

**Location**                      **18 Birkbeck Road London NW7 4AA**

**Reference:**                      **15/02994/HSE**                      Received: 14th May 2015  
Accepted: 26th May 2015

Ward:                              Mill Hill                              Expiry 21st July 2015

Applicant:                      Mrs Tania Kallis

Proposal:                      Single storey rear extension including a rooflight.

**Recommendation:** Approve subject to conditions

- 1     The development hereby permitted shall be carried out in accordance with the following approved plans: location plan; APT/1424/01A; 102B; 103; 101B  
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).

**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. 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 contains a two storey detached dwelling that has been converted in to two self-contained flats. The property is situated in the eastern side of Birkbeck Road, which is characterised by terraced, semi-detached and detached two storey family dwellings.

The property is not listed and is not situated in a conservation area.

### **2. Site History**

Reference number: W00457A

Description: Use of premises as two self-contained flats.

Decision: Lawful

Decision Date: 11/05/1993

### **3. Proposal**

This application seeks planning permission for a single storey rear extension which would increase the existing rear extension by 1.9 metres on the side with no. 20 and 1.3 metres on the side with no. 14/16 Birkbeck Road, to a total depth of 4 metres from original rear wall. It would have a flat roof with a height of 2.85 metres and 1no. roof-light.

### **4. Public Consultation**

Consultation letters were sent to 7 neighbouring properties. Six letters of objection have been received.

The objections received can be summarised as follows:

- lack of rubbish storage, interfering with off-street parking.
- drainage issues.
- reduce the existing amenity space.
- loss of light.
- overlooking.
- off street parking affecting the existing trees.
- loss of privacy.
- noise and disturbance.
- traffic, access and parking issues.
- scale.
- loss of views from the neighbouring properties.
- changes the character of the area.
- overdevelopment of the site and the neighbouring area.
- loss of the existing rural feel.

### **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 2015

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 2050. 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**

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

The proposed single storey rear extension would have a total depth of 4 metres from the original rear wall and a height of 2.85 metres. Given its size, it is considered that the extension would appear as a subordinate addition to the original building and would respect its proportions. The proposed extension would not be detrimental to the character and appearance of the building.

- Whether harm would be caused to the living conditions of neighbouring residents

The proposed extension has been amended to comply with the Residential Design Guidance recommended depth of 4 metres for a detached property. Given this limited depth and its limited height with a flat roof, it is not considered that the proposal would appear overbearing or visually intrusive when viewed from any neighbouring property.

The flank elevations of the proposed extension would be rendered, matching the existing building, with no windows proposed to either side. Therefore there would be no adverse impact of overlooking on to the neighbouring properties.

A condition is recommended to ensure that the roof of the extension 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.

The proposed extension is not considered to unacceptably impact on neighbouring properties by reason of loss of light, outlook or privacy. The distance between the proposed extension and the rear garden assigned to the first floor flat is approximately 7.8 metres and as such is not considered to overlook the space.

## **5.4 Response to Public Consultation**

Most comments have been dealt with within the main body of the report.

- The new extension proposes the extension of the existing kitchen, living room area and does not increase the number of bedrooms that would indicate an increase on the number of people, as such it is not considered to have any additional impact on traffic or off street parking and therefore does not constitute a reason for refusal.
- lack of rubbish storage, interfering with off-street parking is not a material planning consideration.
- drainage issues is not a material planning consideration.
- As a result of the proposed rear extension, the existing amenity space to no. 18 Birkbeck Road, would be reduced by approximately 7.03 square metres, leaving a garden area of over 37 square metres. According to Barnet's Sustainable Design and Construction SPD, which derives from the London Plan, the recommended amenity space for flats is 5 square metres per habitable room. The existing flat has two habitable rooms and would be required to have an amenity space of 10 square metres, exceeding this by more than three times and is therefore considered acceptable.
- off street parking affecting the existing trees is not a material planning consideration.
- noise and disturbance is not a material planning consideration and therefore is not a reason to warrant refusal.

## **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.

