

Location **3 Abbey View Mill Hill London NW7 4PB**

Reference: **15/03203/HSE**

Received: 26th May 2015

Accepted: 16th June 2015

Ward: Mill Hill

Expiry 11th August 2015

Applicant: Mr Richard Benson

Proposal: Alterations to roof involving rearward extension to roof crown and insertion of roof light into crown element, extension to existing rear dormer with associated glazed juliette balcony and 1 No. roof light to side roof slope. Insertion of glazed doors and associated juliette balconies replacing 2 No. rear first floor windows. Single storey rear extension and raised rear patio with incorporated water feature. Conversion of garage into refuse, cycle garden store and utility space. Construction of 2.3m high boundary fence

Recommendation: Approve subject to conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan [Received 16-June-2015], A.01b, A.02a, A.03a, A.04a, A.05c, A.06c, A.07a [Received 12-October-2015], A.08, A.13, A.14, A.15, A.16, A.17, A.18, A.19 and visuals (not to scale): A.09, A.10, A.11, A.12 [Received 16-June-2015], Arboricultural Report [Received 16-September-2015] and Topographical Survey [Received 12-October-2015].

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 be as those shown on the approved drawings and mentioned in the submitted planning application form and Design and Access Statement.

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 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, other than those expressly authorised by this permission, shall be placed at any time in the side elevations facing No. 2 Abbey View and No. 4 Abbey View.

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

- 5 The roof of the ground floor rear 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 application site contains a two-storey detached dwelling house plus rooms in the roof space located on the South side of Abbey View. The site does not fall within a conservation area and the proposal property is not statutorily listed. The house already has the benefit of a two storey rear extension approved under planning permission reference W10501 dated 02-December-1994 which has resulted in the house having a staggered rear elevation.

2. Site History

Reference: W10501

Address: 3 Abbey View, NW7 4PB

Decision: Approved Subject to Conditions

Decision Date: 02 December 1994

Description: Two storey rear extension, single storey side extension, new porch and pitched roof to existing single storey side extension.

Reference: W10501A

Address: 3 Abbey View, NW7 4PB

Decision: Approved Subject to Conditions

Decision Date: 12 April 1995

Description: Front and rear dormer windows and amendments to planning permission W10501 approved on 9 December 1994.

3. Proposal

This current proposal is for 'Alterations to roof involving rearward extension to roof crown and insertion of roof light into crown element, extension to existing rear dormer with associated glazed Juliette balcony and 1 No. roof light to side roof slope. Insertion of glazed doors and associated Juliette balconies replacing 2 No. rear first floor windows. Single storey rear extension and raised rear patio with incorporated water feature.

Conversion of garage into refuse, cycle garden store and utility space. Construction of 2.3m high boundary fence'.

The dimensions are as follows:

The proposed single storey rear extension would 'square off' the existing rear elevation and would be 4.2 metres deep on its south east side, some 3 metres from the boundary with No. 4 Abbey View. The extension on the north western side facing No. 2 Abbey View would be 6 metres deep and be between 2.5 metres and 1.2 metres away from that boundary. It would be 3 metres high to the flat roof and have a width of some 13 metres.

The slightly raised rear patio would measure approximately 0.2 metres high and 3.3 metres deep.

The extension to the existing crown element of the roof would remain at a width of 3.4m, extending rearwards in depth from 2.3m to 4.1 metres in order to accommodate further habitable space in the roof. The height of the roof would remain at 3.7 metres from the eaves to the top of the pitch.

The existing rear dormer would be extended width-wise to 2.8 metres, 1.9 metres high and approximately 2.1 metres deep.

The proposed replacement side boundary fence would measure 27.1 m in depth and 2.3 metres high. It would be installed at the side boundary adjacent to No. 2 Abbey View and would project beyond the rear extension by at least 4.3m, with the existing trees serving the rest of the length of this side boundary.

4. Public Consultation

Consultation letters were sent to 4No. neighbouring properties. 14No. comments have been received by way of objections.

Number of Speakers: 2No.

