

Location **Flats 3 And 4 146 Hendon Lane London N3 3PS**

Reference: **18/1404/FUL** Received: 6th March 2018
Accepted: 12th March 2018

Ward: Finchley Church End Expiry 7th May 2018

Applicant: Mr & Mrs R & S FARD

Proposal: Part single, part two storey side extension following partial demolition of the
existing garage. Changes to fenestration

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 a) No development or site works shall take place on site until a 'Demolition & Construction Method Statement' has been submitted to and approved in writing by, the Local Planning Authority.

The Statement shall provide for: access to the site; the parking of vehicles for site operatives and visitors; hours of construction, including deliveries, loading and unloading of plant and materials; the storage of plant and materials used in the construction of the development; the erection of any means of temporary enclosure or security hoarding and measures to prevent mud and debris being carried on to the public highway and ways to minimise pollution.

- b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policy 5.21 of the London Plan (2016).

- 2 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages shown on Drawing No. P.03Rev.F, shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

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

Site Location Plan;

P.01: Existing PLans and Elevations; Proposed Plans and Elevations

P.03 Rev F

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).

- 4 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.

- 5 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).

- 6 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).

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications.

These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

- 2 Refuse collection points should be located within 10 metres of the Public Highway. Alternatively, the dustbins will need to be brought to the edge of public highways on collection days. Any issues regarding refuse collection should be referred to the Cleansing Department.
- 3 For any proposal new crossovers or modification to the existing crossovers, a separate crossover application must be submitted for approval to the Highways Authority. Details of the construction and location of the new crossover are required to be agreed with the highway authority. Any street furniture, road markings or parking bays affected by the proposed works following site investigation would be relocated at the applicant's expense.

In the case where a highway tree is present in the vicinity of the proposed access road or a crossover for the development the final approval would be subject to the detailed assessment carried out by the Highways Crossover Team in conjunction with the highway tree section as part of the crossover application. The outcome of this assessment cannot be prejudged.

Please Note: A maximum width of a crossover allowed from a public highway is 4.8 meters.

Information on application for a crossover could be obtained from London Borough of Barnet, Crossover Team, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Works on public highway shall be carried out by the Council's contractors. An estimate for this work could be obtained from London Borough of Barnet, Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.

Officer's Assessment

1. Site Description

The application site contains a detached three storey property which has been subdivided into 4 self-contained flats at No.146 Hendon Lane. The property has benefited from planning permission for extensions to the rear of the property including a part single, part two storey side and rear extension, while a roof extension has also been implemented.

A detached garage is located on the south eastern section of the application site, along the shared boundary with No.144 Hendon Lane. The garage has maximum height of 3.77m dropping to 2.5m at the eaves. The width of the garage is 3.4m and has a depth of 9.4m (which stretch along the shared boundary with No.144 Hendon Lane. The remainder of the shared boundary with No.144 is defined by a 2m high wooden fence. The shared boundary with No.148 Hendon Lane is defined by a small wooden fence with shrubbery planted.

Hendon Lane is a predominantly residential area, comprising a variety of house style and purpose built blocks of flats. The property is not located within a conservation area, and is not listed.

2. Site History

Reference: 14/07360/FUL

Address: 146 Hendon Lane, London, N3 3PS

Decision: Withdrawn

Decision Date: 10 February 2015

Description: Two storey side extension following demolition of existing garage to create 1no self-contained unit at first floor (flat D) and resulting in the enlargement of flat B on the ground floor and the enlargement of flat E (formerly flat D) on the second floor, including provision of 1no. additional parking space and the crossover at front, bike/refuse store facility at side and associated landscaping at rear garden area

Reference: 18/3516/CON

Address: 146 Hendon Lane, London, N3 3PS

Decision: Pending Consideration

Decision Date: No Decision Made.

Description: Submission of details of condition 7 (Amenity space sub-division) 8 (Sound Test) 9 (Refuse/recycling) pursuant to planning permission F/03748/13 dated 08/11/13

Reference: F/03748/13

Address: 146 Hendon Lane, London, N3 3PS

Decision: Approved subject to conditions

Decision Date: 6 November 2013

Description: Conversion of single family dwelling into 4no. self contained flats including part single, part two storey side and rear extension involving conversion of garage into habitable space and 2no. Juliet balconies to first floor rear elevation. Roof extension involving front dormer window and 3no. rear dormer windows to facilitate a loft extension. Provision of vehicle parking, refuse facilities and bicycle storage.

Reference: F/00146/14

Address: 146 Hendon Lane, London, N3 3PS

Decision: Lawful

Decision Date: 14 February 2014

Description: Single storey outbuilding to rear garden, ancillary to the main house.

