

Location **2 Rowben Close London N20 8QR**

Reference: **16/00027/HSE** Received: 4th January 2016
Accepted: 5th January 2016

Ward: Totteridge Expiry 1st March 2016

Applicant: Mr & Mrs S POLLACK

Proposal: Single storey side and rear extension, first floor rear extension and
new rear terrace

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Drawing no. 447015 Rev A.

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 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 no.4 Rowben Close and no.36 West Hill Way.

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).

- 5 a) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until details of temporary tree protection 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 scheme of temporary tree protection as 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.

Reason: To safeguard the health of existing tree(s) 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 (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. 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.
- 2 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at www.thameswater.co.uk
- 3 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the

boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 4 With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

Officer's Assessment

1. Site Description

The application site a two-storey semi-detached dwellinghouse located on the north east side of Rowben Close within the Totteridge ward. The property is the adjoining semi of no. 36 West Hill Way. The property is not listed nor does lie within a conservation area. There are a number of trees particularly to the rear of the site; the ones located on the rearmost boundary are protected by a Tree Preservation Order.

The roof of the property has been historically extended with a large rear dormer.

2. Site History

Reference: 15/04722/HSE

Address: 2 Rowben Close, London, N20 8QR

Decision: Refused

Decision Date: 9 October 2015

Description: Part single, part two-storey side and rear extensions, following demolition of garage. New front porch and alterations to existing terrace

Reference: 15/04723/HSE

Address: 2 Rowben Close, London, N20 8QR

Decision: Approved subject to conditions

Decision Date: 27 October 2015

Description: Single storey side and rear extension following demolition of existing garage, new front porch, alterations to existing terrace

3. Proposal

The applicant seeks planning consent for a single storey side and rear extension, first floor rear extension and new rear terrace.

The proposed ground floor rear element will be sited near the boundary with no.36 West Hill Way and it will have a depth of 3.5m. The extension will have an eaves height of 2.9m measured from the existing terrace, and a hipped roof with a maximum height of 3.9m.

The side extension will have a width of 2.6m and replace the existing garage and a depth of 13.7m to create a flush rear elevation. The extension will project 2m beyond the existing outermost wing (near the boundary with no.4 Rowben Close). The side extension will have a pitched roof with an eaves height of 2.9m measured from the existing terrace, and a hipped roof with a maximum height of 3.9m.

At first floor, the extension would be sited 2.6m from the boundary with no.4 Rowben Close, with a width of 3.7m, and approximately 5.6m from the boundary with 36 West Hill Way. This extension would have a hipped roof, with the ridge sited just below the existing dormer. The extension would have a depth of 2.5m measured from section closest to the boundary with no.4 Rowben Close

The new rear terrace would extend beyond the 3m beyond the rear elevation with a height to match the existing terrace.

4. Public Consultation

Consultation letters were sent to 5 neighbouring properties.
6 responses have been received, comprising 6 letters of objection

The objections received can be summarised as follows:

- First floor rear extension is aggressive and unneighbourly
- Loss of light and outlook by first floor rear extension.
- Out-of-character
- Overdevelopment
- Set precedent at first floor
- Unbalance symmetry of dwellings
- Bulky and out of scale
- Sense of enclosure by first floor rear extension
- Visually obtrusive
- No expert daylight and sunlight report has been provided- on this reason the application should be refused.
- Rowben Close lies close to Totteridge Conservation Area and strong argument that it should be considered within CA.
- No fall-back position of permitted development as ground floor greater than 3.5m.
- Although reduced in size compared to previous, bulk and massing is still a concern.

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

Planning permission has previously been granted for the ground floor side and rear extension with associated landscape alterations under reference 15/04723/HSE.

As with the previously approved proposal, the new terrace and landscape alterations are not considered to be excessive and would result in a marginal increase of hard landscaping to the rear. The height of the proposed terrace would match the height of the terrace closest to the property as existing. On balance, it is not considered that the proposed terrace would detrimentally affect the amenities of neighbouring occupiers. The trees protected under the Tree Preservation Order are located to the rear of the site and therefore the proposed extensions or reconfiguration of the existing terrace will not lie within the roof protection area of these trees. Notwithstanding this, a relevant condition has been added to request details of the proposed protective fencing.

With regards to the proposed rear extension near the boundary with no.36, the extension would have a depth of 3.5 metres and height as originally approved. With regards to the ground floor side extension, it is important to consider the fallback position of the approved scheme. The extension at ground floor would be marginally deeper than the extant proposal, with an additional depth of 0.5m, and as such is not considered to result in an unacceptable loss of light or outlook to warrant refusal. The roof of the ground floor side and rear extension has been rationalised and would be uniform in its design by virtue of the flush rear elevation.

At first floor, the extension would project 2.5m from the rear elevation only and would not be sited closer to the boundary with no. 4 Rowben Close. No.4 is sited approximately 2m from the boundary with the host property and the first floor extension itself would be sited 2.6m from the common boundary, therefore the proposed first floor rear extension would be 4.6m from the flank elevation of no.4 Rowben Close. Whilst the extension at first floor level would be visible from the flank windows of the property, it is not considered that the first extension itself would result in loss of light or appear imposing on the neighbouring property due to the distance between the properties. In addition, the projection of the first floor is considered modest.

5.4 Response to Public Consultation

It is considered that the comments raised by objectors have been addressed in the report above and by the amendments obtained.

There is no requirement for the applicant to provide a sunlight and daylight assessment and officers consider that for the reasons specified above the development would not result in a loss of light to neighbouring occupiers.

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.



Ordnance Survey (c) Crown Copyright 2016. All rights reserved. Licence number 100022432

2 ROWBEN CLOSE, N20 8QR