

Location **6B Bertram Road London NW4 3PN**

Reference: **16/6621/RCU** Received: 14th October 2016
Accepted: 19th October 2016

Ward: West Hendon Expiry 14th December 2016

Applicant: Ms Kavita Singh

Proposal: Erection of french doors with railings to create juliette balcony

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 6BBR01, 6BBR02, 6BBR03, 6BBR04, 6BBR05.

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.

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 application site is a two storey mid terrace dwelling located on the eastern side of Bertram Road. The area is residential in character and predominantly consists of terraced properties.

The application site is not a listed building and does not lie within a Conservation Area.

2. Site History

Reference: H/04064/11

Address: 6B Bertram Road, London, NW4 3PN

Decision: Refused

Decision Date: 23 January 2012

Description: Installation of 2 rooflights to the front roofslope.

3. Proposal

Permission is sought for french doors with railings to create a juliette balcony, which have already been installed at first floor level on the rear elevation.

4. Public Consultation

Consultation letters were sent to 19 neighbouring properties.

12 responses have been received, comprising 9 letters of objection, 3 letters of support and 0 letters of comment.

The objections received can be summarised as follows:

- Concerns raised over loss of privacy, security and direct access to neighbours flat roofs and gardens
- Overlooking the rear of properties within the vicinity of the application site

The representations received can be summarised as follows:

- Letters of support; The proposal provides fresh air, ventilation and light and does not interfere with views or result in loss of privacy
- The proposal is no wider than the original window and would not result in overlooking
- It would improve outlook and enhance the living conditions of occupiers of the property.
- There are many balconies on converted properties in the area and there is no roof access via the doors.

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 October 2016)

- 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 October 2016)

- 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

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

The application includes the installation of french doors with railings to create juliette balcony. It is considered that the works compliment the existing character and design of the dwelling in terms of materials, design and finish and is subordinate to the main house complying with the Residential Design Guide SPD (2016) Section 7. During the site inspection, the existing first floor window had been replaced by french doors, which were no wider or higher than the original window. The design proposes the erection of french doors within the existing opening in the rear elevation and the installation of railings to create a juliette balcony. It is evident, that there are other balconies of a similar size and design on properties within the surrounding area. Therefore, the proposed design is not out of character with surrounding properties in the area.

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

It is not deemed that the french doors with railings to create a juliette balcony have any material impact on the existing amenity provision of the occupants of the neighbouring properties. No loss of outlook, natural light, security or privacy will be experienced by the neighbouring properties at no 4, 6A and 8 as the existing window is replaced by french doors which are no wider or higher than the original first floor rear window. Also, the view from the rear would remain the same as the existing situation because the proposal is no higher or wider than the existing rear window opening. Furthermore, the juliette balcony is positioned flush against the existing rear elevation of the building. Due to the fact, there are railings across the french doors, this will ensure the doors cannot open outwards and would not facilitate direct access onto the roof of the property. As such, the proposal would not result in any overlooking or overbearing impacts on the adjoining occupiers or neighbouring rear gardens or amenity areas.

Neighbouring properties were consulted and 9 objections were raised. The objections have been considered in the assessment section of the report. It is deemed that the french doors with railings to create a juliette balcony would not have an unacceptable adverse impact on the residential amenity of neighbouring occupiers. The proposal would therefore be recommended for approval.

5.4 Response to Public Consultation

Public consultation has been addressed in the assessment section of the report.

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 the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the general 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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