

Location **10 And 12 Dunstan Road London NW11 8AA**

Reference: **17/0794/HSE**

Received: 9th February 2017

Accepted: 17th February 2017

Ward: Childs Hill

Expiry 14th April 2017

Applicant: Mr b weitz

Proposal: Part single, part two storey rear extension including new basement level below. Roof extension involving side dormer windows and front rooflights to facilitate loft conversions

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Drg.no.02/10 A, Drg.no.02/200 B and Drg.no.02/LOC/101.

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 side dormer facing no.10 and no.12 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 side elevation(s), of the extension(s) hereby approved.

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. 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.

Officer's Assessment

1. Site Description

This is a joint application for two semidetached dwelling properties located at 10 and 12 Dunstan Road. Although the properties vary somewhat in design, the road has a consistent established character.

The site does not fall within a conservation area and the proposal property is not listed.

2. Site History

Reference: 16/3479/192

Address: 10 Dunstan Road, London, NW11 8AA

Decision: Lawful

Decision Date: 26 July 2016

Description: Roof extensions including hip to gable and rear dormer window to facilitate a loft conversion

Reference: 16/6476/192

Address: 10 Dunstan Road, London, NW11 8AA

Decision: Unlawful

Decision Date: 2 December 2016

Description: Creation of basement level

Reference: 16/7231/HSE

Address: 10 Dunstan Road, London, NW11 8AA

Decision: Refused

Decision Date: 23 January 2017

Description: Part single, part two storey rear extension including new basement level below. Roof extension involving side and rear dormer windows and front rooflights to facilitate loft conversions

3. Proposal

The proposal is for a part single, part two storey rear extension including new basement level below, a roof extension involving side and rear dormer windows and front and side rooflights to facilitate loft conversions.

Single Storey Extension:

No.10 and No.12 benefit from single storey rear extensions that line up with each other. It is proposed to extend further by 1.3 metre in depth, full width of the rear wall of both properties. It will have a crown roof with an eaves height of 2.6metres and a maximum height of 3.2metres. This extension will replace the rear projection at no.10 at the same depth which measures approximately 1.6m in depth and 1.8m in width. It has a hipped roof that measures 2.9m to the eaves and 4.2m to its maximum height.

First Floor Extension:

No.10 has the benefit of a first floor projection that measures 5m in depth and 4.7m in width in line with the flank wall of the main house adjacent to no.8. It has a pitched roof, with the eaves height matching the eaves of the main roof and the ridge set down from the main roof by approximately 1.8m.

The proposed first floor element will sit on top of the existing single storey rear extensions and will project from the flank wall of the existing projection at no.10, across the two rear walls. It will be set in from the rear wall of this projection by 0.9m will have a depth of 3.8m and a width of 9m. It will be set back from the flank wall of the main house by approximately 1.8m, approximately 2.7m to the common boundary wall of the neighbouring boundary wall and approximately 3.5m to the flank wall of the neighbouring property at no.14.

The extension will have an eaves height of 1.8m, matching the eaves of the main roof and a maximum height of 5m. It will have a pitched roof that will join the main roof and will be set down from the main ridge of the roof by approximately 0.8metres.

Basement:

The basement will be built below the ground floor extension, full width, with a depth of 6.4metres, a width of 15metres and a height of 2.8metres.

Roof Extension:

The rear dormer will be located on the roof of no.10 and will have a width of 3.5metres, a height of 2.3metres and a depth of 1.9metres.

The side dormer will be located on the side adjacent to no.12 and will have a width of 2.3metres, a height of 2.3metres and a depth of 2metres.

4. Public Consultation

Consultation letters were sent to 12 No. neighbouring properties.

6 no. letters have been received, comments have been summarised below:

- Scale of the development (over development)
- Loss of privacy
- Loss of light and over shadowing
- Stress on infrastructure
- Increased traffic and stress on parking
- Noise and disruption
- Subsidence
- Possible flooding

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 July 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 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 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 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, streetscene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

The current proposal follows the refusal for planning permission for a similar scheme under reference 16/7231/HSE dated 23 January 2017. The applicant subsequently received pre-application advice prior to submitting the current proposal.

