

Location **18 Cheviot Gardens London NW2 1QH**

Reference: **16/1065/HSE** Received: 18th February 2016
Accepted: 14th March 2016

Ward: Golders Green Expiry 9th May 2016

Applicant: Mr BAYRAM ULUSU

Proposal: Part single, part two storey side extension following demolition of existing garage

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: XEVA/18CG/101A; XEVA/18CG/102C; XEVA/18CG/103A; XEVA/18CG/104B; XEVA/18CG/105A; XEVA/18CG/106A

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).

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 subject site contains a two storey semi-detached dwelling house and is located on the north-west side of Cheviot Gardens. The property is not listed or situated within a conservation area.

2. Site History

No relevant site history.

3. Proposal

The applicant seeks permission for a part single, part two storey side extension.

The proposed extension would measure 2.8 metres wide and 8.4 metres deep at ground floor level. The first floor extension would measure 1.9 metres wide and 5.6 metres deep. It would have a hipped roof with matching eaves height and maximum height of 7.5 metres.

4. Public Consultation

Consultation letters were sent to 7 neighbouring properties.
5 responses have been received, comprising 5 letters of objection.

The objections received can be summarised as follows:

- works already started
- construction issues
- encourages the use of the building as an HMO and associated issues to this type of development
- loss of light
- detrimental to the amenities of surrounding properties
- party wall issues
- health issues
- use of the building
- character

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 Government's 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 2016

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 current proposal has been amended; the first floor element has been set in by one metre to the front and side elevations. The new amended proposal is considered to complement the appearance of the main building in terms of proportion and materials. The extension is subordinate to the original house and would comply with the Residential Design Guidance SPD.

As amended the proposed part single, part two storey side extension is considered to be a subordinate extension which would not detract from the character and appearance of the existing house and the wider locality. It would comply with the design guidance which suggests the first floor element should be set back from the main front elevation, located 1m from the boundary with a height lower than the main ridge.

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

Given the proportions and the relationship between the proposal and the neighbouring properties, it is not considered that this scheme would be detrimental to the amenities of the occupants of any neighbouring property.

The proposed extension would be built on the side with no. 16, projecting approximately 2 metres to the rear from the existing garage to this neighbouring property and in line with the main building. The first floor element has been amended and is set away 1 metre from the side boundary with no. 16 and approximately 3 metres away from the flank wall with this property.

As such, the overall size, bulk and height of the proposed side extension would not have an overbearing impact which would result in a loss of outlook when viewed from this neighbouring property, to the detriment of the amenities of the occupants of this neighbouring property. The proposal would not result in a significant loss of sunlight and daylight.

5.4 Response to Public Consultation

planning matters largely covered in the report.

- works already started - At the time of the site visit, the demolition of the side garage had taken place. The demolition works can take place without planning permission.

- construction issues - is not a material planning consideration.
- encourages the use of the building as an HMO and associated issues to this type of development - the applicant has not applied for a HMO; the change of use would require a separate planning permission
- party wall issues - is not a material planning consideration.
- health issues - is not a material planning consideration.

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.

