

Location **27 Hendon Way London NW2 2LX**

Reference: **16/3603/HSE** Received: 2nd June 2016
Accepted: 8th June 2016

Ward: Childs Hill Expiry 3rd August 2016

Applicant: Mr Najib Daulatzai

Proposal: Demolition of existing garage and erection of two storey side extension
and 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:

- HI-01
- HI-02
- HI-03
- HI-07
- HI-08

All received 02.06.2016.

- HI-04a
- HI-05a
- HI-06a

All received 19.08.2016.

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 Before the building hereby permitted is first occupied the proposed window(s) in the flank elevation at first floor level facing 29 Hendon Way 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).

- 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 flank elevation(s), of the extension(s) hereby approved, facing 25 and 29 Hendon Way.

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 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).

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 site of the application is a two-storey semi-detached dwelling house located on west side of Hendon Way, within the Childs Hill ward.

The property is not listed and does not lie within a Conservation Area.

2. Site History

Reference: 15/06370/192

Address: 27 Hendon Way, London, NW2 2LX

Decision: Lawful

Decision Date: 6 November 2015

Description: Roof extension involving hip to gable, rear dormer window with 3no rooflights to front elevation

Reference: 15/07641/FUL

Address: 27 Hendon Way, London, NW2 2LX

Decision: Refused

Decision Date: 16 February 2016

Description: Two storey side extension and part single part two storey rear extension to facilitate conversion of single family dwelling into 4 no. self contained flats

Reference: 16/1691/FUL

Address: 27 Hendon Way, London, NW2 2LX

Decision: Withdrawn

Decision Date: 25 May 2016

Description: Conversion of property into 4no. self-contained flats with associated alterations and extensions including a hip to gable and rear dormer window roof extension, single storey front extension, part single, part two storey side and rear extension, provision of 3no. off-street parking spaces, associated refuse storage to front and external access staircase to rear

Reference: 16/3734/PNH

Address: 27 Hendon Way, London, NW2 2LX

Decision: Prior Approval Required and Refused

Decision Date: 16 June 2016

Description: Single storey rear extension with a maximum depth of 5metres from the original rear wall. Eaves height of 2.9metres and maximum height of 4metres

3. Proposal

The application seeks consent for:

- Demolition of existing garage
- Erection of two storey side extension with 1.5 metres width with a dual pitch roof.
- Part single storey part two storey rear extension with a flat roof at the ground floor and a pitched roof at the first floor joining the existing one.

4. Public Consultation

Consultation letters were sent to 11 neighbouring properties.

7 responses have been received comprising 7 letters of objection.

The comments can be summarised as follow:

- Overdevelopment of the existing property
- The extension will spoil the enjoyments of the adjoining houses
- It is not suited to the area
- It will cause distress and reduce the quality of life for all concerned
- The proposal would potentially mean the same number of people residing in the property as a 4 unit site, therefore it will increase noise, waste and foot fall.
- The proposal is not in keeping with the existing housing in the area
- It will directly impact the other semi-detached property in terms of noise.
- The rear garden would be tiny, almost non-existent and not sufficient for a family
- It may be used as a multi-occupancy building for letting.
- The extensions are very large and overbearing.
- Loss of privacy
- Overlooking
- Loss of privacy
- Extensions too close to the boundary
- It will be out of character to the area
- Unsuitable property
- It will ruin the uniformity of the houses in the area
- The conversion into 4 flats would be unacceptable
- The building work has already begun
- It will mean the surrounding properties will no longer be private due the scale and position of the extension
- Loss of natural light
- The style of the existing houses is not suited to being made into contemporary units
- It will increase traffic, pollution and noise 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

Preliminary Matters

It is noted that a previous application 15/07641/FUL dated 11th February 2016 for the property site was refused.

The current application is a similar proposal however it has been substantially amended in order to comply with our policies. The proposal for the conversion of the property into 4 flats has been removed.

Works has been carried out to the site property that was considered Lawful under application 15/06370/192 dated 6th November 2016. This was confirmed at the time of the site visit.

Two storey Side Extension

Following discussions with the Case Officer the original proposal was amended in order to comply with Barnet Planning Policies.

The proposed side extension would project 1.5 metres from the side of the host dwelling. A dual pitched roof is proposed which would be 8.15 metres high, 0.50 metres lower than the existing roof. The eaves will have a height of 5.80 metres matching the existing eaves. There will be a gap of 1 metre between the flank wall of the proposal and the shared boundary with the neighbouring property at 29 Hendon Way and a gap of approximately 3 metres between the flank walls of both properties. Therefore it is not considered that the extension will result in a loss of light or will overshadow the adjoining property.

There will be one window in the ground floor and two windows in the first floor facing the property at 29 Hendon Way. The existing property already benefits from side walls in the ground and first floor level and due to the approximately 3 metres distance from the property at number 29, it is not considered the windows will represent a loss of privacy in the neighbouring properties and as such these windows are considered acceptable, subject to a condition requiring the first floor to be obscure glazed.

As a result of the extension works the existing single storey garage located adjacent to the shared boundary with 29 Hendon Way would be demolished.

The two storey side extension follows the recommendations of the Residential Design Guidance (SPD) sets in points 14.14, 14.15, 14.16 and 14.17. By virtue of the size, scale and siting of the proposed side extension, when considered in relation to the existing property on site, the side extension will remain a subordinate and proportionate addition of the main property and will not look out of keeping with the character of the area or overbearing.

For the reasons above, it is considered the extension would not impact the character or appearance of the street scene or host dwelling to an unacceptable level.

Part Single part two storey rear extension

A part two storey and part single storey rear extension is proposed to the rear of the property. The ground floor rear extension will extend approx. 2.8 metres from the adjacent property at number 25 and will join the side extension with a total width of 8.35 metres. These extensions will increase the internal space of the kitchen and the dining room with the addition of a lounge. The ground floor extension will have a flat roof with a maximum height of 3 metres and a skylight.

The first floor extension will extend 3 metres to the rear with a width of 5.4 metres. The extension is set back 3.45 metres from the shared boundary with the semi-detached property at number 25. It will have a pitched roof with a maximum height of 6.90 metres height. Therefore, the proposed rear extensions comply with the recommendations in The Residential Design Guidance (SPD) for extensions in semi-detached houses.

The extension at the first level will not have any side windows. As such, it is considered that limited harm will be caused to the amenity of the neighbouring occupiers. It is considered that the design of the proposed extension is such that it would not impact the amenity of the neighbouring occupiers to an unacceptable level in terms of privacy, loss of light and overlooking.

Taking into consideration the size, scale and sitting of the proposed extension and the orientation of the site, it is deemed the proposed part single part two storey extension would not impact the amenity of occupiers of the adjoining property to an unacceptable level and will not look overbearing nor will it look out of keeping with the character of the area.

On this basis, it is considered that the proposed extension would not impact the amenities of these neighbouring occupiers to an unacceptable level.

5.4 Response to Public Consultation

- The application has been assessed and is not considered to constitute over-development and complies with the relevant policies.
- The planning matters raised have been addressed in the main report.
- As stated in the report above the current application does not involve the conversion of the property into flats.

- Noise from building works are considered unavoidable and it would be unreasonable to attach a condition restricting noise due to the scale of this scheme

- It was confirmed in the site visit that extensions to roof were carried out under permitted development that was deemed lawful under application 15/06370/192, dated 6 November 2015

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.

