

Location **17 Purcells Avenue Edgware HA8 8DR**

Reference: **16/2577/HSE** Received: 19th April 2016
Accepted: 20th April 2016

Ward: Edgware Expiry 15th June 2016

Applicant: Goetz

Proposal: Part single, part two storey rear extension

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing numbers:

- 'Streetwise' Site Location Plan
-120
-002
-003
-011
-012
-013
-101
-102
-111
-112
-113

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 first floor eastern elevation, of the extension hereby approved, facing the neighbour at 15 Purcells Avenue.

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).

- 6 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 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. 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 is a rectangular shaped corner site located at 17 Purcells Avenue, Edgware, HA8 8DR. The site contains a two storey semi-detached dwellinghouse, which faces Purcells Avenue to the north, with a road along the western side boundary providing access to the rear of the site and the vehicle garage.

The application property is not listed nor located on land designated as Article 2(3)(Conservation Area).

2. Site History

Reference: 16/1794/PNH

Address: 17 Purcells Avenue, Edgware, HA8 8DR

Decision: Prior Approval Required and Refused

Decision Date: 21 April 2016

Description: Single storey rear extension with a proposed depth of 4.5 metres from original rear wall, eaves height of 2.95 metres and a maximum height of 2.95 metres

Reference: 16/1796/PNH

Address: 17 Purcells Avenue, Edgware, HA8 8DR

Decision: Prior Approval Required and Refused

Decision Date: 22 March 2016

Description: Single storey rear extension with a proposed depth of 4.5 metres from original rear wall, eaves height of 2.95 metres and a maximum height of 2.95 metres

Reference: 16/2058/PNH

Address: 17 Purcells Avenue, Edgware, HA8 8DR

Decision: Prior Approval Required and Refused

Decision Date: 1 April 2016

Description: Single storey rear extension with a proposed depth of 4.5 metres from original rear wall, eaves height of 2.95 metres and maximum height of 2.95 metres

None of the above prior notification applications were refused on amenity grounds, rather they were refused on technicalities and non-compliance with the General Permitted Development Order.

3. Proposal

The proposal involves a part single, part two storey rear extension. The two-storey component will be located on the western side of the rear of the dwelling closest to the adjoining road, continuing the same roof form as the existing dwelling. The single storey component comprises of a flat roofed 3 metre high extension abutting the eastern side boundary shared with the adjoining neighbour at 15 Purcells Avenue. The single storey component is located across the width of the rear of the dwelling, partially beneath the two storey high additions.

The additions extend and join the ground floor segregated living room and kitchen and extends the utility room. The first floor additions add an ensuite bathroom to an existing

bedroom, they extend an existing bedroom and also extend an existing ensuite bathroom to another bedroom. The first floor additions extend 2.7 metres into the rear garden off the existing rear wall of the dwelling. The ground floor extension will measure between 1.8 metres and 4.5 metres deep off the existing rear wall of the dwelling and will extend for the full width of the dwelling.

4. Public Consultation

Consultation letters were sent to 6 neighbouring properties. 6 responses have been received in regard to this application consisting of 5 letters of objection, with one objection consisting of two signatures from occupants at the same address. The objections are summarised below:

- Loss of natural light
- Inaccuracy of submitted plans
- Encroachment into adjoining allotment
- Overshadowing on neighbouring occupiers
- A sense of enclosure from the development
- Over development of the site
- Excessive number of habitable rooms in dwelling
- Development is out of character for the area
- Poor precedent set by having a large addition at rear

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:

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

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

5.3 Assessment of proposals

Impact on existing building and street scene

The local area and street scene of Purcells Avenue is characterised predominantly by two storey semi-detached traditional buildings with consistent building heights, steeply pitched roofs, soft landscaped front gardens and window detailing. The proposal for 17 Purcells Avenue is for a single and double storey rear extension. The second storey component is set adjacent to the western side boundary, which forms the return frontage and road of Campbell Croft. The single storey component abuts the eastern side boundary and runs for the whole width of the dwelling, while the double storey component is set 3.6 metres off that boundary.