Reference: F/01911/13

Address: 146 Hendon Lane, London, N3 3PS

Decision: Withdrawn

Decision Date: 22 July 2013

Description: Conversion of property into 4 self-contained flats. Two-storey rear extension, two-storey front extension and first floor side extension. Extension to roof including front dormer windows, rear dormer window and new roof over proposed first floor extension to extension existing loft conversion. Conversion of garage into habitable room. Removal of garage building and erection of new bike and refuse storage. Alteration to window and doors.

Reference: F/00318/12

Address: 146 Hendon Lane, London, N3 3PS

Decision: Refused

Decision Date: 20 April 2012

Description: Erection of new residential dwelling house with basement and lower ground levels. Associate parking.

3. Proposal

This application seeks planning permission for the erection of a part single, part two storey side extension following partial demolition of the existing garage. Changes to fenestration at No.146 Hendon Lane, London.

The proposed two storey side element would have a maximum height of 8.7m dropping to 6.2m at the eaves. The proposed two storey side element would have a maximum depth of 12m, and a proposed width of 3.6m. The two storey element would be 1m from the shared boundary with No.144 Hendon Lane, and set back 1m from the front building line. On the side elevation two windows are proposed to the first and second floor which are to be obscured glazing to side glazing. The roof of this extension would incorporate two dormer windows, one to the front elevation and one to the rear elevation measuring a height of 1.23m and a width of 1.19m.

The single storey element would have a maximum height of 4m from the rear elevation, and 3.1m from the front elevation. It would be 4m wide with a depth of 13.9m. This element would be constructed flush against the shared boundary with No.144 Hendon Lane and 1.9m from the side elevation.

4. Public Consultation

Consultation letters were sent to 11 neighbouring properties, 6 objections were received which can be summarised as follows:

- out of context and unsympathetic to the existing street scene
- additional bulk is over bearing and intrusive on the neighbouring property's daylight and sunlight
- existing drawings are misrepresented and are not in line with the as built

- does not enhance the character of the area and will have a detrimental impact on the street scene and parking arrangements
- drive has space for 3 cars, not 4 as stated
- parking space for neighbours and visitors will be lost
- The Traffic/Parking situation on Hendon Lane has become increasing difficult.
- addition of two flats will definitely generate pressure on parking in the area
- creating traffic disruption and increasing the chance of accidents on an arterial

Internal - Highways - Note that the existing provision of 4 off-street car parking spaces remains acceptable on highways grounds. They further state that the application is not expected to have a significant detrimental impact the surrounding public highway

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.

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft National Planning Policy Framework. Although this weight will increase as the Draft National Planning Policy Framework progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2012 National Planning Policy Framework.

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 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 Draft London Plan

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, 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 (2016)

- Sets out information for applicants to help them design developments which would receive favourable consideration by the Local Planning Authority. 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 developments 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 it states that developments 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

Officers consider that the main planning considerations are as follows:

- o Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- o Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

Paragraph 63 of the NPPF states that 'in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area'. Paragraph 131 states that 'in determining applications, local planning authorities should take account of the desirability of new development making positive contribution to local character and distinctiveness.

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).

Policy DM01 expects that development proposals should be based on an understanding of local characteristics and should respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets. Furthermore, the Council's Residential Design Guidance SPD outlines that extensions should not be unduly overbearing or prominent and should normally be subordinate to the existing dwelling.

Paragraph 14.13 of the Council's Residential Design Guidance SPD advocates that extensions should fit into the street, being consistent with the architectural character, neighbouring properties, and special nature of the area.

Paragraph 14.15 advocates that side extensions should not be more than half the width of the original house, and should be set back from the front building line by at least a metre. The proposed extension has been set back from the front building line by at least a metre, and is not more than half the width of the original house, therefore in this regard it is policy compliant.

Paragraph 14.17 emphasises that there should be a sufficient gap between proposed first floor side extensions and, neighbouring properties and site boundaries. There should be at least a 2 metre gap between the flank walls of properties at first floor level, and there should be at least a 1 metre gap between the extension at first floor level, and the site boundary line.

Ground Floor Side Extension

The Council's design guidance suggests that the side extensions should not exceed half the width of the original property. In this instance, the single storey side element of the extension would have a width which is half of the main dwelling, while it is noted that the proposed side extension would be level with the existing front building line, officers are of the opinion that due to the size and scale of the development, it is considered to be subordinate addition to the main dwelling. The applicant has annotated on the application form that the proposed materials would match the existing; therefore, accordingly it is considered that it would complement the existing features of the main dwelling.

