

LOCATION: 37 Kings Road, Barnet, Herts, EN5 4EG

REFERENCE: B/00601/12

Received: 11 February 2012

Accepted: 21 February 2012

WARD(S): High Barnet

Expiry: 17 April 2012

Final Revisions:

APPLICANT: Mr H Skaliotis

PROPOSAL: Part single, part two storey rear extension. Alterations and extension to roof involving two rear dormer windows 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 (date received 13-Feb-2012), king/plan/12 1, king/plan/12 2 (date received 7-May-2012), king/plan/12 3 (date received 16-May-2012).

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.

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, other than those expressly authorised by this permission, shall be placed at any time in the flank elevation(s), of the extension(s) hereby approved, facing No.35a and No.39 Kings Road.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

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, D1, D2, D5, H27.
Supplementary Design Guidance Note 5: Extensions to Houses

Core Strategy (Examination in Public version) 2012:

Relevant policies: CS NPPF, CS1, CS5

Development Management Policies (Examination in Public version)2012:

Relevant Policies: DM01, DM02.

ii) The proposal is acceptable for the following reason(s): - The proposed development is considered to have an acceptable impact on the host property, the application site and the general street scene. It is not considered to cause significant harm to the residential or visual amenities of the neighbouring occupiers and would accord with the aforementioned policies.

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.

Relevant Planning History:

Site Address:	37 Kings Road Barnet Herts
Application Number:	N07982
Application Type:	Full Application
Decision:	Approve with conditions
Decision Date:	06/06/1985
Appeal Decision:	No Appeal Decision Applies
Appeal Decision Date:	No Appeal Decision Date exists
Proposal:	Single-storey rear extension

Consultations and Views Expressed:

Neighbours Consulted: 8 Replies: 3 (Any other replies will be reported at the meeting)
Neighbours Wishing To Speak 2

The objections raised may be summarised as follows:

- Will alter the character of the road
- Sheer size of the development will cause huge disruption
- Overlooking
- Overshadowing
- Loss of sunlight for plants, grass, plants, clothes drying and mitigation of moss
- Loss of daylight
- Neighbouring properties do not appear on the ordnance survey map
- Loss of trees

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to a detached single family dwelling located on the eastern side of Kings Road. This part of Kings Road is characterised by detached dwellings.

There are a number of trees on and adjacent to the site which are protected under a Tree Preservation Order (TPO).

Proposal:

This application seeks consent for a part single, part two storey rear extension, with alterations to roof involving two rear dormer windows to facilitate a loft conversion.

During the course of the application amendments were made to address concerns raised over the mass and bulk of the extensions proposed.

The ground floor rear extension would have a maximum depth of 4.7m and a minimum depth of 2.9m given the staggered rear wall of the dwelling. It would be 14.6m wide and 2.7m high with a flat roof. The extension would be set off the boundary with No.39 Kings Road by 1m and off the boundary with No.35a Kings Road by 5m.

The first floor rear extension would have a maximum depth of 3.9m and a minimum depth of 2.8m, again as a result of the staggered rear wall. It would be 12.2m wide and the roof would continue rearwards from the existing ridgeline, creating a crown style roof. This extension would be set off the boundary with No.39 Kings Road by 3.5m and with No.35a by 5m.

2 dormers are proposed within the rear roofslope of the roof of the extension. These would both measure 2.15m wide, 1.2m high and would project 1.1m from the roofslope. These have been centrally positioned within the roof.

Planning Considerations:

The main issues 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. The proposed extension is not considered to be unduly overbearing or overly dominant when viewed from neighbouring properties and their gardens. Given the set off of 1-3.5m from the boundary with No.39, the extensions are not considered to result in a loss of outlook or a sense of enclosure. This is also the case with No.35a where the separation distance is even greater at 5m. This distance is considered to ensure that whilst the extension would be visible from the neighbouring gardens, it will not result in a significant loss of daylight or sunlight to warrant the refusal of this application. The rear dormers are not considered to result in higher levels of overlooking than what may already be existing from the first floor windows within this property.

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 extensions are considered to harmonise well with the existing property and have been appropriately designed. The proposed dormers are considered to be subordinate features within the roofslope, especially given their modest projection and would not result in an overly bulky roof.

The proposal is considered to have a minimal impact on the health of protected trees on and adjacent to the site. The extension is sited a considerable distance from the trees, namely a Birch and Oak on the northern boundary, with No.35a to ensure that any encroachment into the Root Protection Area would be limited. It is therefore considered that the health and special amenity value of the trees will be safeguarded.

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

These have been largely addressed within the planning appraisal however the following comment can be made:

- A site plan has been received (drawing no king/plan/12 3) which clearly indicates the neighbouring properties.

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**.

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