

**LOCATION:** 1-3 Bovingdon Lane, London, NW9 5WJ

**REFERENCE:** H/05587/13      **Received:** 26 November 2013  
**Accepted:** 13 December 2013

**WARD(S):** Burnt Oak      **Expiry:** 07 February 2014

**Final  
Revisions:**

**APPLICANT:** Mr O Ngoka

**PROPOSAL:** First floor rear extension to 3 properties.

**RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site plan; proposed layout dated 09.12.13; side elevation existing dated 09.12.13; side elevation proposed dated 09.12.13; existing layout 09.12.13.

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 extensions hereby approved shall be completed in full accordance with the approved plans within 6 months of the date of commencement.

Reason:

To ensure that harm is not caused by the partial implementation of the planning permission.

5. 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, facing 4 Bovingdon Lane.

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.

**The application was deferred at the last committee 06.03.2014 for a site visit.**

## **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

The Council adopted two supporting planning documents to implement the Core Strategy and Development Management Policies DPDs. These are now material considerations. The Residential Design Guidance SPD (2013) and Sustainable Design and Construction SPD (2013) are now material considerations.

Relevant Planning History:

**Site history for current landparcel :**  
**39736 - 1-3 Bovingdon Lane, London, NW9 5WJ**  
**Case Reference: H/05587/13**

<b>Application:</b>	Planning	<b>Number:</b>	H/01907/11
<b>Validated:</b>	07/06/2011	<b>Type:</b>	HSE
<b>Status:</b>	APD	<b>Date:</b>	07/02/2013
<b>Summary:</b>	DIS	<b>Case Officer:</b>	Deirdre Jackman
<b>Description:</b>	First floor rear extension.		

<b>Application:</b>	Planning	<b>Number:</b>	H/05587/13
<b>Validated:</b>	13/12/2013	<b>Type:</b>	HSE
<b>Status:</b>	REG	<b>Date:</b>	
<b>Summary:</b>	DEL	<b>Case Officer:</b>	Elizabeth Thomas
<b>Description:</b>	First floor rear extension to 3 properties.		

<b>Application:</b>	Planning	<b>Number:</b>	W/14487/06
<b>Validated:</b>	08/06/2006	<b>Type:</b>	APF
<b>Status:</b>	DEC	<b>Date:</b>	28/07/2006
<b>Summary:</b>	APC	<b>Case Officer:</b>	Graham Robinson
<b>Description:</b>	Single storey rear extension.		

Consultations and Views Expressed:

Neighbours Consulted: 39  
signatures; 21 signatures of support.  
Neighbours Wishing To Speak 0

Replies: 1 objection letter with 6

Summary of objections:

- Does not blend in with the street and amenity area.
- Fails to take account of the group value and character of area.
- Inconsistent material therefore unsuitable design.
- Making open space into crammed space.
- Existing plans of properties show the property inaccurately.
- Reduce distance between properties on Cranfield Drive.
- Insufficient and inadequate car parking in the area.

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application relates to three terrace dwellings which forms part of a terrace of four on the northwestern side of Bovingdon Lane, a cul-de-sac off Acklington Drive.

The site is within the North Adastral Village with Grahame Park nearby. The wider setting is a residential area with Blundel Road to the north and Lanacre Avenue to the south. The A5 lies to the west and the M1 lies to the east.

### Dimensions:

Planning permission is sought for a first floor rear extension across three dwellings within the terrace.

House 1 - the proposed first floor extension will have a depth of 2.9m set off 2m from the main side building line of the main property.

House 2 - the proposed first floor extension will have a depth of 2.9m the full width of the existing dwellinghouse.

House 3 - the proposed first floor extension will have a depth of 2.9m the proposal will be set off 2.9m from the neighbouring property no.4.

Each of the extensions will have an individual pitched roof over the extension.

### Planning Considerations:

Planning permission has previously been refused for for a first floor rear extension to each of the four properties (including no's 1,2,3,4 Bovingdon Lane). Four individual applications were submitted for a first floor extension measuring 3.3m in depth the full width of each property. The current permission is now a joint application for three of the four properties within the terrace. The first floor extension has now been reduced in depth to 2.9m with a set in to number 1 and number 3. The reduction in projection and the set in is considered to sufficiently overcome previous reasons for refusal.

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 adopted 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 Residential Design Guidance 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 proposals would comply with the aforementioned policies and Council Design Guidance on Extensions to Houses 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.

Number 3 Bovington Lane is adjacent to number 4 which is not part of the application. Consideration has to be given as to the impact of the first floor rear addition at no.3 on the amenities of the residential occupiers at no.4. The first floor extension will project 2.9m in depth but will be set off the common boundary by 2.9m and as such the proposal is not considered to result in any loss of amenity to the residential occupiers.

The proposed extension is considered to maintain a sufficient distance between the rear gardens of Cranfield Drive and habitable rear windows of the properties along Cranfield Drive without resulting in detrimental harm to the amenities of the residential occupiers or enclosing the gaps between the properties to an unacceptable degree.

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

The objections are largely considered to be covered in the above appraisal. In regards to parking the proposal is for extensions to the existing dwellings and is not considered to give rise to an increase in intensity of car parking demand.

### **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:** 1-3 Bovingdon Lane, London, NW9 5WJ

**REFERENCE:** H/05587/13



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