

Location **14 Cotswold Gardens London NW2 1QR**

Reference: **15/07872/HSE** Received: 23rd December 2015
Accepted: 11th January 2016

Ward: Golders Green Expiry 7th March 2016

Applicant: Mr N Mousavi

Proposal: Two storey side extension following demolition of existing garage. Single storey rear extension. 1 no. rear dormer window and 3 no. rooflights to front to facilitate loft conversion. New front porch (AMENDED DESCRIPTION)

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, 001, 002, 005 REV A, 006 REV A and 007 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 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.12 and No.16 Cotswold Gardens.

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).

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 site property is a two-storey semi-detached single family dwellinghouse located on Cotswold Gardens. The property is not listed and does not lie within a Conservation Area.

The surrounding area is characterised by semi-detached single family dwellings, many of which have been extended in a variety of forms, including large first floor and roof extensions.

2. Site History

Reference: 15/06888/192

Address: 14 Cotswold Gardens, London, NW2 1QR

Decision: Lawful

Decision Date: 27 November 2015

Description: Extensions to roof involving hip to gable end, 3 no roof lights to front elevation, and rear dormer with juliette balcony

3. Proposal

The application seeks permission for a two storey side extension following demolition of existing garage, Single storey rear extension, rear dormer window and 3 no. rooflights to front to facilitate loft conversion, new front porch.

The plans originally proposed a two storey side extension following demolition of existing garage, Part first floor rear extension, Single storey rear extension.1 no. rear dormer window and 3 no. rooflights to front to facilitate loft conversion and new front porch. However amendments to these plans have been received following officer comments.

Amended plans have been received which have removed the first floor rear extension, reduced the siting, size and bulk of the proposed first floor side extension and reduced the size of the dormer. It is noted that the front porch would be larger than the original submitted plans but consultation on the amended plans has taken place with residents.

The two storey side extension would have a width of 2.4 metres and a depth of 8.3 metres. At first floor level, it would be setback 0.8 metre to the front and 0.5 metre from the side boundary. It would include a pitched roof at ground floor level and a gable roof set 0.6 metres below the main roof's ridge.

The proposed single storey rear extension would be 3.5 metres deep and 8.45 metres wide (including the part linked with the side extension). It would have a maximum height of 3 metres with a flat roof and a parapet 0.15 metre high on the east side.

The proposed front porch would be 3 metres wide, 1.7 metres deep and 3.4 metres high with a dual pitched roof.

The proposals also include a rear dormer window with 3no. rooflights on the front roof slope. The proposed rear dormer window would be 5.8 metres wide, 2.5 metres high and 4 metres deep.

4. Planning Considerations

4.1 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 March 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 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.

4.2 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.

4.3 Assessment of proposals

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 of the Development Management Policies (Adopted) 2012 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 that development makes a positive contribution to the borough. The development standards set out in Policy DM02: Development Standards are regarded as key for Barnet to deliver the highest standards of urban design.

Policy CS5 states that the Council 'will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design'.

The Council's adopted SPD 'Residential Design Guidance' (2013) 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.

Para 14.13 of the SPD states that where there is a consistent and coherent architectural character, the extension should not detract from it. Any extension should sit comfortably with the main building and with neighbouring houses.

Para 14.20 precises that side extensions should ensure that the visual and residential amenities of neighbouring properties are not significantly affected.

Para 14.33 of the SPD states that dormer roof extensions should be subordinate features on the roof and should not occupy more than half the width or half the depth of the roof slope.

Para 14.54 of the SPD states that where a porch is on the front elevation, special care should be taken that it does not spoil the appearance of the property and street as well as the outlook of the neighbouring houses. Adding undue canopies can be unsightly as it is likely to protrude too far and dominate the front of the house. As houses differ in size and style, sometimes it is not possible to add a porch to a house.

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

The property is located on the eastern side of Cotswold Gardens where first floor side extensions are a common feature in this part of the street. Close to the host property, such extensions of varied form and size are visible at No.1, No.6, No.7, No.8, No.11 and No.13. Some of them are not setback from the front line of the main building and others lie alongside the side boundary (No.6, 7, 11 and 13). Whilst acknowledged that these extensions do not appear to have been built recently, they form part of the character of the surrounding area and must be taken into consideration.

Furthermore, the two storey side extension would adhere to Barnet's Residential Design Guidance in that the ridge would be set down by over 0.5 metre, the front wall would be set back from the main house by 0.8 metre at first floor level and a gap of approximately 3 metres would be maintained from the neighbouring property at first floor. It is noted that the gap would be 0.5 metre between the extension's flank wall and No.12. In this instance, it is considered it is sufficient and reflects the character of the area. As a result, the proposal would be of a form and scale that is sympathetic to the existing building and is not considered harmful the character of the area or the streetscene.