The Council's Residential Design Guidance SPD 2013 advises that rear extensions should be subordinate features to the existing dwelling and should be constructed with materials which are in keeping with the rest of the building.

The proposal at the host property is for a single and double storey extension that is subordinate to the existing dwelling in overall roof height and the extension keeps within the setbacks of the existing side walls, continuing the same roof pitch as the existing dwelling.

The rear wall of the existing dwelling is in mostly original condition but comprises of an old single storey 'L' shaped kitchen addition of unknown age, adjacent to the western side boundary and secondary frontage. The proposed single storey components measure 4.5 metres in depth off the existing rear wall of the dwelling and 1.8 metres off the protruding kitchen ground floor addition, adjacent to the western side boundary. The proposed rear wall of the single storey additions will form a straight line and measure the whole width of the dwelling. The single storey component comprises of a flat roof 3 metres high.

The first floor addition is proposed to extend out over the ground floor kitchen protrusion and then sideways towards the eastern side boundary abutting 15 Purcells Avenue. The first floor addition will be setback a minimum of 3.6 metres from the boundary with 15 Purcells Avenue and will share the same setback to the return frontage as the existing ground floor walls. The first floor addition proposes a pitched roof of the same angle as the existing roof and will be set below the existing roof ridges. The first floor addition comprises of a new ensuite abutting the existing bathroom and the existing ensuite to the master bedroom will be extended on the first floor.

Overall, the extensions are subordinate to the existing dwelling and are only located at the rear of the dwelling. The additions also continue the same roof pitches and use of building materials. Therefore, the extensions at the host property are considered to be an acceptable addition to the dwellinghouse in accordance with the Council's SPD.

Impact on neighbouring amenity

The subject dwelling abuts Campbell Croft on the western side and shares the eastern boundary with the semi-detached neighbouring dwelling at 15 Purcells Avenue.

The neighbour at no.15 already has a single storey rear extension, which is a similar depth to the rear extension proposed. It is noted that the plans submitted by the applicant show the neighbour's extension matching the proposed extension at 4.5 metres deep, when it is in fact 4 metres deep. This 0.5 metre inaccuracy on the plans does not alter the overall position of the Planning Department with regard to the merits of the proposed extension. The neighbour's extension has both a flat and pitched roof, which is of a similar height to the 3 metre high flat roof extension proposed. Dense vegetation exists along the shared boundary with no.15 in the form of a high hedge.

The first floor extension is situated closest to the western boundary and Campbell Croft, not the neighbour at no. 15. The first floor extension only projects 3 metres out into the rear garden from the existing first floor rear wall and will be setback not less than 3.6 metres to the boundary with no. 15. As this neighbour and the subject site both share deep, south facing rear gardens and the first floor extension will be no less than 3.6 metres away from their boundary to the west and only 3 metres deep, it is considered that the proposed extensions will have negligible effects on this neighbour. There will be no harmful visual bulk effects or sense of enclosure or detrimental overshadowing to this neighbour, only late in the day some minor overshadowing of the garden will occur when the sun is in the west, which is considered acceptable in terms of reasonable anticipated development impacts from adjoining sites.

The development is not considered to adversely affect the garden amenity of the neighbouring occupier; it is not considered to have an adverse impact on creating a sense of enclosure or loss of natural light to the neighbouring and is not considered to appear overbearing or visually intrusive on the neighbour. Overall, the proposed extension is considered to have satisfied the requirements of the Residential Guidance SPD. Therefore, the development is considered not to impact the neighbours to an extent that would warrant a reason for refusal.

