

- 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 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).

- 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 north-east and south-west elevation(s), of the extension(s) hereby approved, facing Number 27 Tretawn Gardens and Number 23 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).

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

Officer's Assessment

1. Site Description

The application site contains a detached single family dwelling located on the northern side of Tretawn Gardens, an area predominantly residential in character. Austell Gardens runs along the rear of the property.

The site is not part of a designated conservation area nor is it a listed building.

Owing to the slope of Tretawn Gardens, the application property is sited approximately 400-600mm lower than the neighbouring property at no. 27 Tretawn Gardens and approximately 400-600mm higher than the neighbouring property at no. 23 Tretawn Gardens.

A number of properties within the street have been significantly extended including 27 Tretawn Gardens which projects deeper at both levels. In addition, properties have been substantially extended on the (south) eastern side of Tretawn Gardens with two storey rear extensions including 6, 16 and 26 Tretawn Gardens

2. Site History

Reference: 16/7132/HSE

Address: 25 Tretawn Gardens, London, NW7 4NP

Decision: Approved subject to conditions

Decision Date: 16 January 2017

Description: Single storey side and rear extension following demolition of existing shed

Reference: H/02828/12

Address: 25 Tretawn Gardens, London, NW7 4NP

Decision: Approved subject to conditions

Decision Date: 14 September 2012

Description: Single storey side and rear extension including 1no. roof-light and insertion of new fenestration to side elevations, following demolition of existing shed.

3. Proposal

The application seeks permission for a roof extension involving the following:

- Ground floor side and rear extension with a depth of 5 metres from the rear wall with a maximum width of 5.7 metres where it would be set in by 150mm from the shared boundary line with no. 27 Tretawn Gardens. This element would have a flat roof with a height of 3.4 metres

- First floor rear extension with a depth of 4 metres from the rear wall and a width of 4.9 metres where it would be set in by 1 metre from the shared boundary line with no. 27 Tretawn Gardens. It would have a crown roof with an eaves height of 4.9 metres and overall height of 6.3 metres.

- Juliette balcony to first floor rear extension

- 1no. obscure glazed window to north-east flank wall of ground floor extension
- 1no. window to south-west flank wall of ground floor extension

4. Public Consultation

Consultation letters were sent to 5 neighbouring properties.

7 objections were received within the consultation period, which can be summarised as follows:

- 1) First floor element would cause a loss of light and outlook
- 2) Juliet balcony would cause a loss of privacy
- 3) Extension would appear overbearing
- 4) Proposal conflicts with Local Plan policy
- 5) Insufficient evidence submitted, including absence of Light Impact Assessment

In addition, 1 representation of support was received outside the consultation period which can be summarised as follows:

- 6) Proposal is consistent with other recently approved development within the immediate 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 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 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 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

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

With regards to the proposed ground floor extension, this element already benefits from extant permission (Ref: 16/7132/HSE). The only material difference is that the current submission proposes a smaller window, where the approved includes a double patio door, and omits the approved roof lantern. As a result, this element is considered acceptable on the grounds that it is not materially dissimilar to the extension approved within the extant permission.

The proposed first floor element is considered an acceptable addition to the existing building and street. Owing to the set down of the roof from the ridge of the main roof, as well as the hipped roof reflecting the style of the main roof, it would appear a subordinate addition and would relate sympathetically to the host property. Equally, it is noticed other properties along the street benefit from first floor development, including the immediate neighbour at no. 27 Tretawn Gardens as well as other nearby properties, including no. 4 and no. 28 Tretawn Gardens. As a result, the introduction of a first floor rear extension would be consistent with the prevailing character of the local area.

Objections have raised concerns that the first floor extension, at 4 metres deep, would conflict with guidance set out within Paragraph 14.23 of the council's Residential Design Guidance (2016) advising that two storey rear extensions projecting more than three metres are not normally considered acceptable as they can appear too bulky and dominant. Although the first floor element would project beyond three metres, it is considered not to appear overly bulky or dominant for the reasons set out above.

Given that no external platform is proposed to the Juliette balcony, this element would constitute permitted development and therefore consent is not required.

2. Whether harm would be caused to the living conditions of neighbouring residents and future occupiers

As mentioned, the ground floor extension already benefits from extant permission and therefore will not be assessed on its impact on neighbouring amenity.

The proposed first floor extension is considered not to give rise to an unacceptable level of harm to the amenities of neighbouring properties. With regards to the impact on no. 27, it is noted that this neighbour already benefits from a first floor rear extension with a depth of 2.5 metres, approved under Application H/04677/09.

