

Location **30 - 32 Thirleby Road London NW7 1BQ**

Reference: **15/05783/HSE** Received: 16th September 2015
Accepted: 29th September 2015

Ward: Mill Hill Expiry 24th November 2015

Applicant: Mr Abdulaziz Almohamed

Proposal: Two storey rear extensions. Removal of balcony to rear elevation

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 950/1A; 2A; 3A; 4A

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 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction -

Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2015.

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 application site relates to a detached property located on the northern side of Thirleby Road. This road is predominantly residential in character which is part of a new residential development on the former Inglis Barracks site off Frith Lane, approved under planning reference W01708X/99 in 2002. The applicant has previously been granted permission to convert the two residential properties into a single family dwelling. Several of the trees to the rear of and adjacent to this site are included within a Tree Preservation Order (Ref: TRE/HE/72).

2. Site History

Application Number: H/03858/11

Application Type: Full Application

Decision: Approve with conditions

Decision Date: 15/12/2011

Proposal: Conversion of both properties at 30 & 32 Thirleby Road into single family dwelling.

Application Number: H/03055/12

Application Type: Householder

Decision: Refuse

Decision Date: 09/10/2012
Proposal: Single storey rear conservatory.

Reference: H/04265/13
Address: 30 - 32 Thirleby Road, London, NW7 1BQ
Decision: Approved under Appeal
Decision Date: 11 November 2013
Description: Retention of rear cover canopy to both properties.

3. Proposal

The application seeks permission for a two storey side extension to either side.

The proposed extensions would measure 0.85 metres deep and 2.8 metres wide. It would have a flat roof with a height between 6.85 and 7 metres due to the garden sloping down sideward and would infill existing corners.

4. Public Consultation

Consultation letters were sent to 3 neighbouring properties. 5 responses have been received, comprising 5 letters of objection.

The objections received can be summarised as follows:

- Alterations to landscape
- Loss of light
- Change of design and uniformity of properties
- Legal agreement with developer to not extend/alter the properties for 10 years
- Units conceived a single units, not as double large units
- Might encourage other similar developments
- Out of character
- Lost of value to the surrounding properties
- Drainage issues
- Property occupied for short periods
- Noise and debris from construction
- Alter the natural beauty of the area
- Effect of the existing canopy on the wildlife
- Existence of protected trees within the site

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 design of the proposal would complement the appearance of the main building in terms of proportion and materials. It is noted that although that the proposed extension would have a flat roof, this element would match the existing roof of the property and it's therefore considered acceptable and within keeping of the host property and wider area.

The proposed extension would not be visible from the front and thus has no impact on the streetscene. The additions would be of an appropriate scale and form and are acceptable in design terms.

The proposed extensions are considered as subordinate to the original house and would comply with the Residential Design Guidance SPD. It is therefore not considered that the proposal would materially harm the character and appearance of the existing building, the street scene and the wider locality.

Potential impacts upon the amenities of neighbouring residents

The proposed two storey rear infill extension to either side, would replace the existing first floor balconies and would be in line with the existing property, not projecting any further to the side or the rear and due to its location are not considered to have a detrimental impact on the amenities of the neighbouring occupiers in terms of overshadowing or loss of light.

The proposed new first rear window to either extension would have a similar location to the existing rear balconies and as a result the extension is not considered to have any further impact on the neighbouring in terms of overlooking or loss of privacy.

Other Matters

The proposed extensions would be over 6 metres away from the closest existing protected tree and it's not considered to interfere with the crown of this or any other existing protected trees. However a condition is required to ensure that the TPO trees are protected during construction works

5.4 Response to Public Consultation

Mainly covered in the report.

However, the following comments are not material planning considerations: Legal agreement / Restrictive covenant with developer to not extend/alter the properties for 10

years, loss of value to the surrounding properties.property occupied for short periods, noise and debris from construction.

With regard to the concerns raised in respect of the conversion of the this former pair of semi-detached houses to a single family house, it should be noted that this has been approved as set out in the history section of this report.

It is not considered that this proposal would adversely affect the natural beauty of the area.

Drainage issues - the host property is not situated within a floor risk area.).

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, subject to conditions.

SITE PLAN