5.4 Response to Public Consultation

- Loss of natural light -

As detailed in the main assessment of this report, the extensions do not extend deeper into the rear garden than the closest neighbour at 15 Purcells Avenue and are of a similar overall height at 3 metres. The second storey component is setback a considerable distance of 3.6 metres to the boundary with no. 15 and will only project 2.7 metres into the rear garden, allowing for ample natural light access during most daylight hours. Any loss of natural light will be negligible, therefore the development is considered acceptable.

- Inaccuracy of submitted plans -

The plans are considered accurate for a detailed and effective planning assessment to be made. Any potential boundary disputes are a civil matter and need to be dealt with outside of Council's planning assessment.

- Encroachment into adjoining allotment-

As detailed above, the plans are considered accurate for a proper planning assessment and no clear inaccuracies exist. The initial plans showed the single storey party wall straddling the boundary with no.15 in the extension and amended plans have since been received showing the extension wholly inside the subject site. Boundary alignment and positioning is a civil matter though and needs to be dealt with privately.

- Overshadowing on neighbouring occupiers-

As detailed above, negligible overshadowing at the end of the day will result from the extension and there will be minimal impacts to the neighbour. The development is considered acceptable in this respect.

- A sense of enclosure from the development-

The development is solely located at the rear of the site and has both a low overall height where it abuts the closest neighbour and the second storey component is situated a considerable distance away from the shared boundary. The subject site and adjoining neighbour both have south facing rear gardens and will continue to receive ample natural light. No tangible sense of enclosure is considered to result from this development.

- Over development of the site-

The rear gardens are deep on both the subject site and the closest neighbour's site and the subject development is lower and subordinate to the existing dwelling. The single storey component of the extension matches the setback distance of the existing rear extension at no.15. No extra habitable rooms are being created. The development is therefore not considered to be an overdevelopment of the site.

- Excessive number of habitable rooms in dwelling-

As stated above, no new rooms are being created in this development at either floor level. The development is simply an expansion of the existing rooms, being the ground floor living, kitchen and utility areas at the rear and on the first floor; just the addition of an ensuite bathroom to one bedroom, the expansion of that bedroom and the expansion of the master bedroom's ensuite.

- Development is out of character for the area-

The development is not considered to be out of character with the area as extensions of similar depth are present in the locality. The next door neighbour at no. 15 already has an extension of similar depth. The same roof form and materials will be used, helping the proposal to compliment the appearance of the existing dwelling.

- Poor precedent set by having a large addition at rear-

As detailed above, the extension matches the depth of similar extensions in the locality. The first floor component is situated further from the neighbour than the ground floor and only projects an additional 3 metres out from the rear wall of the dwelling. The first floor addition has a lower roof height and is subordinate to the existing dwelling. The materials used in this extension and the roof pitch proposed are complimentary to the existing dwelling.

Every planning application received must be assessed on its own individual merits, not potentially reinforcing previous poor planning decisions. Overall, the additions are not considered to be overly large or a negative development precedent for the locality.

6. Equality and Diversity Issues

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- "(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

For the purposes of this obligation the term "protected characteristic" includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

Officers have in considering this application and preparing this report had regard to the requirements of this section and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty under this important legislation.

Neighbouring residents have raised the concern of the impact of the proposals on a disabled resident. Disabled residents could be more affected by loss of light or outlook from windows. The proposed extension would only extend 0.5m beyond the rear wall of no.15 as extended. In this way it is not considered that the proposals could harm the amenities of the disabled resident, and as such supporting the proposal would not discriminate against a resident with protected characteristic.

Furthermore, construction works associated with a rear extension of this size are unlikely to be extensive, however a condition is suggested to restrict hours of use to minimise disturbance.

With the conditions recommended the proposal is found to accord with development plan policies as they relate to the relevant equalities and diversity matters by providing a high quality inclusive design approach which creates an environment that is accessible to all and would continue to be over the lifetime of the development. The development would therefore have a positive effect in terms of equalities and diversity matters.

It is considered by officers that the submission adequately demonstrates that the design of the development and the approach of the applicant are acceptable with regard to equalities and diversity matters. The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our 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.

