

Location **11 Sunnyfield London NW7 4RD**

Reference: **17/4602/S73**

Received: 17th July 2017

Accepted: 17th July 2017

Ward: Mill Hill

Expiry 11th September 2017

Applicant: Mr Robin Samra

Proposal: Variation of condition 1 (Plans) pursuant to planning permission 17/2782/HSE dated 28/06/2017 for "Two storey rear extensions. New terraced area. Two storey front extension involving new front porch". Variations include new roof with raising ridge line and insertion of 1no rear dormer window and 1no side dormer window

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

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

Site Location Plan

12164/01

12164/03 A

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 The proposed window and the proposed dormer window in the side elevation facing No. 9 Sunnyfield 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 elevations facing No. 9 and No. 13 Sunnyfield.

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):

Officer's Assessment

1. Site Description

The proposal site is a detached dwellinghouse located on Sunnyfield which is a street which is predominantly characterised by detached and semi-detached dwellings. The site is 0.4m higher than the adjoining land at 9 Sunnyfield and the current ridge height is 0.6m higher than 9 Sunnyfield. The land at 13 Sunnyfield is 0.4m higher than the application site. 11 Sunnyfield is situated 0.5m rearward of 13 and 3.0m rearward of 9.

The site does not fall within a conservation area and is not a listed building.

2. Site History

Reference: 17/2782/HSE

Address: 11 Sunnyfield, London, NW7 4RD

Decision: Approved subject to conditions

Decision Date: 28 June 2017

Description: Two storey rear extensions. New terraced area. Two storey front extension involving new front porch

Reference: W06872A/00

Address: 11 Sunnyfield, London, NW7 4RD

Decision: Refused

Decision Date: 10 January 2000

Description: Retention of fencing panels along boundary with No.13.

3. Proposal

Planning permission was granted under application reference 17/2782/HSE for two storey rear extensions. New terraced area. Two storey front extension involving new front porch.

This application is for the variation of condition 1 (plan numbers) of planning permission 17/2782/HSE. The variation proposed is for changes to the approved plans involving the addition of 2No. dormers to the roof slope of the host property and to raise the ridge height of the host property.

The dormers proposed under this application involve the addition of 1No. rear dormer and 1No. side dormer window. The rear dormer proposed under this application would have a width of 2 metres, a height of 1.2 metres and a depth of 2 metres. Due to its' siting, the dormer would be situated away from the nearest side wall of No. 13 by approximately 7.2 metres. A distance of 6 metres would be retained between the side wall of the dormer and the side wall of No. 9.

The side dormer proposed under this application would face No. 9 and would be set back from the principal elevation at the host site by approximately 12 metres. The dormer proposed would have a height of 1.2 metres, a width of 1.2 metres and a depth of 0.6 metres.

This application also seeks permission to raise the ridge height of the property by 0.6 metres. Plans indicate that this would allow the host property to align with the ridge height of No. 13. At present, the host property sits 0.6 metres lower than this neighbouring site, whilst it is higher than the neighbouring property at No. 9 by approximately 1 metre due to the presence of a naturally slopping ground level along this stretch of Sunnyfield.

In summary this application seeks to vary the condition listed below in the manner prescribed above. As such, aside from the 2No. dormer windows and the raising of the ridge height there would be no other changes between the proposed put forward under this application and the application approved under Barnet Planning Reference 17/2782/HSE

Conditions seeking variation

Condition Number(s): 1

4. Public Consultation

Consultation letters were sent to 8 neighbouring properties.

8 responses were received amounting to letters of objection, which can be summarised as follows:

- An increased sense of overbearing would be experienced by neighbouring occupiers through the raising of the ridge height of the host property
- The host property would be left in a state of overdevelopment should the proposals be approved
- Impacts on amenity grounds would be worsened if the proposed be approved under this application
- Discrepancies between the plans and the true relationship between the host property and the neighbouring site at No. 13
- Concerns that the raising of the ridge height would appear out of character despite the host property and the neighbouring sites being located on a small incline at present.
- Concerns over the cumulative effect of development through this application and the previously approved application.
- Concerns that the dormer windows would give rise to overlooking and a loss of privacy due to the siting of the dormers.
- The effect of the proposed increase would result in a substantial increase in scale, size and volume compared to the original house and it would create a house that is overbearing and out of keeping with the neighbouring properties.
- The proposed raised roof and two dormer windows would have a serious detrimental impact on the visual and residential amenity of the neighbouring properties, creating an unacceptable sense of enclosure, loss of light and loss of privacy.
- The properties in this location of Sunnyfield are on a gradient and the staggered height of the roofs compliment this. The proposed redesign to raise the roof height would break this visual rhythm and due to its elevated height would be incongruous the street

scene and as such allowing the proposals would break the natural rhythm of this stretch of Sunnyfield..