Comments received:

- *Loss of view from neighbouring rear garden opposite during winter months
- *Loss of character and out of keeping with the surrounding properties
- *Extension would set undesirable precedent
- *There may be an effect on the local wildlife
- *Overlooking, loss of outlook and sense of enclosure
- *Proposal property already extended and would increase significantly in depth beyond the rear of neighbouring house
- *Neighbouring amenity including loss of view from rear garden would be affected
- *Trees at boundary may be affected
- *Green roof to extension and Juliette balconies may lead to balcony in future
- *Increased width to the dormer will result in it breaching the hip of the roof and being very uncharacteristic of dormer windows generally.
- *Topographical Survey and Tree Survey / Arboricultural Assessment should be provided.
- *Extension would represent an over-development.
- *Falls outside the Residential Design Guidance
- *Ground floor extension does not comply with Permitted Development Regulations due to previous extensions
- *Light from the extension would shine through the trellis

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

5.3 Assessment of proposals

Roof extensions

The proposed extension to the roof would not result in the heightening of the roof but would extend the existing crown element rearwards forming a resultant depth of 4.1 metres in order to facilitate further habitable space in the roof. The Residential Design Guidance SPD 2013 states that roof extensions should be sympathetic to the main roof of the house. It is evident that properties on Abbey View have crown roofs and the proposed extension would not be uncharacteristic of other properties within the immediate vicinity. The extension to the existing dormer would result in a width of 2.8 metres and would measure considerably less than half the width of the roof. The dormer would sit subordinately within the roof and would not cause any further impact on the amenities of the neighbouring amenities. It is also not envisaged that the roof extension in general would impact the street scene negatively as no changes are being made to the front roof slope.

Single storey rear extension, rear terrace and side boundary fence

The relationship between the application site and No. 4 is such that, given the 3 metres distance between the flank wall of the proposed extension and the boundary together with the fact that No. 4 already extends beyond the rear of No. 3, the proposed extension would not adversely affect the amenities of the occupants of that property.

The relationship with No. 2 is such that the proposed extension would project 8.3 metres beyond the rear wall of No. 2. The boundary between the two properties is angled away

from No. 2 towards No. 3 and as stated already the extension would be between 2.5 metres and 1.2 metres from that boundary. There is screen planting along the boundary which would help to soften the impact of the proposed extension and combination of the fall in levels from No. 2 to No. 3 of some 0.5 metres and the introduction of the proposed 2.3 metres high fence would result in the proposed extension having an acceptable relationship with No. 2. It is not considered that it would be overbearing or visually obtrusive to an extent such as to warrant refusal.

It has been noted that a trellis is proposed at the top of the fence and that comments submitted have raised concerns about the spillage of light from the extension. However, it should be noted that the light from a domestic extension would not have a further impact on the neighbouring amenities than the existing dwelling.

The proposed rear terrace will be raised to 0.2 metres and would fall within permitted development and would have no further impact on the neighbouring amenities.

Conversion of garage

The conversion of the garage would allow for storage of refuse, cycle, garden store and utility space would be acceptable. The loss of garage would not have would have no adverse impact on the Highway as adequate off street parking exists at the site.

Rear fenestration

The changes to the rear fenestration including the change from windows to rear doors and associated glazed juliette balconies at first floor level would not result in any further impact on neighbouring amenities including overlooking, loss of privacy and a sense of enclosure. The associated green roof of the proposed rear extension below will be conditioned in order to prevent the roof being used as a balcony. Therefore, refusal on this ground would not be conducive.

Conclusion

It can be concluded that although the single storey rear extension would be deeper than that which is suggested within the Residential Design Guidance SPD 2013, nevertheless, given the character of the large plot, levels and proposed fence and screening of the trees, there would be no harm to the neighbouring amenities or character of the area. Therefore, the proposal is recommended for Approval, subject to conditions.

5.4 Response to Public Consultation

Dealt with within the main body of the report. However, no protected trees exist at the site and the site is not known as an area containing protected species, thus specific reports including an Arboricultural Report is not required for this application. However, the applicants submitted an Arboricultural Report which stated that no trees are intended for removal. But it should be noted that no permission is required for removal of trees at the site. It should also be noted that the applicants have submitted a Topographical Survey.

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 this proposal would comply with the Adopted Barnet Local Plan policies and guidance and would not be out of keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the character of the area and neighbouring amenities. This application is therefore recommended for APPROVAL.

SITE PLAN

