

Location **42 Cranbourne Gardens London NW11 0HP**

Reference: **14/07602/HSE** Received: 27.11.2014
Accepted: 27th November 2014

Ward: Golders Green Expiry 22nd January 2015

Applicant: Mr Ashok Sharma

Proposal: Part single part two storey side and rear extension following demolition of existing side projection

Recommendation: Approve subject to conditions

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

- No. CRNGR_E003, CRNGR_P001, CRNGR_P002, CRNGR_L001, CRNGR_L001, CRNGR_E001, CRNGR_E103, CRNGR_E002, CRNGR_L000, CRNGR_P003, CRNGR_S001, CRNGR_S002 and location plan (received: 27/11/14).

- No. CRNGR_E101 REV A, CRNGR_E102 REV A, CRNGR_E103 REV A, CRNGR_L101 REV A, CRNGR_P101 REV A, CRNGR_P102 REV A, CRNGR_P103 REV A, CRNGR_S101 REV A, CRNGR_S102 REV A (received: 13/01/15).

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 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 Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 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 Development Management Policies DPD (adopted September 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 or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevation elevation facing Nos. 40 or 44 Cranbourne Gardens.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 6 Before the building hereby permitted is first occupied the proposed window(s) in the first floor flank elevation facing 44 Cranbourne Gardens 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 Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.
- 2 Please note that consent for the roof to overhang the public footpath may be required from the Highway Authority.

Officer's Assessment

1. Site Description

The application relates to a semi-detached single family dwelling house located to the north of Cranbourne Gardens.

The property is not listed and does not lie within a conservation area.

2. Site History

No relevant history.

3. Proposal

The proposal includes:

- Two storey side extension (w: 2.8m, h: 6.2m, d: 14.0m)
- Single storey rear element (w: 4.5m, h: 3.0m, d: 3.5/4.5m)
- Two storey rear element (w: 6.0m, h: 5.62m, d: 3.0m)
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4. Public Consultation

Consultation letters were sent to 12 neighbouring properties.

6 responses have been received, comprising 5 letters of objection and a joint letter with 8 signatories.

The objections received can be summarised as follows:

- Overbearing
- Loss of Light
- Loss of Privacy
- Overlooking
- Increased sense of enclosure
- Skylights on single storey rear element would cause light pollution
- Parking issues
- Loss of amenity space
- Scale of the extension is disproportionate to the original house
- Effect on drainage
- Loss of garden wildlife

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

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 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 make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted April 2013)

- 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. The SPD 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.
- 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.
- In respect of amenity, states that 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.

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

Two storey side extension:

Barnet's Residential Design Guidance includes explicit reference to two storey side extensions. These have been summarised below.

- The height of the extension should normally be lower than the height of the original building.
- First floor side extensions should normally be set back 1 metre from the front main wall of the existing house.
- There should normally be a minimum gap of 2 metres between the flank walls of properties at first floor level
- Two storey side extension should be a maximum of half the width of the original house

In this instance the proposed two storey element adheres to all of the above points.

It should also be noted that a sufficient number of properties located on Cranbourne Gardens benefit from large side and rear extensions (including the neighbouring property at No. 44) to constitute the character of the area having been changed. As a result the proposed extension would indeed be in keeping with the character of the area.

The amenities of the neighbouring occupier at No. 44 are also unlikely to be affected as their existing flank wall windows are obscure glazed. A condition is also suggested to ensure the proposed flank windows in this extension facing no. 44 are obscure glazed.

Two storey rear element:

Barnet's Residential Design guidance states that two storey rear extensions which are closer than 2 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable. Although the two storey rear element the public footpath Barnet's Guidance goes on to say that 'on widely spaced semi-detached or detached houses, there may be more scope for larger rear extensions.' In this case the gap between the proposed flank wall of No. 42 and 44 is 3m which in this case is considered sufficient so as not to affect the amenities of these occupiers. Also of note is the fact that the two storey rear extension would not extend beyond the two storey rear return of No. 44, suggesting there are unlikely to be any issues relating to loss of light or outlook.

The affect of the development on the occupier at No. 40 Cranbourne Gardens has also been evaluated. In this case the two storey rear element has been set in from the neighbouring occupier boundary by 3m so as to maintain both access to light and maintain an acceptable level of outlook.

Single storey rear element:

Although 4.5m deep single storey rear extensions are contrary to Barnet's Residential Design Guidance there is one material consideration in this instance which makes this element acceptable, principally that the distance between the flank walls of this element and No. 44. are separated by a distance of 3m (the public footpath) which is sufficient distance so as not to affect the amenities of this occupier. This deeper element is also set in from the neighbouring boundary with No. 40 by over 4m, which is again sufficient so as to mitigate any issues regarding any impact on outlook and access to light. The ground floor rear extension on the boundary with no. 40 is 3.4m deep which complies with the Residential Design Guidance.

5.4 Response to Public Consultation

Overbearing: addressed in 'assessment of proposals'.

Loss of Light: addressed in 'assessment of proposals'.

Loss of Privacy: addressed in 'assessment of proposals'.

Overlooking: addressed in 'assessment of proposals'.

Increased sense of enclosure: addressed in 'assessment of proposals'.

Skylights on single storey rear element would cause light pollution: Although this is a valid planning concern the skylights are unlikely to create significant 'light pollution'.

Parking issues: the proposed extension is unlikely to increase the demand for parking.

Loss of amenity space: the amenity space remaining is considered sufficient to provide future occupiers with a good level of amenity.

Scale of the extension is disproportionate to the original house: addressed in 'assessment of proposals'.

Effect on drainage: in this instance is considered that the drainage issues are adequately addressed by the requirements of other legislation and it is not considered that any planning conditions to control development are needed in this respect.

Loss of garden wildlife: the proposed development is not of a sufficiently large scale to severely impact the gardens wildlife.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

