

Location 17 Village Road London N3 1TL

Reference: 17/5551/HSE Received: 29th August 2017
Accepted: 31st October 2017

Ward: Finchley Church End Expiry 26th December 2017

Applicant: Mr Martin Carter

Proposal: Single storey rear conservatory

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 upper ground floor rear conservatory extension would be overly large, bulky and out of of scale, would obscure a disproportionate amount of the original rear wall of the locally listed property and would be harmful to the character and appearance of the locally listed property and the Finchley Garden Village Conservation Area. It would be contrary to Core Strategy Policies CS NPPF, CS1, CS5. Development Management Policies DM01, DM02 and DM06, Residential Design Guidance SPD (adopted October 2016, Sustainable Design and Construction SPD (adopted October 2016) and Finchley Garden Village Conservation Area Conservation Area: Design Guidance (2013).

Informative(s):

- 1 The plans accompanying this application are: Location plan, 2017-656/100
- 2 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 (LPA) 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 did not seek to engage with the LPA prior to the submission of this application through the established formal pre-application advice service. The LPA has discussed the proposal with the applicant/agent where necessary during the application process. Unfortunately the 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 is located on the western side of Village Road within the Finchley Garden Village Conservation Area and is covered by an Article IV Direction.

The existing building on site is a locally listed, two-storey, semi-detached residential dwelling house. The site falls steeply to the west (to the rear) and as a result the ground floor appears as an upper ground level, with a lower ground floor below.

The Conservation Area Character Appraisal notes;

"Finchley Garden Village Conservation Area includes Nos. 1-26 and 31-51 Village Road and Nos. 51- 53 Cyprus Avenue, which are all of a similar architectural style. A new house (No.49 Cyprus Avenue) has recently been constructed within the conservation area in the former side garden of No. 47 Cyprus Avenue, following the removal of a garage. The construction of a replacement dwelling at the former bungalow site (between Nos. 24 and 25 Village Road), is also well under way.

The first 13 houses were built and occupied by the end of 1909 and the remainder were completed by 1914, with the exception of Nos. 39 and 40. The high standards of the original development were protected from unsympathetic additions or changes by stringent leases drawn up by the Finchley Co-Partnership Society. The unaltered appearance of the houses can largely be attributed to these early controls, which lasted until 1939 when the Co-Partnership was dissolved and freeholds were acquired for individual houses.

The houses in the conservation area are built in the distinctive Arts and Crafts style. Although two basic house types reminiscent of the traditional vernacular architecture of rural England formed the basis of the layout, variety was introduced by detailing the elevations differently to distinguish each pair of houses from their neighbour.

The houses are finished mostly in roughcast render with tiled roofs. Characteristic features include: part-tiled elevations, prominent front gables, traditional timber casement leaded-light windows and hooded entrance canopies. The use of good quality materials is consistent with the high standards of design and layout."

2. Site History

Reference: 17/5439/HSE

Address: 18 Village Road London N3 1TL

Decision: Approve subject to conditions

Decision Date: 20.12.2017

Description: Rear conservatory at upper ground floor level

3. Proposal

The application proposes an upper ground floor conservatory extension to be set above the existing timber decked patio area.

Due to the topography of the application site there are level differences whereby the garden level is set a lower level than the ground floor of the main building.

The proposed extension would measure 3.37 metres in depth from the main rear wall of the house adjacent to the side boundary with No. 18 Village Road and a maximum width of 4.32 metres. The height to the eaves would be 2.35 metres and 3.08 metres to the top of the pitched roof.

4. Public Consultation

A site notice was erected on the 9th November 2017 and a press notice was advertised on the 9th November 2017.

Consultation letters were sent to 2 neighbouring properties and no responses have been received.

Member request: It has been requested by a local Member that were the Council to refuse the application, it should be presented to the Planning Committee for determination.

Internal Consultation: Heritage Team: The conservatory would be harmful to the individual heritage asset and contrary to conservation guidelines.

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

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 2050. 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, DM06.

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 October 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 October 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

Regards for:

- Finchley Garden Village Conservation Area: Character Appraisal and Management Proposals (2013)
- Finchley Garden Village Conservation Area Conservation Area: Design Guidance (2013)

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, heritage assets and conservation area, and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

Policy CS1 of Barnet's Core Strategy (2012) states that we will seek the highest standards of urban design in order to generate development proposals of landmark quality. Policy CS5 of the Core Strategy (2012) states that the Council 'will ensure that development in Barnet respects local context and distinctive local character creating places and buildings of high quality design'.

