

**Location**                      **49 Firs Avenue London N11 3NF**

**Reference:**                      **17/1681/HSE**                      Received: 15th March 2017  
Accepted: 15th March 2017

Ward:                              Coppetts                              Expiry 10th May 2017

Applicant:                      Mr M Mirpuri

Proposal:                      Part single part two storey rear extension. New front porch. (Amended Description)

**Recommendation:** Approve subject to conditions

- 1      The development hereby permitted shall be carried out in accordance with the following approved plans:

P-01  
P-02 Rev. B  
P-03 Rev. B  
P-04 Rev. B  
Site Location Plan

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 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 flank elevations of the first floor extension 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).

- 5 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. 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 contains a detached dwellinghouse. There is an approximately 1 metre gap between the dwellinghouse and either site boundary. Given the positioning of houses on the road, the flank border of the application property sits adjacent to the rear boundary of the rear gardens of 41, 43, 45 and 47 Firs Avenue. On the other flank boundary, the property sits adjacent to 51 Firs Avenue. The property is not located within a conservation area, and it is not listed.

##### **2. Site History**

None relevant.

##### **3. Proposal**

This application seeks planning permission for:

- A part single part two storey rear extension. The ground floor rear element of the proposed development will have a depth of approximately 4 metres, a width of approximately 8 metres (extending across the entire width of the existing building), and a flat roof 2.7 metres high. The first floor rear element of the proposed development will feature a hipped roof, it will have a depth of approximately 2.5 metres, a width of approximately 4 metres and an eaves height matching that of the main dwelling.
- An infill front porch with a depth of approximately 0.93 metres, a width of approximately 1.3 metres, and a maximum ridge height of approximately 3.4 metres.

#### **4. Public Consultation**

Consultation letters were sent to 10 neighbouring properties, 5 objections were raised. Their objections can be summarised as;

- loss of outlook to their rear garden and rear room windows
- overbearing impacts on their property
- extension being disproportionate in relation to the existing property and surrounding properties
- loss of sunlight to their rear gardens and rear room windows
- extension would obstruct their view of greenery
- increase sense of enclosure
- Concern over the brickwork on the proposed part single part two storey rear extension not matching the brickwork on the existing house
- obscure their view of Alexandra Palace from their property
- The proposed bathroom windows would result in a loss of privacy to their property
- Their property sits at a lower level, therefore significant harm is anticipated from the proposed part single part two storey rear extension
- Two storey rear extensions are out of character for the area
- The application form specifies that building work has not been started without planning permission, this is not the case
- The application form specifies that there are no trees or hedges on adjoining properties, and suggests that no trees or hedges need pruning; this was not the case as they have pruned their trees and hedges without first establishing if there are any Tree Preservation Orders in place.
- Digging the foundations for the proposed part single part two storey rear extension could kill the roots of trees, and result in a greater height disparity between the properties.
- The proposed front extension would result in a loss of parking and vehicle manoeuvring space on Firs Avenue

#### **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 (MALP)

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 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 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**

#### Impact on Street scene and Character of the Area

The proposed part single part two storey rear extension will not be visible from the streetscene, and thus no harm is anticipated to this.

The single storey rear element would be a proportionate addition to the host building, and would appear subordinate overall. The proposed first floor rear element has a narrow width, and a maximum height below that of the ridge to the main dwelling. It has been set 0.15m in from the main flank wall to introduce a visual break to the wall. It would appear as a subservient addition to the host property and the wider area, and is not considered to be detrimental to the character or appearance of the locality.

Although there are few examples of similar front porches along Firs Avenue, the proposed infill front porch, by virtue of its design and minimal massing is not considered to result in significant harm to the street scene, or the character and appearance of the existing property and surrounding properties.

#### Impact on Neighbouring Amenity

The single storey element of the proposal would have a low height, and would be commensurate with the size of extension which may be permissible under permitted development. At first floor level, the proposed first floor extension would be set over 4m from the common boundary with the properties at 41, 43, 45 and 47 Firs Avenue and this distance, coupled with the length of the gardens to the neighbouring properties is sufficient to ensure the first floor element does not appear overbearing or visually intrusive when viewed from these properties.

The first floor extension would be set away from N. 51 Firs Avenue, and whilst it would be visible its minimal depth and its separation distance mean it would not result in a significant sense of enclosure or result in an unduly overbearing appearance, or a visually intrusive impact on this neighbouring property.

No windows would be proposed in the flank elevations of the extension and therefore it is not considered that the proposal would adversely affect the privacy of the occupants of any neighbouring property.

The increased massing of the proposed front porch infill is considered to be too minor to result in significant adverse impacts on the residential amenity of neighbouring occupants.

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

'loss of outlook to their rear garden and rear room windows' - As addressed in appraisal.

'overbearing impacts on their property' - As addressed in appraisal.

'disproportionate in relation to the existing property and surrounding properties' - As addressed in appraisal

'The proposed part single part two storey rear extension resulting in a loss of sunlight to their rear gardens and rear room windows' - As addressed in appraisal

'obstruct their view of greenery' - Whilst the view of some greenery would be obscured to 45, 43, and 41 Firs Avenue, the modest 2.5 metre depth at first floor level is not excessive enough to entirely obscure their view of greenery at 51 Firs Avenue.

' increase sense of enclosure' - as addressed in appraisal

'Concern over the brickwork on the proposed part single part two storey rear extension not matching the brickwork on the existing house' - Whilst the colour of the bricks on the proposed part single part two storey rear extension may be of a slightly lighter shade, it is anticipated that they will naturally darken through weathering.

'obscure their view of Alexandra Palace from their property' - There are no requirements to protect the view of Alexandra Palace and there is no right to a view under planning.

'The proposed bathroom windows would result in a loss of privacy to their property' - There are no new bathroom windows proposed, the only new flank window proposed will be in the entrance hallway, which is not considered to result in extensive harm due to its minimal size and positioning towards the front of the property.

'Their property sits at a lower level, therefore significant harm is anticipated from the proposed part single part two storey rear extension' - It is considered that the gaps between the proposed extension and all neighbouring properties is sufficient to offset any significant adverse impacts associated with any potential height disparities.

'Two storey rear extensions are out of character for the area' - As addressed in appraisal

'The application form specifies that building work has not been started without planning permission, this is not the case' - This does not impact upon the assessment above.

'The application form specifies that there are no trees or hedges on adjoining properties, and suggests that no trees or hedges need pruning; this was not the case as they have pruned their trees and hedges without first establishing if there are any Tree Preservation Orders in place' - Impact on the character of the area is addressed in the appraisal above.

'Digging the foundations for the proposed part single part two storey rear extension could kill the roots of trees, and result in a greater height disparity between the properties' - There are no TPO trees on the site, and the height between properties would not be impacted.

'The proposed front extension would result in a loss of parking and vehicle manoeuvring space on Firs Avenue' - The massing of the infill front porch is too minimal to result in any worsened impacts on parking and the movement of vehicles.

## **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 a significant adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

