

LOCATION: 22 Baronsmere Road, London, N2 9QE

REFERENCE: F/01244/12

Received: 28 March 2012

Accepted: 13 April 2012

WARD(S): East Finchley

Expiry: 08 June 2012

Final Revisions:

APPLICANT: Mrs Miller

PROPOSAL: Single storey side/rear extension and formation of new bay window to rear elevation following demolition of existing single storey rear extension. Removal of door to rear first floor elevation and reduction to window size to side elevation. Associated steps to rear. Partial rebuilding and erection of boundary wall and relocation of gate following removal of part existing boundary wall.

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 08-173-05A; 08-173-06; 08-173-08A; 08-173-09A; 08-173-10A; 08-173-11A; 08-173-12A; 08-173-13A.

Reason:

For the avoidance of doubt and in the interests of proper planning.

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 the surrounding area.

INFORMATIVE(S):

1. The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (UDP) (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D5 & H27.

Design Guidance Note No 5 – Extensions to Houses

Core Strategy (Submission version) 2011: Relevant policies: CS NPPF, CS1, CS5.

Development Management Policies (Submission version) 2011: Relevant Policies: DM01, DM02

ii) The proposal is acceptable for the following reason(s): -

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet UDP policies and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers.

2. Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

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 London Plan is recognised in the NPPF as part of the development plan.

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."

NPPF retains 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 2011:

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.

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.

Relevant Unitary Development Plan Policies:

The statutory plan for the Borough is the Barnet UDP. This was adopted on 18 May 2006, replacing the original UDP adopted in 1991.

On 13 May 2009 the Secretary of State for Communities and Local Government issued a Direction “saving” 183 of the 234 policies within the UDP.

Relevant policies to this case: GBEnv1, GBEnv2, D1, D2, D5 & H27.

Design Guidance Note No 5 – Extensions to Houses

The Council Guide ‘Extension to Houses’ was approved by the Planning and Environment Committee (The Local Planning Authority) on March 2010. This leaflet in the form of a supplementary planning guidance (SPG) 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.

Included advice 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.

In respect to amenity, the extension should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook and be overbearing or cause an increased sense of enclosure to adjoining properties.

The basic principles the Local Authority has adopted in respect to different types developments are that they should not unduly reduce light or outlook from neighbouring windows to habitable rooms, overshadow or create an unacceptable sense of enclosure to neighbouring gardens. They should not look out of place, overbearing or bulky from surrounding areas.

The Council has also adopted (June 2007), following public consultation, a Supplementary Planning Document “Sustainable Design and Construction”. The SPD provides detailed guidance that supplements policies in the Unitary Development Plan, and sets out how sustainable development will be delivered in Barnet. Part 6 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

Core Strategy (Examination in Public version) 2012

Barnet’s emerging Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the Local Plan is complete, 183 policies within the adopted Unitary Development Plan (UDP) remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy sets the vision, core objectives and strategic policies for Barnet.

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1, CS5.

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Barnet's Local Plan is at an advanced stage following submission in August / September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies: DM01, DM02

Application:	Planning	Number:	C/13958/00
Validated:	17/01/2000	Type:	APF
Status:	DEC	Date:	06/03/2000
Summary:	APC	Case Officer:	
Description:	Extend existing ground floor extension and enlarge rear dormer window.		

Application:	Planning	Number:	F/01057/12
Validated:	23/03/2012	Type:	192
Status:	REG	Date:	
Summary:	DEL	Case Officer:	Elizabeth Thomas
Description:	Conversion of property from 2no. self-contained flats into a single family dwellinghouse.		

Application:	Planning	Number:	F/01605/08
Validated:	17/07/2008	Type:	S63
Status:	DEC	Date:	11/09/2008
Summary:	REF	Case Officer:	Junior C. Moka
Description:	Retention of two flats with new balcony at rear first floor level.		

Enforcement Notices:

Reference Name	BTP.20.1552.PZ
Description	Enforcement Notice served under Section 87 of the Town & Country Planning Act (Using the residential premises as an office in connection with a business).

Reference Name	ENFORCEMENT NOTICE
Description	Enforcement Notice served under Section 171A (1)(a) of the Town & Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991) (The insertion of a doorway and installation of railings on the flat roof of an existing rear extension.)

