

LOCATION: Flat 4, 13 Fortis Green, London, N2 9JN

REFERENCE: F/00428/14

Received: 27 January 2014

Accepted: 05 February 2014

WARD(S): East Finchley

Expiry: 02 April 2014

Final Revisions:

APPLICANT: Miss Papic

PROPOSAL: Extension to roof including new gable roof and dormer windows to both sides to facilitate a loft conversion. Amendments to rear elevation.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Design & Access Statement, Drawing Nos. EX10, EX13, GA50, GA13, EX60, GA52, EX11, EX50, EX12, EX51, GA51, GA12, GA60 Rev P3 and GA11 Rev P2.

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 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

flank elevations, of the extension hereby approved, facing neighbouring properties.

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 The use of the roof extension hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit.

Reason:

To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 6 Before the building hereby permitted is occupied the proposed window(s) in the eastern elevation facing the adjoining neighbour 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).

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 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 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

Residential Design Guidance SPD
Sustainable Design & Construction SPD

Relevant Planning History:

Site history for current landparcel:

46522 - Flat 4, 13 Fortis Green, London, N2 9JN

Case Reference: **F/00428/14**

Application:	Planning	Number:	F/03122/12
Validated:	28/08/2012	Type:	APF
Status:	WDN	Date:	24/10/2012
Summary:	WIT	Case Officer:	David Campbell
Description:	Creation of roof space above first floor with a pitched roof and 3no. rooflights.		

Consultations and Views Expressed:

Neighbours Consulted: 28 Replies: 5
Neighbours Wishing To Speak 0

The objections raised may be summarised as follows:

- The Juliet balconies will overlook the rear gardens of the neighbouring properties.
- The proposed windows will be out of character with the existing rear elevation
- Concerned that the building works will cause disturbance to residents

Date of Site Notice: 20 February 2014

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a first floor flat of number 13 Fortis Green which is located on the side of Fortis Green.

Proposal:

The application seeks permission for an extension to roof including new gable roof and dormer windows to both sides to facilitate a loft conversion as well as amendments to rear elevation. The application has been amended since first being submitted. The amendments included changes to the rear fenestration.

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 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.

Character and Appearance

The Council's SPD Residential Design Guidance states that the following points should be considered for dormer roof extensions:

- *Design* - should reflect style and proportion of windows on the existing house. Dormers may have flat, gabled, hipped or curved roofs and subject to the criteria on position, should normally align with the windows below. *Position* - Dormer roof extensions should not overlap or wrap around the hips or rise above the ridge. Adequate roof slope above and below the dormer is required on semi-detached and terraced properties, the dormer extension should be set in at least 1 metre from the party wall, flank wall or chimney stack. In smaller terraced houses where due to internal physical constraints dormers that are set in less than 1 metre will be taken into account providing such constraints and any minimum Building Regulation or fire regulation requirements are clearly and robustly demonstrated.
- *Scale* - Dormer roof extensions should normally be subordinate features on the roof and should not occupy more than half the width or half the depth of the roof slope.

Dormers which wrap around the hips will not normally be considered acceptable.

- *Proportion* - To retain the balance of the house, the dormer roof extension should not normally be wider than the window below it and the dormer cheeks kept as narrow as possible. For smaller enclosed houses, such as terraces consideration and allowance will be given to internal workable space and Building Regulation requirements for wider roof extensions. On side dormer extensions, where there is a requirement to provide adequate headroom for stairs, the extension should still be set away from the ridge and clear of the hips.
- *Overlooking* - Care should be taken in the design and location of new dormers, including side dormers to minimize overlooking
- *Materials* - The window materials and design should be in keeping with those on the rest of the house. The dormer cheeks should be finished with lead, tiles, slates or

other traditional materials, and the top of flat roofed dormers should be finished with lead or zinc. The use of roofing felt for the roof, cheeks or face of the dormer should be avoided.

The application proposes a roof extension including a new pitched roof and dormer windows to both sides of the new roof. The neighbouring properties on this part of Fortis Green are characterised with pitched roofs and it is therefore considered that the proposed extension to the roof would be in keeping with the character and appearance of the area and would not be detrimental to street scene.

Concerns have been raised by objectors that the windows in the side gables would overlook the rear gardens of neighbouring properties, however the application has been amended to include obscure glass in the gable windows and the proposal is now considered to be acceptable. A condition is recommended to ensure that the gable windows are obscure glazed.

Living Conditions

The proposal also includes changes to existing windows including Juliet balconies. The proposed windows are considered to be acceptable and would be similar in size to the existing windows on the ground floor of the neighbouring flat. This is considered to be acceptable and would not be detrimental to the residential amenities of the neighbouring properties.

Concerns have been raised by objectors in relation to the balcony, however the balcony at first floor level has been replaced with a juliet balcony. The Juliet balconies will be obscure glazed up to waist level and whilst residents have expressed concerns that the juliet balcony would overlook the rear garden of the neighbouring properties; the proposed juliet balcony will replace existing windows and it is therefore considered that the proposed Juliet balcony would not significantly affect the amenities of the neighbouring occupiers.

The proposals would comply with the aforementioned policies and Council design guidance 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

Addressed in planning considerations

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: Flat 4, 13 Fortis Green, London, N2 9JN

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