

**Location**                    **3 Tretawn Gardens London NW7 4NP**

**Reference:**                **16/7886/HSE**                    Received: 12th December 2016  
Accepted: 19th December 2016

Ward:                        Mill Hill                                Expiry 13th February 2017

Applicant:                 Mr Murray

Proposal:                    Two storey side and rear extension. Balcony to first floor rear. New raised patio area. Roof extension involving raising of the roof height, rear and side dormer windows, 1no. rooflights to front, rear and both side elevations to facilitate a 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; DB257-01; DB357-02 dated 01 December 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     Notwithstanding any other details shown on the plans hereby approved, the windows and any other glazing to be inserted in the southwestern and northeastern elevations and in the dormers to the southwestern and northeastern roof slopes of the extension/dwelling shall, up to a minimum height of 1.7 metres above finished floor level, be fixed shut (without any opening mechanism) and glazed in obscure glass. The windows(s) shall thereafter be retained as such.

Reason: In the interests of the amenity of neighbouring properties and 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).

- 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 elevations facing either 1 or 5 Tretawn 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).

- 6 Prior to the commencement of development, details of privacy screens and/or boundary treatments to a height of no less than 1.8m above the finished patio level which shall enclose the patio and be erected adjacent to the boundaries with 1 and 5 Tretawn Gardens shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the amenity of neighbouring properties and 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).

#### **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**

This application relates to a southeast facing detached dwelling in the residential area of Mill Hill. The property has two storeys and has a hipped roof to the front and a gable end to the rear. To the rear of the dwelling there is a flat roof garage and to the southwest side of the dwelling there is a carport.

The property is not listed and does not fall within a designated conservation area.

### **2. Site History**

None

### **3. Proposal**

This application seeks full planning permission for the construction of a two storey side and rear extension following the demolition of the existing garage and carport. The roof height would also be raised and a dormer would be added in each of the side roof slopes. Roof lights would be added to the front, rear and both side roof slopes. A julliet balcony would be created to the rear elevation at first floor level. A new patio would be created to the rear.

### **4. Public Consultation**

Consultation letters were sent to four neighbouring properties.

Six letters of objection were received raising the following issues:

- Loss of privacy to Nos 68, 70 and 72 Uphill Grove.
- The side windows would look straight into No 66 Uphill Grove including the two bedroom windows and would overlook the garden, ground floor family kitchen area and living space, and upstairs bedrooms of No 68 Uphill Grove. The second floor dormer window would also overlook the garden, ground floor windows and bedroom windows of No 70 Uphill Grove.
- There would be a loss of privacy to the conservatory to No 66 Uphill Grove which is constructed of glass.
- The additional scale and height of the extension would result in loss of privacy and light to No 68 Uphill Grove, especially given the land is more elevated than that of Uphill Grove.
- The patio to the rear is too wide and too high and would permit views into the neighbouring properties.
- The flank extension is too close to the neighbouring property at 1 Tretawn Gardens.
- The first floor facing elevation of the side extension should also be set back 2m behind the rear elevation of 1 Tretawn Gardens.
- An approved window on the flank elevation at 5 Tretawn Gardens would be compromised by this proposal.
- The proposed development would overlook both 1 and 5 Tretawn Gardens and would result in loss of light to both properties.

- The building is too high and too big and is out of character with the wider area.

## **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 March 2015

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 2031. 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**

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

Planning permission is sought for the erection of a two storey side and rear extension. The proposed development would also alter the form and appearance of the existing dwelling converting the roofscape into a crown roof which would be increased in height. A dormer would be added to the rear and flank roof elevations.

The proposed extension to the side would result in a set back from the front elevation. By virtue of the levels change between 1 and 3 Tretawn Gardens combined with the difference in massing between bungalow and dwelling, it is considered that there is adequate separation to avoid a terracing impact within the street.

The application proposes a larger taller crown roof formation which differs from that which currently exists for the property, however, it is considered that both this design would not be insubordinate or disproportionate to the existing property and would also reflect the size scale and massing of other significant developments that have been constructed in Tretawn Gardens.

The proposed dormers are considered not to overwhelm the roof scape and although they are visible easily from the streetscene because of the siting of the property, it is considered that this would not be to the detriment to the character and appearance of the wider area.

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

It is proposed to construct a two storey side and rear extension, to raise the roof of the existing property and to insert a dormer window into the southwestern, northeastern and rear roof slopes. It is also proposed to construct a raised patio to the rear and a julliet balcony at first floor level to the rear elevation.

The two storey extension would abut the boundary with No 1 Tretawn Gardens to the southwest. No 1 is a bungalow and due to the slope of the land is set at a lower level than the application site. The proposed side and rear extension would project no further to the front or rear than the dwelling of No 1. It is therefore not considered that the proposal would result in any significant loss of outlook to No 1. Given the orientation of the two properties, the extension would not result in the loss of light to No 1.

The side and rear extension would abut the boundary with No 5 Tretawn Gardens to the northeast. That property is set back considerably further than No 3 and to its southwestern side has a flat roof garage. The proposed two storey rear extension would project no further to the rear than the rear of No 5 and therefore it is not considered that the proposal would lead to a loss of light or outlook to No 5.

It is proposed to construct a dormer window to the northeastern roof slope. It is proposed that this window would be obscurely glazed. Furthermore, whilst two windows are proposed in the northeastern elevation, these would serve a bathroom and en suite. As a result there would be no significant impact upon the privacy of No 5. A condition is attached to ensure that all windows in the northeastern elevation would be obscurely glazed in order to protect the privacy of No 5.

It is also proposed to construct a dormer window to the southwestern roof slope and to insert 1no window to the southwestern side elevation. This window would serve a landing. The proposal would be located adjacent to No 1 Tretawn Gardens and as such the proposed dormer and window to the southwestern elevation would directly overlook the roofscape and rear of No 1. Consequently a condition has been attached requiring that these windows are obscurely glazed.

Three objections have been received from properties on Uphill Grove to the southwest, objecting to the proposal on the grounds that the dormer window and window to the southwestern elevation would overlook the rear and rear gardens of properties on Uphill Grove and would have a detrimental impact upon the privacy of those properties. The proposal would be located approximately 30m from the rear elevations of Nos 68, 70 and 72 Uphill Grove. Whilst some privacy would be lost from the rear of those properties and their gardens, given the distance it is not considered that the impact would be great enough to warrant refusal alone. Nevertheless a condition requiring obscure glazing to be installed has been attached in order to control the impact of the development upon No 1. This obscure glazing would also benefit the occupants of Nos 68 - 72 Uphill Grove and preserve the privacy of those properties and their gardens.

It is proposed to insert a dormer window into the rear roof slope. It is not considered that this dormer window would adversely impact the residential amenity of neighbouring properties.

It is not considered that the proposed Juliet balcony or the proposed rear garden patio would have such a significant further detrimental impact upon the residential amenity of neighbouring properties to warrant refusal.

Having regard for the above, it is therefore considered that on balance the proposal complies with all local and national planning policy and the application is recommended for approval subject to a condition requiring obscure glazing.

#### **5.4 Response to Public Consultation**

Covered 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 extensions 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.

