



## DELEGATED REPORT

<b>Case reference:</b>	<b>15/04283/HSE</b>	Case Officer:	Dominic Dear
Valid Date:	9th July 2015	Area Team	South Area Planning Team
<b>Expiry Date:</b>	<b>3rd September 2015</b>	Ward:	West Hendon
Site Visit Date:	17th July 2015	Applicant:	Mrs Apinya Medina
Recommendation Date:	3rd September 2015		
<b>Site Address:</b>	<b>42 Sevington Road London NW4 3RX</b>		
Proposal:	Part two storey side and rear extension, new front porch, roof extension involving, side and rear dormer windows, 3no rooflights to front to facilitate a loft conversion.		

### Officer's Assessment

#### 1. Site Description

The application relates to a semi-detached single family dwelling house.

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

#### 2. Site History

Reference: H/00793/11

Address: 42 Sevington Road, London, NW4 3RX

Decision: Approved subject to conditions

Decision Date: 11 April 2011

Description: Ground floor rear infill extension. Provision of decking area.

#### 3. Proposal

- Part single part two storey side and rear extension
- New front porch
- Roof extension involving side and rear dormer windows
- 3no rooflights

#### 4. Public Consultation

Consultation letters were sent to 7 neighbouring properties.

10 letters of objection were received:

- Overdevelopment
- Loss of light

- Single storey rear extension extends beyond established building line
- Loss of privacy
- Out of character
- Overlooking
- Loss of a view
- Issues relating to parking

## **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)

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. Specifically that:

- The 1st floor flank wall should be set in from the boundary by 1m (2m from the neighbouring 1st floor).
- The roof should be set down from the main ridge by a minimum of 0.5m
- The front wall at first floor level should be set back from the main house by 1m

The proposed scheme would adhere to all the above points.

In terms of character no. 21, 35, 56 and 100 Sevington Road have previously been granted planning permission and built two storey side extensions. Bearing this in mind it is not considered that an additional two storey side extension would cause significant harm to the character of the area.

In terms of impact to the amenities of neighbouring occupiers the flank wall windows to no. 40 Sevington Road do not appear to serve habitable rooms, reducing the possibility of overshadowing or the extension appearing overbearing to the neighbouring property. In order to reduce the potential for overlooking and maintain privacy the proposed first floor window in the flank wall will be obscure glazed and permanently fixed shut with only a fan light opening.

Two storey rear extension:

Barnet's Design Guidance also makes reference to two storey rear extensions:

- They should not exceed 3m in depth.
- They should be further than two metres from the boundary

In this instance the proposed extension fails to adhere to the point but there are material considerations which render this aspect acceptable. The neighbouring occupier at no. 40 Sevington Road benefits from a 1m deep single storey rear projection running along the boundary with the application site. Through negotiations with the applicant the depth of the 1st floor rear extension has been reduced and now extends beyond the rear elevation of the neighbouring occupier by 800mm (less than half the 3m sited above) and is considered to successfully compensate for any potential harm caused by the extensions proximity to the boundary.

In relation to no. 38 Sevington Road, the first floor would be 3.6m deep and 3.5m away from the boundary. It is considered that this distance would ensure that there would be no significant impact in terms of overshadowing or overbearing impact on the amenities of the occupiers of that property.

In terms of character, as above, no. 21, 35, 56 and 100 Sevington Road have previously been granted planning permission and built two storey rear extensions. Bearing this in mind, it is not considered that an additional two storey rear extension would cause significant harm to the character of the area to warrant refusal.

Ground floor rear extension:

- Ground floor extensions should not exceed 3.5 in depth

The ground floor rear extension adheres to this guidance and would preserve the amenities of neighbouring occupiers as well as the character of the area.

Side dormer windows:

Through negotiations with the applicant the dormer windows were reduced in scale and are now considered to be subordinate features of the roof thus preserving the character the area. To prevent issues of overlooking or loss of privacy a condition has been attached to obscure glaze this side window.

Front porch

- Should not exceed 3m in height
- Should not exceed 3m in area
- Should not be within 2m of any highway

This element adheres to Barnet's Guidance and is considered acceptable.

#### **5.4 Response to Public Consultation**

Overdevelopment: The proposed works are not of a sufficiently large scale to be considered as overdevelopment.

Loss of light: Addressed in 'assessment of proposals.'

Single storey rear extension extends beyond established building line: There does not appear to be a clearly established building line on this side of Sevington Road. It should also be noted that single family dwelling houses can build single storey rear extensions (subject to certain restrictions) without the benefit of planning permission.

Loss of privacy: Addressed in 'assessment of proposals.'

Out of character: Addressed in 'assessment of proposals.'

Overlooking: Addressed in 'assessment of proposals.'

Loss of a view: As there is not right to a view this is not a material consideration.