Policy DM01 of the adopted Development Management Documents DPD (2012) states that Development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. Development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users.

Policy DM06 of the adopted Development Management Documents DPD (2012) states that all heritage assets will be protected in line with their significance. All development will have regard to the local historic context. Development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet.

Impact on character and appearance:

Finchley Garden Village Conservation Area includes Nos. 1 to 26 and 31 to 51 Village Road and Nos. 51 to 53 Cyprus Avenue.

The application falls within the designated conservation area. Policy DM06 seeks to ensure that development proposals preserve or enhance the character and appearance of the conservation area. Therefore, due to the application site falling within the designated conservation area, the proposals impact on the heritage asset, and setting of that heritage asset, should be considered.

Although the Character Appraisal (2013) notes the importance of views and vistas within the conservation area, it places particular emphasis on the views across the grassed open space, views above the rooftops of tree canopies, and glimpsed views between buildings. Therefore it is not considered to harm the view of the conservation area from this position. The extension would not be viewed from the street and therefore would have no adverse impact on the streetscene, public realm or open vistas at the front of the site and within the green.

However, when viewed from the rear of the site, the extension is considered not to be a subordinate addition to the property and would therefore detract from the appearance of the locally listed building and the character of the conservation area of which it forms a part. The extension would fill out the whole of the upper ground floor terrace, and extend out at the rear to be flush with the existing lower ground floor extension. Consequently it would give the impression when viewed from the rear garden of an overly large two storey rear extension that would obscure a disproportionate amount of the original rear wall of the locally listed property, and would appear bulky and out of scale, and the degree of glazing out of character.

The Finchley Garden Village Conservation Area Design Guidance makes it clear in section 4.1 that 'An extension can permanently alter the character and appearance of a property. There will be cases where carefully designed minor extensions can be allowed without harm to the individual house or its setting, however in some cases it may not be possible to extend at all.'

It further goes on to say 'Single storey rear extensions may be acceptable however the design and impact on neighbouring properties will be carefully assessed... Two storey extensions can significantly alter the character and appearance of a property and are therefore unlikely to be supported. The LPA consider that the proposal to build a conservatory on top of a single storey extension creates a two storey extension. Therefore in light that the guidance makes it clear that such development is unlikely to be supported (on the grounds of it being harmful) it must therefore ensue that such a proposal would also set a damaging precedence which would thus cause harm to the character and appearance of the conservation area, which the council have a duty to preserve and enhance. The harm is caused, regardless of whether it can be seen from the public realm or not.

The recently approved extension at 18 Village Road (planning reference 17/5439/HSE) is somewhat different. Here there is no substantive lower level, no basement, so the approved construction there is set at the lowest buildable level. The proposal here was also amended to reduce its mass and bulk.

For the above reason, it is considered that the proposed extension would harm the character and appearance of the locally listed property when viewed from the rear, and would not preserve the character and appearance of the conservation area.

The drawings do not specify the material to be used for the frame of the conservatory. The base would be solid panels and the upperpart primarily glazing. Were the proposal to be approved it is recommended that the frame should be constructed of painted timber.

Impact on amenity of neighbouring occupiers:

Due to the size, siting and design of the extension it is not considered that it would materially impact on the light, privacy and outlook to the neighbouring property at 18 Village Road.

Paragraph 14.21 of the Residential Design Guidance SPD (2016) states that the depth of a ground floor rear extension normally deemed acceptable is 3.5 metres for a semi-detached property. The application proposes an upper ground floor rear extension of 3.37 metres in depth. As such, the proposal is compliant with the guidance at this level, adjacent to the boundary of No. 17 Village Road. No windows is proposed within the side elevation of the extension facing the side boundary with No. 18 and is set away from the side boundary with No. 16 by in excess of 5 metre and will not result in overlooking to the neighbouring properties.

For the reasons above it is considered that the proposed development would not impact the amenity of neighbouring occupiers to an unacceptable level, subject to conditions.

5.4 Response to Public Consultation

The design and amenity considerations are covered within the evaluation above.

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 an unacceptable impact on the character and appearance of the locally listed property and the Finchley Garden Village Conservation Area. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for refusal.