Barnet Residential Design Guidance SPD states that an appropriate depth for a single storey rear extension to a semi-detached dwellinghouse is 3.5 metres. The proposed extension would be 3.5 metres which complies with Council Guidance.

The proposed extensions to the roof involve a dormer and hip to gable end which would have a total volume of 37 cubic metres. This proposal complies with Permitted Development and the additional two storey side extension's roof is unlikely to exceed the 13 cubic metres remaining allowance for a semi-detached property. Furthermore, the roof extension benefits from a Certificate of Lawful Development (15/06888/192) and therefore,

could be built independently from this present planning application. It is considered that there is a high likelihood that the applicant would implement these works in any event.

The proposed porch (larger than the original proposal) would have a footprint of 5.1 square metres with a height which is above that suggested in Barnet's Guidance however; there are material considerations in this instance which render this aspect acceptable. Principally, there are many examples of front porches with varied size and design elsewhere in the street. In addition, No. 1 Cotswold Gardens, located opposite from the host property, benefits from a planning permission (F/04602/14) including a front porch significantly larger. As a result, the proposal has an acceptable impact on the character and appearance of the streetscene, site property and general locality.

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

Barnet's Residential Design Guidance advocates a minimum gap of 2 metres between the flank walls of properties at first floor level. The proposal would be setback 0.5 metre from the side boundary with No.12 but a gap of approximately 3 metres would be kept between the two properties. It would exceed what is currently visible in the surrounding area. In addition, No.12 benefits from a single storey rear and side extension with a maximum height of approximately 3.8 metres which would reduce the proposal's visual impact. The side windows facing the host property appear to accommodate a bathroom and the staircase which are not living areas. Therefore, it is not considered that the proposed first floor extension would have a harmful impact on residential amenities of neighbouring occupiers with regards to overbearing, loss of light or overlooking.

The two storey side extension would not be substantially visible from No.16 Cotswold Gardens; therefore, the proposal would not adversely impact the visual or residential amenities of these neighbouring occupiers.

At ground floor level, the adjoining property, No.16 Cotswold Gardens, benefits from a single storey rear extension of approximately 3 metres deep. The proposal would project 0.5 metre further than the neighbour's and include a slight setback from the side boundary with no.16. As a result, it is not considered that the proposal would have a harmful impact on the residential amenities of these neighbouring occupiers.

Neighbouring property No.12 benefits from a single storey rear and side extension which abuts the boundary with No.14. This extension appears to have the benefit of skylights. It should be noted that the extension would come closer to the boundary with the extension, however the rooflights are already in close proximity to the flank wall of the site property. Furthermore light to the bedrooms within the ground floor extension of no.12 is largely obscured by the existing parapet wall and ridge of the neighbouring side extension. The proposed side extension would be set off the boundary and lower in height than the main roof. It is not considered that by bringing the extension closer to the boundary, there would be a harmful loss of light or outlook to the room below. The proposed extensions would project only marginally further than No.14 and are not considered to have any detrimental impact on the amenities of these neighbouring occupiers.

The proposed hip to gable, rear dormer window and the 3no rooflights to front as well as front porch are not considered to adversely impact the visual or residential amenities of the neighbouring occupiers.

5. Public Consultation

Consultation letters were sent to 9 neighbouring properties.

7 responses has been received, comprising 7 letters of objection
Neighbours Wishing To Speak 1

The objections received can be summarised as follows:

- Overdevelopment / Overbearing
- Out of character
- Terracing effect
- Loss of light
- Conversion into 9 bed HMO
- Parking issues
- Affect the view from the garden
- Party Wall issues
- Construction works

The objections raised by objectors are noted. In regards to the proposal resulting in an overdevelopment of the site, overall, the amount of development is not unusual in the area and the proposal, as amended, is considered to be an acceptable addition to the host property. As such, it is not considered that it will be out of character with the surrounding area or have a detrimental impact on the residential amenities of the neighbouring occupiers with regards to loss of light or overbearing.

- Conversion into 9 bed HMO

Each application is judged based on its own merits therefore it is not possible to judge an application based on the impacts of the possible others developments. In this instance, the application relates to the extensions of a single family dwellinghouse and the proposal. The conversion into a 9 bed HMO would require planning permission.

- Parking issues

The residents' concerns regarding access to parking are duly noted and acknowledged. However, it is not considered that the proposals should impede parking, given that the extensions are mostly to the rear and side of the property and that it relates to a single family dwellinghouse.

- Affect the view from the garden

Loss of view is not a planning matter therefore it does not constitute a basis on which to refuse this proposal.

- Party Wall issues

Party Wall issue are a private matter and do not constitute a basis on which to refuse this proposal.

- Construction works

Construction works should only take place between 8am-6pm Monday-Friday and 8am-1pm on Saturday and at no other time.

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.