Issues relating to parking: No changes to parking are proposed.

#### **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.

## Officer's Recommendation/Preview of Decision

Approve subject to conditions

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

- PL/01B, PL/02, PL/03B, PL/04B, PL/05B, PL/06A, PL/07B, PL/08B, PL/09B and location plan (received: 03/09/15).

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 facing no. 40 Sevington Road.

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).

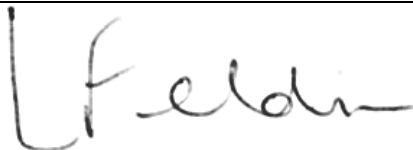
- 6 Before the building hereby permitted is first occupied the proposed first floor window in the side elevation and side dormer window facing 40 Sevington Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

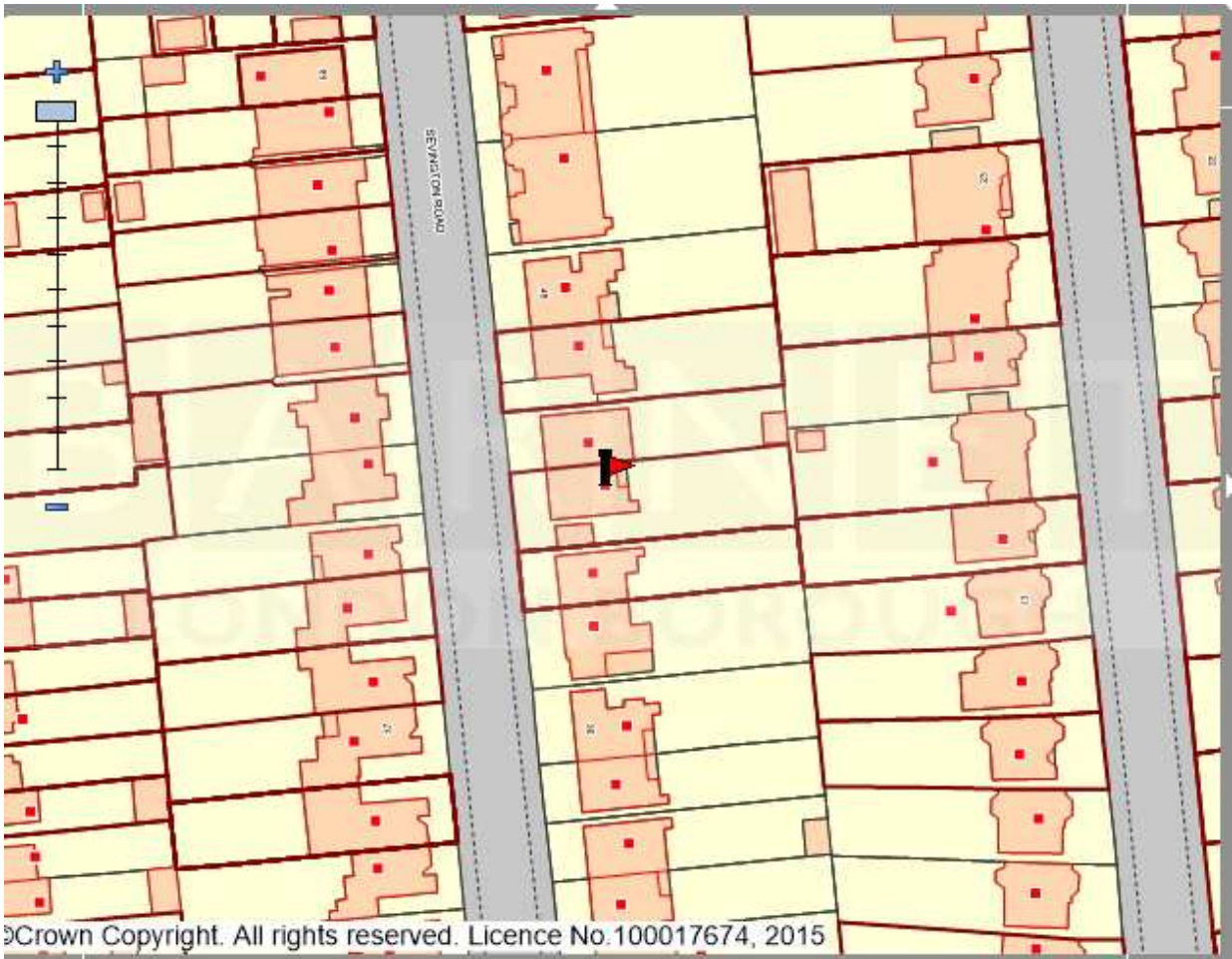
Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

**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.

**Signature of Officer  
with Delegated  
Authority**

A handwritten signature in black ink, appearing to read 'L. Feldin', is written over a white background within a rectangular box.



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