

Location **12 Wentworth Close London N3 1YP**

Reference: **14/08094/HSE** Received: 22nd December 2014
Accepted: 22nd December 2014

Ward: West Finchley Expiry 16th February 2015

Applicant: Ms Kitty Wong

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

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; WC/SP; BC/001; W/C/001A; W/C/002A; W/C/003; W/C/004A; W/C/005A.

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 The use of the extension hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit or dwelling.

Reason: To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012).

- 6 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(s), of the extension(s) hereby approved, facing 10 and 14a Wentworth Close.

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).

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.

Officer's Assessment

1. Site Description

The site property is a two storey semi-detached dwellinghouse located on Wentworth Close; a residential cul-de-sac which lies within the West Finchley ward of the South area.

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

2. Site History

Reference: F/02664/14

Address: 12 Wentworth Close, London, N3 1YP

Decision: Refused and Appeal Dismissed

Decision Date: 30 July 2014

Description: Part single part two storey side and rear extension following demolition of existing outbuilding

Reference: F/00868/14

Address: 12 Wentworth Close, London, N3 1YP

Decision: Withdrawn

Decision Date: 1 May 2014

Description: Conversion of dwellinghouse into 2 self-contained flats following part single, part two storey side and rear extension. Demolition of existing outbuilding and formation of 3 rooflights to front elevation. Provision of off-street parking and amenity space.

Reference: F/01496/13

Address: 12 Wentworth Close, London, N3 1YP

Decision: Lawful

Decision Date: 17 May 2013

Description: Extension to roof including hip to gable end, 1no. front roof-light and 1no. rear dormer to facilitate a loft conversion.

3. Proposal

The proposed ground floor rear extension would have a depth of 3.5 metres with a flat roof height of 3 metres.

The proposed ground floor side extension would be set back 2.8 metres from the front building line; it would have a width of 2.95 metres with a depth of 5.8 metres along the side of the dwellinghouse whilst continuing to project a further 3.5 metres rearward to join up with the proposed ground floor rear extension.

The proposed first floor rear extension would have a depth of 3 metres with a width of 3.1 metres, it would be set off by 3.5 metres from the adjoining boundary with 10 Wentworth Close and set off by a minimum of 5.25 metres from the non- adjoining boundary, 14a Wentworth Close - it would not project further sideways from the original side wall of the dwellinghouse and would be covered by a crown roof set down significantly from the main ridge line.

The plans have been amended since the original submission to reduce the depth of the proposed first floor rear extension. The neighbours have been consulted in regards to the new plans and any further comments received will be reported at committee.

4. Public Consultation

6 consultation letters were sent to neighbouring properties.

5 responses have been received, comprising of 5 letters of objections which can be summarised as follows:

- Loss of light and outlook
- References made to Inspectorates report
- Extension would block signal to satellite dish
- Out of character
- Concerns regarding the flat roof and future use of this space as amenity
- Aesthetics of extensions
- Construction access

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 Governments 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

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.

This application follows a previous refusal at committee (ref F/02664/14 dated 28 July 2014) which was subsequently dismissed at appeal (ref APP/N5090/D/14/2224126 dated 6 October 2014). The difference between the previous application and the current application is that the first floor side extension has been removed and a first floor rear extension is proposed.

The first previous application was refused for: The proposed development, by reason of its size, siting and design would represent an overdevelopment of the site and be a discordant addition detrimental the appearance of the streetscene, contrary to policy CS5 of the Adopted Core Strategy 2012 and policy DM01 of the Adopted Development Management Policies DPD 2012.

It must be noted that when the application went to appeal, the Planning Inspector did not entirely agree with this reason for refusal stating in his report "The reason for refusal also refers to the extension representing 'overdevelopment' of the site, although this term is not defined" and then stating "... I find that the proposal would not have a damaging effect on the street scene. As such, it would not conflict with policy CS5 of the Council's Core Strategy or policy DM01 of its Development Management Policies (DMP) insofar as they required development to preserve local character and respect the appearance, scale, mass and height of surrounding buildings."

The Inspector does however acknowledge the negative impact on the amenities of the neighbouring property at No. 14A, in particular regards to the kitchen window. The current application, does not propose a first floor side extension as the original application did and this is considered to reduce the overall bulk of development and mitigate impact in regards to overshadowing, loss of light and loss of outlook, when viewed from the windows of this neighbouring property. The application instead proposes a first floor rear extension which is set off from this boundary by a considerable distance and thus is not considered to have a detrimental impact on the visual or residential amenities of occupiers of No. 14A. In addition to this, the distance between the first floor rear extension and the adjoining property at no. 10 is sufficient to ensure that it would not result in an adverse impact on the amenities of these neighbouring occupiers. The LPA is satisfied that the removal of the first floor side extension addresses the concerns raised by the Planning Inspector and addresses previous concerns of overdevelopment of the site.

The proposed ground floor side and rear extensions are considered acceptable and meet the guidance specified by the Councils Residential Design Guidance SPD.

The size and design of extensions when considered in conjunction with the proposed roof forms and existing extensions at the property, are deemed to result in subordinate additions to the property whilst respecting its original proportions.

It is recommended that conditions be attached to restrict the use of the ground floor flat roof as a balcony and to restrict the insertion of any new windows to either side elevation; this would protect neighbouring amenities in regards to overlooking and loss of privacy.

The proposals would comply with the aforementioned policies and the Barnet Residential Design Guidance SPD 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.

5.4 Comments on Representations Received

Those matters relating to design and appearance and impact on amenity have been largely addressed in the main report.

Loss of signal to a satellite dish is not considered to be a material planning consideration in this case.

Use of the flat roof is controlled by condition.

Access during construction is not considered to be a material planning consideration in this case.

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

