

**LOCATION:** Ground Floor Flat, 69 Park Hall Road, London, N2 9PY  
**REFERENCE:** F/03911/14 **Received:** 21 July 2014  
**WARD(S):** East Finchley **Accepted:** 21 July 2014  
**Expiry:** 15 September 2014

**Final Revisions:**

**APPLICANT:** Mr Frost

**PROPOSAL:** Ground floor part side part rear extension.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

(PL)01 location plan; (PL)02 Block Plan; 1302\_(PL)03 Existing plans; 1302\_(PL)04 Proposed Plans; (PL)05 Existing and proposed elevations

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 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).

- 6 The amenity space at the rear of the ground floor flat, as indicated on the plans hereby approved, is to be maintained in a usable and practical form.

Reason:

To safeguard the amenities of the residents of the ground floor flat 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 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 11<sup>th</sup> 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 (April 2013)
- Sustainable Design and Construction SPD (April 2013)

The Residential Design Guidance 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.

#### Relevant Planning History:

**Site Address:** 69 Park Hall Road LONDON N2  
**Application Number:** C09828  
**Application Type:** Full Application  
**Decision:** Refuse  
**Decision Date:** 16/03/1988  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** Conversion into three self-contained flats with two parking spaces at the rear

**Site Address:** Ground Floor Flat, 69 Park Hall Road, London, N2 9PY  
**Application Number:** F/01160/14  
**Application Type:** Householder  
**Decision:** Withdrawn  
**Decision Date:** Not yet decided  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** Single storey side and rear extension to existing ground floor self-contained unit.  
**Case Officer:** Kate denTeuling

### Consultations and Views Expressed:

Neighbours Consulted: 12 Replies: 2  
Neighbours Wishing To Speak 0

Two (2) letters of objection was received.

The application was requested to be determined at sub-committee by Cllr Arjun Kumar Mittra.

The objections raised may be summarised as follows:

There are inconsistencies between the design and access statement and the plans submitted

- Loss of garden space and amenity
- The original planning consent in 1988 included a condition relating to the provision of two parking spaces
- Loss of parking on the site would not be desirable with the CPZ in operation in the street, and there is considerable pressure on parking in this area
- Negative impact to biodiversity on the site
- Loss of outlook, open aspect and privacy – there would be a loss of outlook from the upper floor flats in no. 69 and a sense of vertical encroachment created by the proposal.
- Exacerbated sound travel and disturbance from the roof space adjoining the internal walls of the upper flat.
- Obstruction to emergency and building maintenance access
- The property is a converted house with flats on leasehold ownership, and there are legal obligations to maintain the house on a common basis. The development may complicate the legal ownership between the units.
- Drainage for the units. Currently located outside the ground floor kitchen wall and includes a man-hole in the rear corner of the building.
- The removal of the communal area at the side of the house. A direct access to the rear garden should be retained. The passage is a common area for the use of the three flats for all three flats for gas metres and storage.
- Impact on the character of the neighbourhood. The proposal will half close

the gap between the site and no. 71. The extension at the rear creates a haphazard visual impression that has a negative impact on community cohesion. The scale of the development fails to respect the proportions of the original house or its character and is visually overbearing.

- The application is made in the context of rapid house price inflation and demographic trends that put intense pressure on living space in the neighbourhood.
- Concerns that non-resident freeholders who are not directly affected by the development, gain an added value in the property
- The continued over development in N2 is bringing about parking problems with skips, builders vans and lorries in the area and the service road between Park Hall Road and Summerlee Avenue. We have had access to our garages and rear of our houses blocked for months since January only recently clearing. Fly tipping has been a continued nuisance.

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site is an end of terrace building containing three self-contained units. The site is located in the East Finchley ward.

The site does not fall within a conservation area and it is not a listed building.

### Proposal:

The application seeks consent for a ground floor part side part rear extension.

The side extension is proposed to be constructed in an 'z' shape which wraps around the ground floor. The extension to the ground floor kitchen is proposed to be 3.3m deep and 3.5m wide. The side extension to the office and bedroom is proposed to be 1.1m deep and 4.6m wide, and the rear extension for the formation of the new bedroom is proposed to be 2.7m deep and 4.4m wide.

The extension to the kitchen is proposed to be constructed to the boundary with no. 71 Park Hall Road, and the proposed extension to the rear is designed to align with the height and depth of the adjoining neighbour's rear extensions at no. 67.

Previous planning application C09828 (which was approved at appeal in 1988) included a condition relating to the provision of two (2) parking spaces at the site. Amended plans were submitted to retain the existing the single off street parking space at the rear of the property. The amended plans are the subject of this report.

### 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 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 rear and side ground floor extension will not give rise to any demonstrable loss to amenity to the occupants/ users in the neighbouring properties either above the site or to the site, by way of loss of light or loss of outlook, and is therefore acceptable on these grounds.

The subject site will have access to a suitable amenity space in size and shape that is usable and practical, measuring 8.6m long by 2.5-2.7m wide, providing 25.1sqm in area. This amenity space is consistent with council's policies. It is also subject to a development condition, requiring that the space remain open and in a usable form for the enjoyment for future residents.

The proposals would comply with the aforementioned policies and Council Design Guidance on Extensions to Houses and would be a proportionate addition to the dwelling. 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 in the objections have been addressed in the report.

With regard to exacerbated noise between the flats, drainage and development management issues relating to lorries servicing development from the rear of the site, are matters that are addressed by Building Control, and are not matters of consideration at the Planning Application stage.

With regard to varying legal obligations and complications relating to leasehold and maintenance matters at the site, are matters which are civil and between owners, and are not planning matters of consideration.

The applicant advised in writing that the other residents of no. 69 Park Hall Road do have right of access to the side passage of the building for bin storage and meter access. This portion of the side passage is directly accessed from Park Hall Road

and is not impacted by the proposed development. In addition, it is advised that the lease requires the right of the freeholder to have access to the back of the building via the laneway that runs along the very bottom the garden, and this right of access will also be unaffected by the proposed extension.

With regard to house prices and matters relating to non-resident interest in the property, these are not planning matters of consideration.

#### **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:**  
**N2 9PY**

**Ground Floor Flat, 69 Park Hall Road, London,**

**REFERENCE:**

**F/03911/14**



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