Single Storey Rear Extension:

The properties benefit from rear extensions approximately 5 metres deep, the proposals involves extending the single storey by a further 1.3 metre. Whilst the depth of the extension would contravene Barnet's Residential Design Guidance SPD, it is noted that a couple of properties in the area have large rear extensions and as such this element of the proposal would not be considered to cause any significant harm to the character of the area or wider locality.

The single storey extension would replace an existing rear projection adjacent to no.8 at the same depth and will be lower in height and as such this element of the proposal is not likely to have an impact on this neighbouring property.

Whilst it has been noted neighbouring property at no.14 does not have the benefit of a rear extension, the host property at no.12 has a single storey rear extension that is set forward into the garden by approximately 4m beyond the rear wall of this neighbouring property, the additional depth of 1.3m is not considered to have an additional detrimental impact on this neighbouring property than what exist.

First Floor Extension:

There is an existing projection at first floor level at no.10 , whilst the proposal will project from this side flank wall towards no.12. The proposed pitched roof at first floor level is set down from the main ridge of the roof and this element of the proposal is set away from the neighbouring property at no.14 and as such it appear to be a subordinate addition and in keeping with the character of and appearance of the site property. This element of the proposal has been amended to be more symmetrical and in rhythm with the existing roof of the host property and the roof of the neighbouring properties.

Although deeper than normally is considered acceptable the first floor extension, amendments have been secured in an attempt to widen the gap between the proposed first floor extension and no.14. The extension will be now be set away from the flank wall of no.14 by approximately 3.5m which is considered to be sufficient buffer distance and therefore this element of the proposal is not considered to have an unacceptable impact on this neighbouring property to an unacceptable level.

Due to the siting of the extension, the extension is not considered to have a detrimental impact on the amenities of neighbouring properties at no.8 either.

Furthermore, no adverse impact is envisaged on the neighbouring properties by way of overlooking and loss of privacy as there are no windows proposed on the flank walls of the extension the only window would be to the front of the side extension. Also it is not considered there would be any additional overlooking from the proposed rear windows than those already existing at the property. Therefore, refusal on these grounds is not considered justifiable.

Roof Extension:

The Residential Design Guidance SPD states that roof extensions should be sympathetic to the main roof of the house. The proposed side dormers would also have an acceptable impact on the neighbouring amenities. They would be a subordinate and proportionate addition to the roof, not detracting from the character and appearance of the existing building, current streetscene and general character of the area.

In regards to size and design, the adopted Residential Design Guidance SPD (2013) Paragraph 14.33 states that a new dormer on a semi-detached property should be set in at least 1 metre from the party wall and should not occupy more than half the width or half the depth of the roof slope.

Whilst the dormer's exceeds the size of dormers which are normally considered acceptable, this section of the road is characterised by larger dormers. The principle of these dormer's are considered acceptable.

Whilst windows are proposed to the side dormers, a condition would be added into the approval to ensure that the windows are obscure glazed with a fan light opening in order to protect the privacy of the neighbouring occupiers and would also not result in loss of light to the neighbouring site.

The roof extension is therefore considered to be acceptable.

Basement:

The basement will be built beneath the single storey rear extension and would not be visible, as such the proposal is not likely to have an impact on the character and amenities of neighbouring properties.

The soil conditions for the basement are such that a Basement Impact Assessment is not required. The site is not within a flood risk zone.

Given the proportions and the relationship between the proposal and the neighbouring properties it is not considered that this scheme would not be detrimental to the visual or residential amenities of the occupants of both neighbouring property. It would not cause harmful loss of privacy, loss of light or outlook.

5.4 Response to Public Consultation

Objections are mainly addressed in the body of the report.

It is not considered that the proposed extension would impact on highway conditions or result in any additional on street parking demand or infrastructure such as to warrant refusal.

Noise and disturbance during construction work and subsidence are not planning matters.

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 this proposal would not comply with the Adopted Barnet Local Plan policies and guidance and would not be in keeping with the character and appearance of the surrounding area. It is considered to have a detrimental impact on the residential amenities of neighbouring occupiers. This application is therefore recommended for Approval.

