

Location **30 Lawrence Gardens London NW7 4JT**

Reference: **16/3187/HSE** Received: 10th May 2016
Accepted: 16th May 2016

Ward: Mill Hill Expiry 11th July 2016

Applicant: Mr David Krantz

Proposal: First floor side extension with pitched roof

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no. 05_931_112.C; Drawing no. 05_931_111; Drawing no. 05_931_110.

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 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the building(s) and hard surfaced areas hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2015.

- 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, of the extension(s) hereby approved, facing no.32 Lawrence 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).

- 5 Before the building hereby permitted is first occupied the proposed window(s) in the side elevation facing no.32 Lawrence Gardens 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.
- 2 The applicant is advised that works carried out under permitted development should be completed first before works commence on the hereby approved scheme.

Officer's Assessment

1. Site Description

The application is a semi-detached dwelling located on the north-eastern side of Lawrence Gardens within the Mill Hill ward. The area is predominantly residential in character. The property is not listed nor does it lie within a Conservation Area.

There are site level changes from south-east to north-west, with the application site sitting lower than no.32 Lawrence Gardens.

2. Site History

Reference: W07732

Address: 30 Lawrence Gardens London NW7 4JT

Decision: Approved subject to conditions

Decision Date: 04.07.1985

Description: First floor side and single-storey rear extension.

Reference: W07732A

Address: 30 Lawrence Gardens London NW7 4JT

Decision: Approved subject to conditions

Decision Date: 03.12.1986

Description: Single-storey front extension.

Reference: W15841/07

Address: 30 Lawrence Gardens London NW7 4JT

Decision: Refused

Decision Date: 15.06.2007

Description: First floor side extension. Roof extension. Front canopy roof extension.

Reference: W15841A/07

Address: 30 Lawrence Gardens London NW7 4JT

Decision: Approved subject to conditions

Decision Date: 22.08.2008

Description: First floor side extension and front canopy roof extension.

3. Proposal

The applicant seeks planning consent for a first floor side extension with pitched roof.

The property benefits from a roof extension including new gable roof and rear dormer which appears to have been implemented under permitted development.

The first floor side extension will sit above the existing side wing. The proposed extension would be set flush from the existing recessed side wing, and 1m from the principal front elevation. The extension would have a width of 2.35m and a depth of 9.4m, up to the level of the rear elevation. The extension would be covered by a gabled end roof to match the roof of the main dwelling, with matching eaves height and a ridge height 0.5m lower than the main roof.

4. Public Consultation

Consultation letters were sent to 5 neighbouring properties.
6 responses have been received, comprising 6 letters of objection.

The objections received can be summarised as follows:

- Change of style is out of character with others on Lawrence Gardens
- The proposed gable style roof construction is out of keeping with all the other properties along this street which largely have hip style roofs
- Reduction in the gap between properties
- Loss of symmetry between dwellings/ Hip roof would be more symmetrical
- Bulky extension
- The extension goes beyond permitted development.
- Loss of light/ overbearing extension at upper level

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

At the time of the site visit, works on the roof involving the hip to gable extension and rear dormer had already started. These works appear to adhere with the requirements of permitted development, although a certificate of lawfulness has not been obtained. Whilst it is accepted that the gable end does unbalance the pair of semi-detached dwellings, as this has been carried out under the permitted development legislation, the Local Planning Authority cannot assess the impact on the character.

Given the roof design on the property as extended, the gable end roof of the first floor side extension would match the roof as altered and as such it is considered to have an acceptable impact on the appearance of the host property and the character of the area. It is not considered that a hipped roof attached to the gable roof of the main building would be a more sympathetic solution.

The Residential Design Guidance SPD stipulates that first floor side extensions should read as subordinate additions; they should be recessed from the front elevation by 1m and the extension should be set 0.5m from the ridge of the main dwelling. Due to the existing recessed front façade, the proposed extension would naturally be set-back. In addition, the roof would be 0.5m lower than the ridge of the main roof and as such would comply with the Residential Design Guidance SPD. Officers consider that the side extension is acceptable as there would still be a sufficient distance between the flank walls of the adjoining property and the host dwelling and the width of the non-original extension would be less than half the width of the property.

The first floor side extension would retain a gap of 1m from the host dwelling to the boundary with no.32 Lawrence Gardens, and given the lower setting of the host property to this neighbouring building, it is not considered that there would be an unacceptable level of spacing between the properties to warrant refusal of the application.

With regards to the impact on the neighbouring occupiers, as mentioned, the host dwelling is set at a lower level than no.32 and as the extension would not project further than the existing rear elevation, it is not considered that the extension would appear overbearing nor result in a detrimental impact to the amenities of occupiers at no.32.

The bulk, size, design and siting of the proposed alterations are considered to be appropriate. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers and is not considered to detract from the established character and appearance of the property and surrounding area.

5.4 Response to Public Consultation

It is considered that the comments raised by objectors have been addressed in the report above.

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.

