversions, new porches, hardstandings and vehicular cross-overs that had previously been set out within a suite of Design Guidance Notes (adopted as Supplementary Planning Guidance). For the avoidance of doubt, it should therefore be noted that Design Guidance Notes No.s 3, 5, 7 and 11 have now been superseded by the newly adopted Residential Design Guidance SPD.

### Relevant Planning History:

<b>Site Address:</b>	67 Warwick Road, Barnet, Herts, EN5 5EH
<b>Application Number:</b>	B/03951/13
<b>Application Type:</b>	Section 192
<b>Decision:</b>	Lawful Development
<b>Decision Date:</b>	20/11/2013
<b>Appeal Decision:</b>	No Appeal Decision Applies
<b>Appeal Decision Date:</b>	No Appeal Decision Date exists
<b>Proposal:</b>	<b>Single storey side/rear extension following demolition of existing garage. Extension to roof including hip to gable and rear dormer to facilitate a loft conversion.</b>
<b>Case Officer:</b>	Laurence Ackrill

### Consultations and Views Expressed:

Neighbours Consulted:	13	Replies:	6
Neighbours Wishing To Speak:	0		

### Comments Received:

- Structural, subsidence and foundation issues
- Potential damage to guttering to neighbouring dwellings
- Damage to neighbouring forecourt
- Tree exists to front pavement but no mention of this within the planning application form
- Unauthorised parking
- Trespass of workmen on neighbouring sites
- Applicant vague about who to notify on adjoining property
- Request for additional time for consultation period
- A written agreement for full liability for any potential damage and repairs needed to neighbouring flats should be provided
- Potential damage to boundary fence(s) and stairs
- The height of the extension may impact light of the neighbouring flat
- Noise issues due to change from garage to habitable room
- Extension could be too wide
- Asbestos may be present within the garage roof

Any further comments received will be reported at the meeting.

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The site property is a two storey semi-detached dwellinghouse on Warwick Road. The site increases in levels towards the rear. The applicants seek approval for a single storey side/rear extension following demolition of existing garage. The current proposal follows a Certificate of Lawfulness for 'Single storey side/rear extension following demolition of existing garage. Extension to roof including hip to gable and rear dormer to facilitate a loft conversion' under reference B/03951/13.

### Dimensions:

The single storey side element would measure 3.07 metres wide, 9.52 metres deep and 2.8 metres high to the eaves and 4.2 metres high to the top of the pitched roof. It would be set away from the side boundary with the flats at Baron Court by 1.1 metres.

The single storey rear element would measure 1.29 metres deep, 9.3 metres wide (including the proposed side element) and have a height of 2.25 metres to the eaves and 3.7 metres to the top of the pitched roof. It would be built up to the side boundary with No. 65 Warwick Road.

### 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.

The Council's Residential Design Guidance SPD 2013 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 applicant benefits from a Certificate of Lawfulness for a 'Single storey side/rear extension following demolition of existing garage. Extension to roof including hip to gable and rear dormer to facilitate a loft conversion' under reference B/03951/13 dated 20/11/2013. The attached neighbouring property benefits from a single storey rear conservatory which projects beyond the rear elevation of the proposal property. The proposed extension would be set away from the side boundary with Barons Court by over 1 metre and the roof of the side element would be hipped away from this site.

The depth of the rear extension at 1.29 metres would not have an adverse effect on neighbouring amenities. The side extension would measure less than half of the width of the original dwelling and would have an acceptable impact on the proposal property and streetscene. Although the height of the extension would measure 4.2 metres instead of the existing height of the garage which measure 2.6 metres in height, it would be set away from the side boundary with Barons Court by over 1 metre and no adverse impact with regards to loss of light is envisaged on the neighbouring flats. It would appear that the difference between the proposed height of the side element and the height allowed under the Certificate of Lawfulness is a difference of 0.2 metres higher under the current proposal. A condition would be added into the approval to ensure that the proposed windows in the side elevation facing Barons Court is obscure glazed, in order to protect the privacy of the neighbouring flat. There would be no adverse noise issues due to change from garage to extension containing habitable rooms. The proposed rooflight in the roof of the rear element would allow for natural light into the extension. The loss of the garage would not have an adverse effect on the highway due to the fact that off-street parking exists at the proposal site.

The proposed extension by reason of its size, siting and design will have an acceptable impact on the neighbouring dwellings and host site. The application is recommended for approval subject to conditions. The proposals would comply with the aforementioned policies and Residential Design Guidance SPD 2013 and would be a proportionate addition to the dwellinghouse. It would have an acceptable impact

on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers.

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

It should be noted this part of Warwick Road appear to have no parking restrictions and therefore potential workmen could park in the street and would not need to park on the neighbouring site. The proposal does not encroach on the neighbouring site and therefore the applicant has not served notice and does not need to notify the managing agent of the neighbouring block of flats. Although a tree exists at the neighbouring site adjacent to the side of the proposal site, the tree is not protected by a Tree Preservation Order. A condition would be added into the approval to ensure that any works are carried out during reasonable hours in order to protect neighbouring amenities.

The following issues are not planning considerations:

- Structural, subsidence and foundation issues
- Potential damage to guttering to neighbouring dwellings and damage to the neighbouring forecourt
- Trespass of workmen on neighbouring sites
- Provision of a written agreement for full liability for any potential damage and repairs to neighbouring flats
- Potential damage to boundary fence(s) and stairs
- Potential asbestos roof on existing garage

### **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:** 67 Warwick Road, Barnet, Herts, EN5 5EH

**REFERENCE:** B/06000/13



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