Reference Name	C13958A/06/ENF
Description	Enforcement Notice served under Section 171A(1)(a) of the Town & Country Planning Act 1990. (The insertion of a doorway and installation of railings on the flat roof of an existing rear extension.) Complied with on 05.12.06

Reference Name	
Description	Enforcement Notice served under section 87 of Town and Country Planning Act 1971. (The making of a material change of use of the said premises namely the use of the residential premises as an office in connection with a business.)

Consultations and Views Expressed:

Neighbours Consulted: 7 Replies: 1
Neighbours Wishing To Speak 1

The objections raised may be summarised as follows:

- Scale and appearance
- There is neither a bay window or terrace with steps leading up to it protruding beyond any other houses on the block.
- Visually obtrusive.
- Not in keeping with other properties.
- Overlooking and loss of privacy.
- Steps will create raised terrace and bay window will overlook garden, kitchen and top floor bedroom.
- Loss of privacy.
- Loss of audio privacy especially when windows are open.
- Will have to keep the shutters closed.
- Amenity of garden will be impaired both visual and audio.
- Loss of light.
- Noise and disturbance resulting from use.
- Any noise and conversation would be audible and intrusive.
- Use not appropriate for the area.
- Not in keeping with other properties in the neighbourhood.

The application is referred to committee at the request of Councillor Rogers (East Finchley ward) for the following reason: "I am concerned that the plans represent inappropriate development for this locality and will leave neighbours blighted and overlooked by the proposed terrace. Issues of light and loss of privacy have also been highlighted to me by neighbours, as well as a general feeling that this application represents overdevelopment of the site".

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application property is a corner end of terrace dwelling located in the East Finchley ward. The property is on the corner with Ingram Road. The property is in close proximity to the East Finchley primary retail frontage. The street is predominately residential in character.

Proposal:

The application relates to a single storey side extension and formation of new bay window to rear elevation following demolition of existing single storey rear extension. Removal of door to rear first floor elevation and reduction to window size to side elevation. Associated steps to rear. Partial rebuilding and erection of boundary wall and relocation of gate following removal of part existing boundary wall.

Planning Considerations:

A certificate of lawfulness has been sought in conjunction with the current planning application to confirm that the property can be used as a single family dwellinghouse.

The proposal comprises of the demolition of an existing rear extension which is sited along the boundary with no.24 Baronsmere Road. This extension has a flat roof and a door exists in the first floor rear elevation which facilitates the use of the flat roof of the extension below as a terrace. The extension will be removed and a bay window is proposed to replace the rear extension. The first floor door will be blocked up; this is considered to be result in an improvement to the amenities of the neighbouring occupiers. The bay window will project 0.7m replacing and will be sited off the boundary by 0.6m. This is not considered to result in any loss of amenity with the bay replacing an extension which projects 2.7m along the common boundary with no.24. The creation of a bay window is not considered to be out of context with the character of the host property or the surrounding area. The proposed extensions and alterations are considered to respect the design of the host property and would not result in overdevelopment of the site.

The application has been amended since the initial submission to bring the side/rear extension away from the boundary by 1m. The amendments are considered to overcome previous concerns on the impact of the extension on the streetscene. A boundary wall will run along the public pavement.

The main issue in this case are considered to be covered under two main areas:

- The living conditions of neighbouring residents;
- Whether harm would be caused to the character and appearance of the area and street scene, having regard to the size and siting of the proposal.

General Policy GBEnv1 aims to maintain and improve the character and quality of the environment.

Policies D1 and D2 aims to ensure compatibility with the established character and architectural identity of existing and adjoining properties and the general location in terms of scale, design and impact on neighbouring properties. Established local character and townscape quality can be harmed by insensitive development, which is out of scale with and unrelated to the locality.

Part of policy D5 requires new development to safeguard outlook and light of neighbouring residential occupiers

Policy H27 states that extensions to houses should harmonise existing and neighbouring properties, maintain the appearance of the streetscene and have no significant adverse effect on the amenity of neighbouring occupiers. They should be in keeping with the scale, proportion, design and materials of existing and neighbouring houses.

The proposals would comply with the aforementioned policies and Council Design Guidance on Extensions to Houses and would be a proportionate addition to the dwellinghouse. It would have an acceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers.

3. COMMENTS ON GROUNDS OF OBJECTIONS

All planning related matters are considered to be covered in the above appraisal.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet UDP policies and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. This application is therefore recommended for **APPROVAL**.

SITE LOCATION PLAN: 22 Baronsmere Road, London, N2 9QE

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