- Due to a lack of off-street parking, concerns were also raised over an increase demand a 5No. bedroom house would have on parking requirements and as the development has been started, this is being experienced by the surrounding residents at present which has restricted access to the surrounding properties for neighbouring residents and refuse/recycling services.
- Concerns have also been raised regarding the safety of the public highway and walkway during construction due to the increase in vehicles on the road.
- Concerns were also raised regarding potential damage to the public highways and objectors wish a condition to be attached to the permission which would ensure the replacement of any damaged section of the highway at the cost of the applicant
- Concerns over discrepancies between the previously approved scheme and the proposed put forward under this application in terms of separation distances between the host property and the neighbouring occupiers at Nos. 9 and 13.

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 March 2015

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, CS4, CS5, CS8, CS11, CS12, CS13, CS14, CS15
- Relevant Development Management Policies: DM01, DM02, DM04, DM08, DM16, DM17

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 2013)

- 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 the conversion of the existing garage into habitable room and insertion of window to replace garage door is acceptable.
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

The applicant seeks consent for the variation of condition 1 (plan numbers) of planning permission 17/2782/HSE. The variation proposed is to alter the approved plans under this scheme including the addition of 2No. dormers to the roof slope of the host site and to raise the ridge height of the host property. A planning officer had previously assessed the amenity and character impacts in the original planning application reference 17/2782/HSE and concluded the proposals were on balance acceptable. As such, only the proposed changes between the previous application and this application will be addressed and assessed in the below.

Impact on the character and appearance of the property and general locality (Principle):

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), 7.4 and 7.6 (both of the London Plan).

The Council's Residential Design Guidance states that dormer extension should appear as subordinate features and not exceed half the width and half the depth of the original roof slope. It considered that the proposed dormers, in both the side and rear elevation, would comply with the above guidance due to their depths, heights and widths.

The dormers are set away from the eaves of the roof slope and set down from the ridge height of the roof by approximately 0.8 metres and as such would be subordinate and sympathetic features to the dwellinghouse.

It is noted that the rear dormer would not be immediately viewable from the street scene and as such, its impact on the character of the dwellinghouse will be minor when viewed from the principle elevation. As such, due to its' lack of visual manifestation when viewed from the principle elevation and its' compatibility with the aforementioned residential design guidance, it is found that the rearward facing dormer would have form an acceptable and subordinate addition to the dwellinghouse in situ when viewed alongside the previously approved scheme.

Moreover, research into the area shows a number of side dormers approved through full planning permission along Sunnyfield. Dormers of similar to the proposed have been approved at the adjoining property at No. 80 which is in situ. Other dormers similar to the proposed have been approved at No. 2, No. 31 and No. 52 . As such, it is found that the small side dormer would respect the character of the dwellinghouse and the street scene and would not leave the dwellinghouse in a state of overdevelopment. This is assisted through the rearward sitting of the side dormer when viewed from the principal elevation.

The proposed roof extension would result in an increase in ridge height of 0.6 metres, but would still retain a single ridgeline and would be pitched at the same angles as the existing roof form. Furthermore, given that the existing property is at a higher level than No. 9 due to the locality of the property on a sloping gradient, it is considered that the proposal sufficiently takes into account of the slope in the land and the relationship between the adjoining neighbouring properties. Due to its' presence on a sloping gradient, it must be expected that the host site will always be taller than its' counterpart at No. 9.

As the ridge height of the host property would not exceed its' higher neighbouring counterpart at No. 13, it is not found that allowing the raising of the ridge height would be a detrimental addition to the dwellinghouse in situ nor would the raising of the ridge height be detrimental to the character of the dwellinghouse or the street scene.

Impact on the amenities of neighbouring occupiers:

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

Given the siting of the side dormers, it is found that the amenities of the neighbouring occupiers would be protected, with specific attention drawn to privacy as the proposed windows in the flank elevations would be obscure glazed which would protect the amenities of these neighbouring occupiers. A condition will be attached to this application should it be approved ensuring that the side dormer window be obscure glazed and non-openable below a height of 1.7 metres to ensure the protection of privacy of this neighbouring resident.

Due to the development already approved under planning reference 17/2782/HSE, the property is now situated further rearward than the established rear walls of the neighbouring sites at Nos. 9 and No. 13 as such, any rearward facing dormer would not give rise to any undue impact upon the neighbouring properties in terms of loss of light, outlook and privacy. Rear facing windows would directly look out onto the rear garden of the host site and the adjoining sites.

The impact would therefore be neutral in this instance in terms of amenity issues. Moreover, due to its' limited width, it is unlikely that visibility will be facilitated into the neighbouring sites through the rear dormer window however if this is facilitated through the proposed this would be directly into the rear gardens of the neighbouring sites rather than into any habitable rooms at the neighbouring properties.

