

**LOCATION:** 163A Lancaster Road, Barnet, Herts, EN4 8AH

**REFERENCE:** B/03857/14

**Received:** 18 July 2014

**Accepted:** 17 July 2014

**WARD(S):** East Barnet

**Expiry:** 11 September 2014

**Final Revisions:**

**APPLICANT:** Mr Kephalas

**PROPOSAL:** Roof extension involving rear dormer window and 2no. rooflights to front elevation.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 282.R.01 & Site Location Plan. Received - 17/07/2014.

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).

**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 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". The NPPF retains a 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 and is recognised in the NPPF as part of the development plan.

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.

The Mayor's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

Relevant London Plan (2011) Policies: 7.4 and 7.6

### 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 11 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:

<b>Site Address:</b>	First Floor Flat, 163 Lancaster Road, Barnet, Herts, EN4 8AH
<b>Application Number:</b>	B/01964/14
<b>Application Type:</b>	Full Application
<b>Decision:</b>	Refuse
<b>Decision Date:</b>	17/06/2014
<b>Appeal Decision:</b>	No Appeal Decision Applies
<b>Appeal Decision Date:</b>	No Appeal Decision Date exists
<b>Proposal:</b>	<b>Roof extension involving rear dormer window and 2No. rooflights to front elevation.</b>

#### Consultations and Views Expressed:

Neighbours Consulted:	7	Replies:	5 (Objections)
Neighbours Wishing To Speak	4		

The objections raised may be summarised as follows:

- Would cause noise and disturbance.
- The owners don't live there.
- The proposal would result in a crowded and noisy place.
- The development is out of scale.
- It would set a precedent.
- The property is not designed for a family.
- It will intensify issues of parking.
- The increase in number of dwellers would be a health hazard.
- The house repairs are the responsibility of all the tenants.
- It would result in overdevelopment.
- Out of character.
- Overly dominant.
- Loss of privacy.
- Overlooking.

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site contains an upper floor flat in an end of terrace two storey dwelling, located on the western side of Lancaster Road. The properties along this stretch of Lancaster Road are characterised by existing two storey outriggers at the rear.

### Proposal:

The application seeks permission for roof extension including a rear dormer window in the main rear roof slope with 2 no. front elevation rooflights to facilitate a loft conversion.

The proposed rear dormer window will have a depth of 3.3 metres, width of 3.6 metres and a height of 2.3 metres.

The proposed rooflights will be flush with the front roof slope.

### 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.

It also states that care should be taken in the design and location of new dormers, including to minimize overlooking.

It is noted that an application for a rear dormer was refused under application reference B/01964/14, dated 17/06/2014 due to its size, design and siting, and an overly dominant form of development. However, the previous dormer proposed to extend along the main roof of the house and the roof of the two storey outrigger to the rear.

Given that the latest proposal has been significantly reduced in depth and in width, so that it only projects from the roofsope of the main dwellinghouse, it is considered that the current proposal overcomes the previous reasons for refusal.

In addition, given that the dormer window would be set down from the top of the ridge of the roof and set in 1 metre from the flank wall facing No. 165 Lancaster Road it is not considered that the bulk of the dormer window would harmfully impact the occupiers of the neighbouring properties. It is not considered that the proposals would increase overlooking beyond what would normally be considered acceptable.

It is also noted that the proposed rear dormer window would not comply with the aforementioned SPD. Whilst the dormer would be larger than the guidance, given the design of the site property, the impact of the rear dormer would be limited and it is not considered that it would harm the character and appearance of the locality.

The proposal 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**

Comments of objections mainly addressed in appraisal above.

Each planning application is assessed on it's own individual planning merits.

Other comments of objections are either private matters or not material 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: 163A Lancaster Road, Barnet, Herts, EN4 8AH**

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