

Location **42 West Heath Drive, London NW11 7QH**

Reference: **16/2823/HSE** Received: 28th April 2016
Accepted: 28th April 2016

Ward: Childs Hill Expiry 23rd June 2016

Applicant: Mr & Mrs Ralf Seibel

Proposal: Formation of new basement below existing property with associated
lightwells to front, side and rear elevations

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: site location: 16-007-01 sheet 1 of 5, 16-007-01 sheet 2 of 5, 16-007-01 sheet 3 of 5, 16-007-01 sheet 4 of 5, 16-007-01 sheet 5 of 5 16-007-02 sheet 1 of 5, 16-007-02 sheet 2 of 5, 16-007-02 sheet 3 of 5, 16-007-02 sheet 4 of 5, 16-007-02 sheet 5 of 5, CROFT STRUCTURAL ENGINEERS: Subterranean Method Statement, Sustainability Checklist for Householder and Minor Developments and Demolition and Construction Method Statement

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 a) No development other than demolition works shall take place until details of all extraction and ventilation equipment to be installed as part of the development, including a technical report have been submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed using anti-vibration mounts. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

b) The development shall be implemented in accordance with details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with Policy DM04 of the Development Management Policies DPD (adopted September 2012) and Policy CS13 of the Local Plan Core Strategy (adopted September 2012).

- 5 The development shall be implemented in accordance with the measures detailed within the submitted Demolition and Construction Method Statement (London basement, March 2016).

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and Policy 5.21 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 site property is a two storey semi-detached single family dwellinghouse located on West Heath Drive. The property is not listed and does not lie within a Conservation Area.

West Heath Drive is a residential street of a varied character and mainly comprises semi-detached properties. Many of them have been altered.

2. Site History

Reference: F/02699/09

Address: 42 West Heath Drive, London, NW11 7QH

Decision: Approved subject to conditions

Decision Date: 18 September 2009

Description: Part single, part two storey rear extension. New retaining wall to front and alterations to front porch.

Reference: F/04564/09

Address: 42 West Heath Drive, London, NW11 7QH

Decision: Lawful

Decision Date: 12 January 2010

Description: Insertion of new roof light.

3. Proposal

The application seeks permission for the creation of a basement level. The basement would extend 2.6 metres below the existing dwelling. Three lightwells are also proposed, one to the front, side and rear elevations.

4. Public Consultation

21 consultation letters were sent to neighbouring properties.

7 responses have been received, comprising 7 letters of objection, 0 letters of support and 0 letters of comment.

The objections received can be summarised as follows:

- Incorrect assertion of hydrological impact
- No other basement in the street
- Impact on Trees
- Risks to neighbouring properties
- Legal Aspects
- disruption in terms of noise, pollution and access
- environmental concerns about removal of gardens
- No neighbour consultation
- Over-Development

LB Barnet Building Control Officer: Satisfied with the information submitted, following receipt of additional information.

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 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 the alterations would be a visually obtrusive form of development which would detract from the character and appearance of the street scene;
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to trees of special amenity value.

5.3 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.

Barnet's adopted SPD Residential Design Guidance states that the council seeks to ensure that basement development does not harm the established architectural character of buildings and surrounding areas, including gardens and nearby trees, and that no adverse impact is caused to the amenity of neighbouring properties. Often with basement development, the only visual manifestations are light wells and skylights, with the bulk of the development concealed wholly underground and away from any public view.

The Residential Design Guidance goes on to say that any exposed area of basement should be subordinate to the property being extended and respect its original design and proportions. The length of any visible basement wall should not dominate a property nor extend its full width. In number, form, scale and panel size, basement windows should relate to the façade above. Windows should be aligned to any openings at the higher level and be of a size that is clearly subordinate to these so as to respect the character of the original building.

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

With regard to basements the Council's SPD 'Residential Design Guidance' states that the Council will normally allow single floor basements which do not project further than 3 metres from the rear wall and the length of any visible basement wall should not dominate a property nor extend its full width. The proposed basement would sit below the footprint of the original dwelling and except for the proposed lightwells to the front, side and rear elevations no external manifestation would result from the basement development.

The proposal would extend across the entire property however the lightwells to the rear and side are limited in size and the openings covered with a grille, hence their impact on the appearance of the property is limited. The front lightwell would extend across the width of the bay window and the opening would be covered by a grille. An existing retaining wall with planting would be removed. Although this would affect the appearance of the property, given the depth of the front garden the visual manifestation of the basement as seen from the street would be limited and it is considered that the proposal would not disrupt the character of the host property or the surrounding area.

