

Location **77 Station Road London NW4 4PH**

Reference: **17/6893/HSE** Received: 31st October 2017
Accepted: 22nd November 2017

Ward: West Hendon Expiry 17th January 2018

Applicant: Mr Isaac Raymond

Proposal: Single storey rear extension following demolition of the existing shed.
New rased patio, access ramp and steps to garden level.

Recommendation: Refuse

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 proposed single storey rear extension by reason of its size, siting and rearward projection is considered to have a severe adverse impact on the character and appearance of the area, and the visual and residential amenities of the neighbouring occupiers at No.79 Station Road. The proposed extension would appear visually obtrusive and overbearing and cause harmful loss of outlook and sense of enclosure. The proposed extension would be contrary to policies CS1 and CS5 of the Barnet Core Strategy, policy DM01 of the Development Management Plan DPD and the Barnet Residential Design Guidance SPD.

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

The applicant sought formal pre-application advice which was provided. Unfortunately the submitted scheme is not considered to accord with the Development Plan. If the applicant wishes to submit a further application, the Council is willing to assist in identifying possible solutions through the pre-application advice service.

Officer's Assessment

1. Site Description

The application site comprises a semi-detached dwellinghouse located in a predominately residential location. This row of dwellinghouses comprise of two storeys with front hardstanding. There is a level change along the street with the neighbouring property No.75 Station Road being set at a lower level. There is also a level change front to back of the site with the garden being set appreciably lower than the internal floor level of the property.

The site is not located within a Conservation Area and the host property is not a Listed Building.

2. Site History

Reference: 16/3995/192

Address: 77 Station Road, London, NW4 4PH

Decision: Lawful

Decision Date: 11 July 2016

Description: Roof extension involving hip to gable end, 1 no rear dormer window and 3 no roof lights to the front elevation to facilitate a loft conversion

Reference: 16/5160/PNH

Address: 77 Station Road, London, NW4 4PH

Decision: Prior Approval Required and Refused

Decision Date: 7 September 2016

Description: Single storey rear extension with a proposed maximum depth of 6 metres measured from original rear wall, eaves height of 3 metres and maximum height of 4 metres

Reference: 16/5907/PNH

Address: 77 Station Road, London, NW4 4PH

Decision: Prior Approval Required and Refused

Decision Date: 14 September 2016

Description: Single storey rear extension with a proposed depth of 6 metres from original rear wall, eaves height of 3 metres and maximum height of 4 metres

Reference: 16/6185/PNH

Address: 77 Station Road, London, NW4 4PH

Decision: Prior Approval Required and Refused

Decision Date: 26 October 2016

Description: Single storey rear extension with a proposed depth of 6 metres from original rear wall, eaves height of 3 metres and maximum height of 4 metres

Reference: 16/7887/PNH

Address: 77 Station Road, London, NW4 4PH

Decision: Prior Approval Required and Refused

Decision Date: 13 January 2017

Description: Single storey rear extension with a maximum proposed maximum depth of 5.5 metres from original rear wall, eaves height of 3 metres and maximum height of 3.9 metres

Reference: 17/3455/HSE

Address: 77 Station Road, London, NW4 4PH

Decision: Approve with conditions

Decision Date: 25 July 2017

Description: Single storey rear extension measuring 3.5 metres in depth, raised terrace and access ramp.

3. Proposal

This application seeks planning permission for a single storey rear extension following the demolition of an existing shed, with new access steps to the garden level.

The proposed extension would measure 6 metres in depth from the rear wall of the original dwellinghouse, be the full width of the dwellinghouse in situ and have an overall height of 3.065 metres with a flat roof.

The access ramp and steps would exist at a height of 1 metre from a raised terrace to connect the ground floor of the rear extension to the rear garden level.

The plans have been amended since the previous submission, 17/3455/HSE, to increase the size of the proposed extension, through increasing the depth to 6 metres at full width of the property.

4. Public Consultation

Consultation letters were sent to 3 neighbouring properties.
0 responses have been received.

This application has been called to planning committee by Councillor Slocombe.

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.

The Mayor's London Plan 2017 (DRAFT)

'Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.'

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

This application follows a previous application for planning permission which was approved under application ref: 17/3455/HSE, with the depth of the proposed extension at 3.5 metres at the common boundary with No. 79, which then extended to 5.4 metres after a depth of 2 metres. It also follows previous prior approval notifications which were required and refused under references 16/5160/PNH, 16/5907/PNH, 16/6185/PNH, 16/7887/PNH.

Impact on Street scene, Existing Building and Character of the Area

The proposed extension will be to the rear of the property and will not be visible from the street scene. A number of properties benefit from rear extensions of approximate depths of up to 3.5 metres along Station Road.

On this basis, it is considered that the appearance of the proposed rear extension will conflict with the general character of nearby development and the character and appearance and the wider locality in Station Road. Extensions of 6 metres are not a common feature of this road and as such the proposal would appear at odds with the established character. As such, it would appear that an extension of such depth at full width of the existing dwelling would have a detrimental impact on the existing character of the surrounding area.

