

Location **12 Engel Park London NW7 2NS**

Reference: **16/3519/HSE**

Received: 27th May 2016

Accepted: 7th June 2016

Ward: Mill Hill

Expiry 2nd August 2016

Applicant: Mrs Sanjeeda Azam

Proposal: Two storey side extension. Demolition of existing rear conservatory and erection of single storey rear extension. Single storey side extension and first floor side/rear extension adjacent to the boundary with 1 Bittacy Park Avenue. New rear access steps and patio. Installation of new access ramp to front. Erection of timber fence to existing boundary. Roof extension involving 3 no. rear dormers, 1 no. rooflight to side and 3 no. rooflights to front, and increase in ridge height to facilitate loft conversion

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. 16-846-E01 Rev A; Drawing no. 16-846-E02; Drawing no. PL01; Drawing no. PL02 Rev A; Drawing no. PL03; Drawing no. PL04.

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.14 Engel Park and no. 1 Bittacy Park 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).

- 5 Before the building hereby permitted is first occupied the proposed window(s) in the side elevation facing no.14 Engel Park and no.1 Bittacy Park Avenue shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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) and the Residential Design Guidance SPD (adopted April 2013).

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 and the Applicant engaged with this prior to the submissions of this application. 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 property is a detached dwelling located on the northern side of Engel Park within the Mill Hill ward. The property is not listed nor does it lie within a conservation area. The property lies at the junction with Bittacy Park Avenue and the property is located at a higher level than the properties to the west.

Although there are no TPOs within the boundary of the application site, the adjacent Watch Tower House to the rear of the site on The Ridgeway, is covered by a Tree Preservation Order.

2. Site History

Reference: H/01473/08

Address: 12 Engel Park, London, NW7 2NS

Decision: Refused

Decision Date: 01.08.2008

Description: Retention of boundary wall.

Reference: W07304B/06

Address: 12 Engel Park, London, NW7 2NS

Decision: Approved subject to conditions

Decision Date: 03.10.2006

Description: Erection of conservatory to rear of property.

Reference: W07304

Address: 12 Engel Park, London, NW7 2NS

Decision: Approved subject to conditions

Decision Date: 10.08.1983

Description: Two-storey and single-storey side extension.

3. Proposal

The applicant seeks planning consent for development comprising of the following extensions:

- Two storey side extension adjacent to the boundary with no.14 Engel Park
- Demolition of existing rear conservatory and erection of single storey rear extension.
- Single storey side extension near boundary with no.1 Bittacy Park Avenue
- First floor side/rear extension near boundary with no.1 Bittacy Park Avenue
- Roof extension involving 3 no. rear dormers, 1 no. rooflight to side and 3 no. rooflights to front, and increase in ridge height to facilitate loft conversion
- New rear access steps and patio.
- Installation of new access ramp to front.
- Erection of timber fence to existing boundary.

The two storey side extension near the boundary with no. 14 Engel Park would have a width of 3m following the demolition of the existing two storey side extension near the boundary with no. 14 Engel Park. The extension would have a depth of 11.2m up to the level of the original rear elevation.

The single storey rear extension would have a depth of 3m, and the patio, which would be sited 3.15m away from the boundary with no.14, would project an additional 1.65m beyond the rear elevation of the proposed extension. The roof would match the height of the existing with a lean to roof.

The single storey side extension near the boundary with no.1 Bittacy Park Avenue would have a width of 3.3m and set 0.9m from the front elevation with a hipped roof over. The extension would splay towards the rear to follow the boundary of the site, retaining a gap of at least 1.3m from the boundary with no.1 Bittacy Park Avenue.

The first floor side/rear extension at the boundary with no. 1 Bittacy Park Avenue would have a depth of 1.7m, it would be recessed by approximately 2.2m from the outermost rear elevation at first floor level.

The proposed roof extension would include the increase of the ridge height. The roof above the proposed two storey extension near no.14 would be hipped. The roof form at the other side would be extended to include a gable end. The rear dormers would be centrally located on the roofslope, each with a width of 2.25m and maximum height of 2.4m.

The timber fence would be sited along the side boundaries and would have a height of 1.8m

The railings of the ramp would have a height of approximately 1.2m and the ramp would be sited along the boundary with no.14 Engel Park.

4. Public Consultation

Consultation letters were sent to 15 neighbouring properties.
11 responses have been received, comprising 11 letters of objection.

The objections received can be summarised as follows:

- Size and proximity of building would be detrimental to 14 Engel Park
- Out of character
- Set precedent for other development on the road
- Overbearing/ Exaggerate the slope of the road with overbearing effect
- Visually obtrusive
- Loss of light
- Encroach over boundary.
- Sense of enclosure
- Disproportionate extension
- Limited space between dwellings/ 2m not respected
- Roof of extension should be set 0.5m lower
- Overlooking & loss of privacy
- Does not comply with guidance
- Significant increase in ridge height
- Application does not show context of adjoining properties
- Building already extended
- Overdevelopment of site
- Excessive scale and proximity to nearby house would have negative impact on street
- Inaccurate site plan

- Affect the amenity of the whole street

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 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

Whilst it is acknowledged that the side extension at the boundary with no14 would not comply with the guidance specified with the Residential Design Guidance SPD, every case is assessed on its own merits. Consideration has been given to the existing extension and built form adjoining a gable end, which itself adds to bulk and massing at the boundary with no.14 Engel Park. The hipped roof, at a relatively shallow gradient of 40 degrees, would reduce the bulk and massing of the property relative to no.14. The traditional hipped roof at this boundary is considered to be more sympathetic particularly when viewed from the streetscene. The extension at this boundary, although projecting further into the garden than the existing side wing, is not considered to result in unacceptable levels of overlooking; naturally there will be some level of overlooking given the host property's raised siting above no. 14 Engel Park however the extension would be limited to the existing outermost rear elevation and therefore its visual impact on the neighbouring occupiers would be limited.

At the other boundary along no 1 Bittacy Park Avenue, the extension along the boundary is limited to ground floor and given the boundary of the site, the width is considered to be acceptable. Given the distance from the boundary, the first floor rear extension would not be harmful to the amenities of neighbouring occupiers.

The area includes various examples of design and built form, and there is no distinct typology on the road. It is therefore considered that the proposed extensions would be

acceptable in an area with such a varied character. Furthermore, there are also other examples on the road where the gap between properties is less than the recommendation within the SPD; it is therefore not considered to be just to reinforce this in an area of such varied character.

The increase in the ridge height of the building is not considered to be excessive and would only be marginally noticed from the streetscene.

The proposed fencing is considered to be acceptable and would comply with the requirements of permitted development.

The proposed railings and ramp would facilitate access to the property and given the set back from the pavement are considered to be subordinate and acceptable.

The proposed patio would replace the existing raised patio and given the distance from the boundary with no.14 particularly it is not considered to give way to any additional levels of overlooking than currently experienced on site. As such this feature is considered to be acceptable.

5.4 Response to Public Consultation

The planning related issues have been addressed in the report above.

The matter of encroachment of the eaves cannot be controlled under the Town and Country Planning Act 1990; this is a civil matter between the applicant and the neighbouring owners. It must be noted that the existing eaves of the building encroach on to the neighbouring garden.

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.