Due to the imbalance in the heights of the properties at the moment and due to the separation distances between the eaves of the host property and the neighbouring properties at Nos. 9 and 13, it is not found that an increased sense of enclosure would occur through the proposed raising of the ridge height. As the angle of the roof will remain the same as the roof in situ, it is not found that the proposals would lead to an increased loss of light or outlook to the neighbouring occupier at No. 9.

It is therefore considered that the proposed amendments would not have any significant impact on the character and appearance of the host dwelling or street scene or on the amenities of neighbours.

5.4 Response to Public Consultation

An increased sense of overbearing would be experienced by neighbouring occupiers through the raising of the ridge height of the host property

Due to the separation maintained between the host site and the neighbouring occupiers and due to the angle of the roof proposed under this application, it is not found that the

proposed increase in ridge height would have a detrimental impact on the amenities of the neighbouring occupiers

The host property would be left in a state of overdevelopment should the proposals be approved

Due to the computability of the dormers with the Council's Residential Design Guidance, it is not found that they would constitute an overdevelopment of the site. The proposed increase in the ridge height of the roof is also found not to cause a severe imbalance to the character of the host site which would lead to overdevelopment.

Impacts on amenity grounds would be worsened if the proposed be approved under this application

It is not found that the proposed changes put forward under this application would have an adverse impact on the amenities of the surrounding residents. Please refer to above at paragraph 5.3.

Discrepancies between the plans and the true relationship between the host property and the neighbouring site at No. 13

Following a review of the plans, a site visit and research into the surrounding area it is not found that the plans are misleading. This has been checked using online aerial photography which appears to mirror the current state of the host property in relation to its' neighbouring sites in the same manner as the plans put forward under this application.

Concerns that the raising of the ridge height would appear out of character despite the host property and the neighbouring sites being located on a small incline at present

It is not found that the proposed changes to the ridge height of the property would leave the host site appearing out of character when viewed from the streetscene. This is due to its' location on a slope and due to the host site not exceeding the ridge height of No. 13.

Concerns over the cumulative effect of development through this application and the previously approved application

It is not found that the changes to the roof put forward under this application would have a detrimental impact on the character of the dwelling or the amenities of the neighbouring sites when viewed alongside the previously approved permission at the host property nor would the cumulative effect of development lead to a state of overdevelopment.

Concerns that the dormer windows would give rise to overlooking and a loss of privacy due to the siting of the dormers

As referenced above, the a condition will be attached to the permission should it be approved to ensure that the side dormer window be obscured glazed and non-openable which will protect the amenities for the neighbouring occupier at No. 9. As the previously approved permission would leave the host site projecting further rearward than either neighbouring occupier at No. 9 and No. 13, the amenity impacts through a rearward facing dormer would be neutral to these neighbouring occupiers.

The effect of the proposed increase would result in a substantial increase in scale, size and volume compared to the original house and it would create a house that is overbearing and out of keeping with the neighbouring properties

It is not found that the proposed additions to the previously approved plans would result in a state of overdevelopment of the host site nor would the development be overbearing to the neighbouring occupiers.

The proposed raised roof and two dormer windows would have a serious detrimental impact on the visual and residential amenity of the neighbouring properties, creating an unacceptable sense of enclosure, loss of light and loss of privacy

It is found that subject to conditions, the amenity impacts in terms of loss of privacy would be avoided through the erection of the proposed. In terms of the raising of the ridge height and the addition of a rearward facing dormer window that the amenities of the neighbouring occupiers would be protected.

The properties in this location of Sunnyfield are on a gradient and the staggered height of the roofs compliment this. The proposed redesign to raise the roof height would break this visual rhythm and due to its elevated height would be incongruous the street scene and as such allowing the proposals would break the natural rhythm of this stretch of Sunnyfield.

It is found that the raising of the ridge height would not disrupt the natural rhythm of this stretch of Sunnyfield as the host site will not exceed the height of No. 13. No. 9 is naturally lower in height than the host property and the raising of the ridge height would not exacerbate this.

Due to a lack of off-street parking, concerns were also raised over an increase demand a 5No. bedroom house would have on parking requirements and as the development has been started, this is being experienced by the surrounding residents at present which has restricted access to the surrounding properties for neighbouring residents and refuse/recycling services.

The loft space will be used as a playroom and a bathroom and not as a fifth bedroom of the host site and as such it is not found that the proposed would lead to an increased sense of congestion once construction has finished.

Concerns have also been raised regarding the safety of the public highway and walkway during construction due to the increase in vehicles on the road

Due to the scale of the development proposed, this is not a material planning consideration under this application.

Concerns were also raised regarding potential damage to the public highways and objectors wish a condition to be attached to the permission which would ensure the replacement of any damaged section of the highway at the cost of the applicant

Damage to public highways is not a material planning consideration and as such the objectors are reminded to report any damage to the highway to the Highways Team.

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 variation to the approved plans would be acceptable. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers or the character and appearance of the host dwelling and streetscene. It is acceptable on highways grounds. This application is therefore recommended for approval.

BOROUGH OF BARNET