A raised terrace currently exists to the rear of the property, as such, due to the terrace that exists in situ being a material consideration, it is not found that a raised patio with an access ramp and steps to the garden level would have a negative impact on the existing character of the surrounding area. From satellite imagery, it is noted that patios exist to the rear of surrounding properties.

Impact on Neighbouring Amenity

The host property at No.77 Station Road seeks planning permission for a single storey rear extension measuring 6 metres in depth from the original rear wall of the dwellinghouse, and 3.065 metres in maximum height with a flat roof. The host property is semi-detached dwelling.

It is noted that the Council's Residential Design Guidance states that an acceptable depth for single storey rear extensions on semi-detached properties is 3.5 metres. In this instance, it is considered that the proposal does not comply with the Council's Guidance. It is also noted that the property has previously been refused prior approvals for a proposed depth of 6 metres.

The host property shares a party wall with the neighbouring property at No.79 Station Road which has not extended the rear of the property. The proposal would extend 6 metres past the rear wall of the neighbouring property. It is considered that the proposed extension will create an overbearing and obtrusive impact on the neighbouring property at No.79 Station Road. The reason for this is due to the close proximity to the adjoining property. Furthermore, it is considered that due to the depth of 6 metres, the proposed extension and location of windows would still create a sense of enclosure. The extension proposed at 3.065 metres high with flat roof and exposed walls will dominate the outlook of No.79 Station Road. The situation is exacerbated by the level change on this street, with the rearmost part of the extension extending significantly higher than the common boundary fence.

The host property is detached from the neighbouring property to the other side, No.75 Station Road. Given the position of this dwelling on the site in relation to the application property and due to an existing projection which runs adjacent to the common boundary, there will be less of an impact as a result of the 6 metre projection. It is not considered that the proposal would harmfully impact on the living conditions of neighbouring occupiers as these properties benefit from a gap measuring approximately 0.75 metres between the flank walls at ground floor. The ground levels at the site further exacerbate the situation as any addition beyond the existing raised terrace area in situ would have a significant height due to the drop in levels and to accommodate a level floor level internally to allow appropriate level access. The proposal will also in part replace an existing timber shed on the common boundary, although the extension will be a greater height than this element it shows that built form exists along this boundary.

With the benefit of a site visit, it is considered that the neighbouring properties would be harmed by the proposed rear extension as a protrusion of 6 metres is considered to be excessive.

The extension would result in harmful sense of enclosure and unduly dominate the outlook of neighbouring properties.

It is not found however that the proposed new access steps and raised terrace area would have a detrimental impact on neighbouring amenities, as a result of the raised patio that currently exists at the property.

It is noted that the application is accompanied by medical information to confirm the particular needs of the elderly resident requiring round the clock care and specialist equipment within the downstairs of the property. Internal changes were proposed to the property to accommodate a care room for the resident; an accessible bathroom; medical store room; carer's bedroom and a dayroom and hallway with ample space for wheelchair use. The council are sympathetic to the care needs of the elderly resident however, a balanced approach needs to be taken to ensure the applicant's needs are met whilst not prejudicing neighbouring amenities and the homeowners enjoyment of this adjoining property.

It should be noted that the previous planning application (17/3455/HSE) proposed a mitigation to the impact to 79 Station Road by way of a 2m setback from the shared boundary of the deeper 5.5m long projection. As a result, the built form along the boundary was just 3.5m which therefore protected residential amenity for the future occupiers

In the aim to strike a balance, amendments were sought to internally rearrange rooms to incorporate all the rooms needed for care in the hope to reduce the rear extension to

match the plans submitted under 17/3455/HSE. However, the applicant felt that this was not possible. In addition, it was felt that an inset from the boundary with 79 Station Road would also not be supported. On this basis, it is considered that on balance, the impacts on the neighbouring occupiers are considered to be significant, given that there is a planning and design solution in place to meet the needs of all affected parties.

After considering the reasons above and taking into account previous site history, which this application has not modified, this application is recommended for refusal.

5.4 Response to Public Consultation

N/A.

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 the proposed development would have a harmful impact on the character and appearance of the application site, the street scene and the locality. In addition, the development is considered to have an adverse impact on the amenities of neighbouring occupiers. Therefore this application is recommended for REFUSAL.

8. List of Conditions in Case of an Appeal - Without Prejudice

In the event of an appeal, it is recommended that the following conditions are attached to the decision:

1. Approved Plans

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

136 D-101
136 D-201
136 D-050 Rev 01
136 D-111 Rev 01
136 D-211 Rev 01
136 C-041

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. Standard Time Limit

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. Materials to match

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. Roof not to be used as balcony.

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).

5. PD : No windows or doors in extension.

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, facing No.75 Station Road and No.79 Station Road.

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).

6. Details of Privacy Screens

a) Before the development hereby permitted is first occupied, details of privacy screens to be installed shall be submitted to and approved in writing by the Local Planning Authority.

b) The screens shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