Indeed, this element would conflict with guidance set out within Paragraph 14.23 of the council's Residential Design Guidance (2016) advising that two storey rear extensions which are closer than 2 metres to the boundary and project more than 3 metres are not normally considered acceptable as they can have a detrimental effect on the amenities of neighbours.

However, the proposal is considered acceptable in light of this guiding principle for two reasons. Firstly, the presence of the existing 2.5 metre deep two storey rear extension at this neighbouring property means the proposed extension would project beyond the rear wall of this neighbouring first floor extension by 1.5 metres. The impact of this 1.5 metre projection is mitigated since it is set in from the shared boundary line by 1 metre, with the

neighbouring first floor projection set in from the boundary line by 1.2 metres. Given this overall distance of 2.7 metres from the flank walls of both first extensions, it is unlikely that such a projection of 1.5 metres would cause an unacceptable level of harm to the amenities of this neighbour, including a loss of light or outlook to their first floor windows.

Secondly, it is noted that this neighbour is sited approximately 400-600mm higher in level than the application property, as evidenced by the Existing Rear Elevation Profile (Drawing No. DPL-14). Given this level change, the two storey projection with an eaves height of 4.9 metres would remain lower in height than the existing neighbouring extension. As a result, it is unlikely that the addition would appear overbearing in relation to this neighbour.

With regards to the impact on the other neighbouring property at no. 23 Tretawn Gardens, the inside flank wall of the proposed first floor projection would be sited 3.5 metres from the boundary line adjacent this neighbour. The flank wall of the neighbouring property is distanced 1 metre to their boundary line which is screened with shrubbery. Although this neighbour is sited at a lower level than the application property, owing to a distance of 4.5 metres from the flank wall of the new extension to the neighbouring property it is considered there would be a limited impact on this neighbour.

Ultimately, the first floor element would comply with guiding principles set out in Paragraph 14.24 which seeks to ensure two storey rear extensions do not lead to a loss of light or outlook, cause an unacceptable sense of enclosure, have an overbearing impact, or cause harm to the character or appearance of the property and area.

In terms of the impact of the Juliette balcony, it is noted that since the property benefits from permitted development rights there would be no restriction precluding the insertion of such a feature. As no external platform is proposed to the balcony, such form of development would constitute permitted development and therefore consent is not required.

As the dwellings to the rear of the application property are a minimum of 47 metres away in distance, it is unlikely the proposals would cause significant harm to the amenities of these properties. As a result, the proposal would comply with principles set out within the council's Sustainable Design and Construction SPD (2016) under Table 2.4 which advise to maintain a minimum distance of 21 metres between windows to habitable rooms.

5.4 Response to Public Consultation

1) The proposed first floor element complies with Paragraph 14.24 of the council's Residential Design Guidance (2016) and is unlikely to have a significant impact on no. 27. As discussed, it would project beyond the rear wall of the neighbouring first floor extension by 1.5 metres which is mitigated by the fact this neighbour is sited at a greater level.

2) Without a platform the proposed Juliette balcony would not give rise to an unacceptable level of overlooking.

3) Owing to the acceptable design of the proposal, it is not considered the extension would appear overbearing as discussed.

4) Indeed, the proposal would conflict with Paragraph 14.23 which states: 'Two storey rear extensions which are closer than 2 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable.' However, upon further assessment it is considered the proposal would comply with Paragraph 14.24 and thus, on

balance, is considered acceptable regarding its impact on neighbouring amenity and its impact on the character and appearance of the building and local area.

5) Whilst the submission did not include a Light Impact Assessment, it was not considered reasonable nor necessary for the council to request such information to assist with the determination of the application. As discussed, the flank wall of the proposed first floor element would be sited 2.2 metres from the flank wall of the two storey extension at no. 27, and is therefore unlikely to cause a loss of light or outlook to the first floor windows of the neighbour. The applicant has demonstrated that the proposed development would accord with the forty-five degree wall from adjoining windows. Furthermore, none of the primary windows in adjoining properties would be located within ninety degrees of due south and as a result, there is no obligation for the applicant to demonstrate whether the scheme would have an impact on the receipt of sunlight.

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.

made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

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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.

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- 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:

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

5.3 Assessment of proposals

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

With regards to the proposed ground floor extension, this element already benefits from extant permission (Ref: 16/7132/HSE). The only material difference is that the current submission proposes a smaller window, where the approved includes a double patio door, and omits the approved roof lantern. As a result, this element is considered acceptable on the grounds that it is not materially dissimilar to the extension approved within the extant permission.

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Objections have raised concerns that the first floor extension, at 4 metres deep, would conflict with guidance set out within Paragraph 14.23 of the council's Residential Design Guidance (2016) advising that two storey rear extensions projecting more than three metres are not normally considered acceptable as they can appear too bulky and dominant. Although the first floor element would project beyond three metres, it is considered not to appear overly bulky or dominant for the reasons set out above.