First Floor Side Extension

The Council's guidance states that first floor rear extension should be set back by 1 metre from the front elevation and should be set down by a minimum of 0.5 metres from the main ridge height.

The proposed front elevation is originally staggered as the property benefits from a 2 storey front projection. The proposal will therefore be set back by approximately 1 metre

from the front building line, and has been set in approximately 1m from the shared boundary with No.144 Hendon Lane and approximately 2.9m from the side elevation of No.144 Hendon Lane.

Whilst the proposed first floor extension would have ridge level which matches that of the main dwelling as opposed to being set down as recommended in guidance it is nevertheless considered that due to the size and scale of the proposal, it would relate sympathetically to the main dwelling, thus providing a subordinate addition complementing the character and appearance of the existing property and the mixed character of the area.

Roof Dormers

Paragraph 14.33 emphasises that there Design should reflect style and proportion of windows on the existing house. Dormer roof extensions should not overlap or wrap around the hips or rise above the ridge and should normally be subordinate features on the roof and should not occupy more than half the width or half the depth of the roof slope

The proposal includes two dormer windows, one to the front elevation and one to the rear elevation measuring a height of 1.23m and a width of 1.19m. The roof dormers have been set below the ridge line of the main dwelling, and due to their size, scale and positioning are considered to be subordinate additions, complementing the design traits and characteristics of the dwelling. Whilst front dormer windows are not always considered to be an acceptable addition to a property, the existing roof slope already benefits from one and the addition of one more to the new roof slope adjacent to 144 Hendon Lane creates a balanced appearance to the host dwelling house in keeping with the existing character of the dwelling house.

Alterations to the fenestration

The alterations to fenestration which include window openings on the front and rear elevation at ground and first floor level, and the side elevation facing No.144 Hendon Lane, with four windows proposed to the property would be sympathetic in their change and as such, would not be considered to have a detrimental impact on the appearance or character of the property or surrounding area.

Whether harm would be caused to the living conditions of neighbouring residents

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.

It is not felt that a detrimental impact would result on the neighbouring properties of No. 144 and No.148 Hendon Lane as a result of the Part single, part two storey side extension following partial demolition of the existing garage and changes to fenestration.

Single storey side extension

The proposed single storey side extension would be a subordinate addition to the front of the property. This element of the proposal would be constructed flush with the shared boundary of No.144 Hendon Way. Officer note that the existing garage has been position flushed with this boundary, stretching with a depth of 9.4m. The proposal seeks to

increase the depth to 14m, an increase of 4.6m along the shared boundary. The proposed single storey side extension would have a height similar to that of the existing garage, therefore, taking the above into account along with the existing boundary treatment (2m high wooden fence) officers are of the opinion that this element of the proposal would not be visually obtrusive or create a sense of enclosure. No overshadowing or loss of sunlight would occur, while the flat roof element of the side extension will be condition to ensure it is not used as a balcony.

As the single storey side extension would not extend beyond the rear building line, officers are content that it would not be detrimental to the amenity of No.148 Hendon Lane.

First floor side extension

With regards to this element of the proposal, whilst it is acknowledged that the two storey side extension would be clearly visible from No.144 Hendon Lane, it is not considered that it would overbearing or obtrusive to such an extent as to warrant refusal of the application. Due to the positioning of the extension, and the location of the application site, it is considered that overshadowing, loss of sunlight would not be such as to warrant refusal. While four windows have been proposed to the side elevation facing No.144 Hendon Lane, the applicant has noted on the plans submitted that they will be obscured glazed and a condition will be attached to ensure this. Therefore, no overlooking or loss of privacy is expected to occur.

As the first floor side extension would not extend beyond the rear building line, it would not be detrimental to the amenity of No.148 Hendon Lane.

Roof Dormers

Regarding the proposed roof dormers, it is considered that due to the size, scale and positioning, they would not appear as a visually obtrusive element, nor a prominent element to either No.144 or No.148 Hendon Lane. While a degree of overlooking would occur from the rear dormer upon the private amenity space of No.144 Hendon Way, such relationships are commonplace in residential areas and it would not be detrimental to the amenity of No.144 as to warrant refusal of the application.

Alterations to the fenestration

The alterations to fenestration would not be found to have a detrimental impact on the amenity of neighbouring occupiers.

5.4 Third Party Representations

Mainly dealt with in the body of the report.

With regard to the concern in respect of the quality of the plans, they are considered to be acceptable.

6. Equality and Diversity Issues

The existing development 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 development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for APPROVAL



ORDNANCE SURVEY MAP
146 Hendon Lane, London, 3PS
scale 1:1250 (A4)