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

The proposed basement extension and lightwells will not be readily visible from neighbouring dwellings; therefore, they would not adversely impact the visual or residential amenities of the neighbouring occupiers.

5.4 Response to Public Consultation

i) Incorrect assertion of hydrological impact

The agent has provided further information in relation to comments raised about flood and hydrology. This has been assessed by the Council's Building Control Engineer and they have not raised any concerns relating to the proposal.

ii) No other basement in the street

The proposal has been assessed against the relevant policy and is considered to comply with the criteria and is not considered to have an adverse impact on the surrounding area.

iii) Impact on Trees

The proposal has been assessed and is considered not to have a detrimental impact on any trees.

iv) Risks to neighbouring properties

Damage caused to neighbouring properties as a result of construction works is not a valid planning material consideration and is a civil issue.

v) Disruption in terms of noise, pollution and access

A Construction Management Plan has been submitted as part of the application and will be secured by condition.

vi) Environmental concerns about removal of gardens

The changes to the front garden involve only removal of part of a planted retaining wall. Other planting within the front garden is to be retained.

vii) No neighbour consultation

Consultation letters were sent to 21 neighbouring properties. The Planning Service has carried out the consultation in accordance with the Council's procedures in this case. Other matters raised are outside its control.

viii) Over-Development

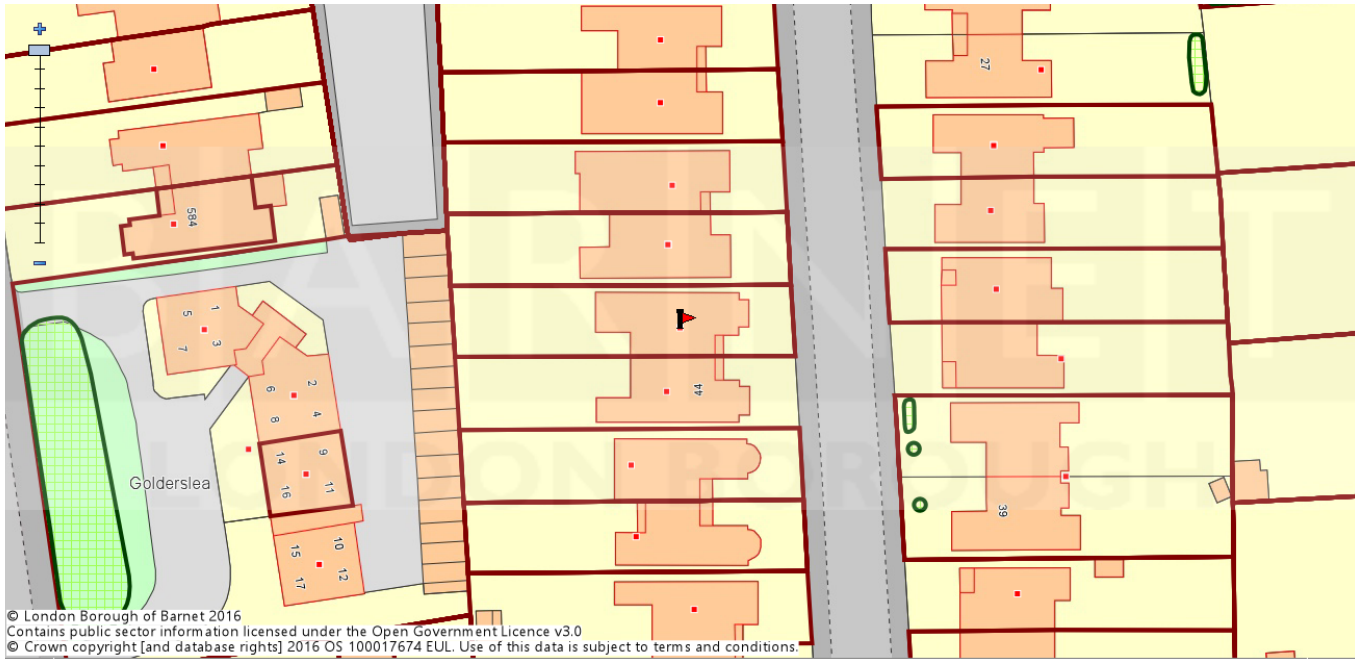
The application has been assessed and is not considered to constitute over-development and complies with the relevant policies.

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.



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