Given that no external platform is proposed to the Juliette balcony, this element would constitute permitted development and therefore consent is not required.

2. Whether harm would be caused to the living conditions of neighbouring residents and future occupiers

As mentioned, the ground floor extension already benefits from extant permission and therefore will not be assessed on its impact on neighbouring amenity.

The proposed first floor extension is considered to cause an acceptable level of harm to the amenities of neighbouring properties. With regards to the impact on no. 27, it is noted that this neighbour already benefits from a first floor rear extension with a depth of 2.5 metres, approved under Application H/04677/09.

Indeed, this element would conflict with guidance set out within Paragraph 14.23 of the council's Residential Design Guidance (2016) advising that two storey rear extensions which are closer than 2 metres to the boundary and project more than 3 metres are not normally considered acceptable as they can have a detrimental effect on the amenities of neighbours.

However, the proposal is considered acceptable in light of this guiding principle for two reasons. Firstly, the presence of the existing 2.5 metre deep two storey rear extension at this neighbouring property means the proposed extension would project beyond the rear wall of this neighbouring first floor extension by 1.5 metres. The impact of this 1.5 metre projection is mitigated since it is set in from the shared boundary line by 1 metre, with the neighbouring first floor projection set in from the boundary line by 1.2 metres. Given this overall distance of 2.7 metres from the flank walls of both first extensions, it is unlikely that such a projection of 1.5 metres would cause an unacceptable level of harm to the amenities of this neighbour, including a loss of light or outlook to their first floor windows.

Secondly, it is noted that this neighbour is sited approximately 400-600mm higher in level than the application property, as evidenced by the Existing Rear Elevation Profile (Drawing No. DPL-14). Given this level change, the two storey projection with an eaves height of 4.9 metres would remain lower in height than the existing neighbouring extension. As a result, it is unlikely that the addition would appear overbearing in relation to this neighbour.

With regards to the impact on the other neighbouring property at no. 23 Tretawn Gardens, the inside flank wall of the proposed first floor projection would be sited 3.5 metres from the boundary line adjacent this neighbour. The flank wall of the neighbouring property is distanced 1 metre to their boundary line which is screened with shrubbery. Although this neighbour is sited at a lower level than the application property, owing to a distance of 4.5 metres from the flank wall of the new extension to the neighbouring property it is considered there would be a limited impact on this neighbour.

Ultimately, the first floor element would comply with guiding principles set out in Paragraph 14.24 which seeks to ensure two storey rear extensions do not lead to a loss of light or outlook, cause an unacceptable sense of enclosure, have an overbearing impact, or cause harm to the character or appearance of the property and area.

In terms of the impact of the Juliette balcony, it is noted that since the property benefits from permitted development rights there would be no restriction precluding the insertion of such a feature. As no external platform is proposed to the balcony, such form of

development would constitute permitted development and therefore consent is not required.

As the dwellings to the rear of the application property are a minimum of 47 metres away in distance, it is unlikely the proposals would cause significant harm to the amenities of these properties. As a result, the proposal would comply with principles set out within the council's Sustainable Design and Construction SPD (2016) under Table 2.4 which advise to maintain a minimum distance of 21 metres between windows to habitable rooms.

5.4 Response to Public Consultation

1) The proposed first floor element complies with Paragraph 14.24 of the council's Residential Design Guidance (2016) and is unlikely to have a significant impact on no. 27. As discussed, it would project beyond the rear wall of the neighbouring first floor extension by 1.5 metres which is mitigated by the fact this neighbour is sited at a greater level.

2) As the Juliette balcony would constitute permitted development, an assessment of the impact on neighbouring amenity is not required.

3) Owing to the acceptable design of the proposal, it is not considered the extension would appear overbearing as discussed.

4) Indeed, the proposal would conflict with Paragraph 14.23 which states: 'Two storey rear extensions which are closer than 2 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable.' However, upon further assessment it is considered the proposal would comply with Paragraph 14.24 and thus, on balance, is considered acceptable regarding its impact on neighbouring amenity and its impact on the character and appearance of the building and local area.

5) Whilst the submission did not include a Light Impact Assessment, it was not considered reasonable nor necessary for the council to request such information to assist with the determination of the application. As discussed, the flank wall of the proposed first floor element would be sited 2.2 metres from the flank wall of the two storey extension at no. 27, and is therefore unlikely to cause a loss of light or outlook to the first floor windows of the neighbour.

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.

LOCATION PLAN

SCALE 1:1250

