

LOCATION: 33 Birkbeck Road, London, NW7 4BP

REFERENCE: H/00354/14

Received: 22 January 2014

Accepted: 22 January 2014

WARD(S): Mill Hill

Expiry: 19 March 2014

**Final
Revisions:**

APPLICANT: Mr Cash

PROPOSAL: Single storey side and rear extension.

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 001 Rev00; 001 Rev00; 002 Rev00; 003 Rev00; 004 Rev00; 010 Rev00; 011 Rev00; 012 Rev00; 011 Rev01; 100 Rev01; 101 Rev01; 102 Rev01; 103 Rev02; 110 Rev00; 112 Rev00.

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 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 No. 31 & No. 35 Birkbeck Road.

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.
- 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

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

Relevant Planning History:

Site history for current landparcel :
21970 - 33 Birkbeck Road, London, NW7 4BP
Case Reference: H/00354/14

No relevant planning history.

Consultations and Views Expressed:

Neighbours Consulted: 9 Replies: 5
Neighbours Wishing To Speak 1

Objections received can be summarised as follows:

- visual appearance from the streetscene will be crowded and cramped and will appear to link a late Victorian property with a 1920s/1930s style building
- loss of open space/views and visual urbanisation
- the gap between the walls of the extension and neighbouring property will result in damp potentially causing damage to the properties; proximity of extension to neighbouring boundary
- feeling of isolation and separation will be lost
- applicant had not communicated with neighbours prior to submitting the application advising them of his/her intention to build and extension
- proposal will result in a loss of parking space
- scale of development is disproportionate to the house and streetview
- overbearing and loss of light
- concerns regarding foundations
- the extension will result in the doubling of the existing footprint area of the house
- there will be no space left for the maintenance of the neighbouring property side wall
- loss of residential amenity
- the size and siting of the extension would result in an 'un-neighbourly' form of development

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site property is a two storey semi-detached single family dwellinghouse located on the west side of Birkbeck Road; which lies within the Mill Hill ward of the Hendon area. The road is residential in character with a mixed typography of housing comprising of terraced, semi-detached and detached properties.
The site is not listed and does not fall within a designated conservation area.

Dimensions:

The single storey side extension would start 0.25 metres behind the line of the front elevation of the main building. It would project rearward 9.15 metres along the side of the dwellinghouse and continue to project 3.5 metres rearward to join up with the

single storey rear extension which would have a depth of 3.5 metres at the boundary with No. 31 Birkbeck Road. The single storey rear extension would have a depth of 3 metres at the boundary with No. 35 Birkbeck Road.

The extension would be covered by a flat roof with a maximum height of 3.1 metres and a parapet wall height of 3.5 metres.

There would be a 'dummy-pitch' roof placed at the front elevation of the side extension which would have a maximum height of 3.55 metres.

Planning Considerations:

The main issues 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.

Policy CS5 states that the Council 'will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design'.

The Council's adopted SPD 'Residential Design Guidance' (2013) states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant; 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.

Para 14.13 of the SPD states that where there is a consistent and coherent architectural character, the extension should not detract from it. Any extension should sit comfortably with the main building and with neighbouring houses.

The neighbouring property at No. 31 Birkbeck Road has a non-original window facing onto the garden of the host property. Although the proposed extension would result in some loss of light to and outlook from this window, it is acknowledged that this secondary window faces north and facilitates the kitchen/dining area which also benefits from full length non-obscure glazed doors on the rear elevation.

Although the single storey rear extension, at the boundary with No. 35 Birkbeck Rd would have some impact on the visual and residential amenities of these neighbouring occupiers in terms of overshadowing and overbearing impact, it should

be noted that an extension of 3m could be constructed using Permitted Development Rights.

Whilst the argument of visual clutter/cramped appearance and the loss of open space between No. 33 and No. 31 Birkbeck Road has been raised, it should be noted that again the applicants may construct a single storey side extension under their Permitted Development Rights. The extension is only single storey and it is considered that it would not appear cramped within the streetscene.

A condition is proposed that the roof of the extension cannot be used as a balcony, and that the applicant cannot install any windows to either side elevation; this will further protect the amenities of both neighbouring occupiers in regards to overlooking and loss of privacy. There is also no adverse impact in regards to the loss of the parking space at the side of the property as there is adequate off street parking at the premises.

Birkbeck Road has no uniform character as the road comprises of houses of mixed typography; many properties on Birkbeck Road have benefited from a variety of different size and style extensions. Given the diversity of extensions, it is considered that the scheme would not be out of character with the area and other properties. It is also considered that the scheme fully complies with design guidelines and would not have an unacceptable impact on the surrounding area.

The extension would be seen from the street, but by reason of its size, design and siting, it is not considered to detract from the streetscene.

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.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The planning matters raised have been addressed in the above report.

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: 33 Birkbeck Road, London, NW7 4BP

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