

**LOCATION:** 47 Stanway Gardens, Edgware, Middx, HA8 9LN  
**REFERENCE:** H/02117/12  
**WARD(S):** Hale  
**APPLICANT:** Mr Roze  
**PROPOSAL:** Single storey rear extension.  
**RECOMMENDATION:** **Refuse**

**Received:** 06 June 2012  
**Accepted:** 06 June 2012  
**Expiry:** 01 August 2012  
**Final Revisions:**

1 The proposed single storey rear extension and the cumulative rearward projection would be visually obtrusive and detrimental to the character and appearance of the existing building, and general locality contrary to the Adopted 2006 Unitary Development Plan Policies GBEEnv, GBEEnv2 and D2 and Supplementary Design Guidance Note 5: Extensions to Houses and Policy DM01 of the Emerging Local Plan Development Management Policies (Adoption Version)2012

**INFORMATIVE(S):**

1 The plans accompanying this application are:- 6084 - 01/KEE and 6084 - 02/KEE.

## **1. MATERIAL CONSIDERATIONS**

The application is reported to the Committee at the request of Councillor Gordon

### National Planning Policy Framework

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The London Plan is recognised in the NPPF as part of the development plan.

The NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

NPPF retains presumption in favour of sustainable development. This applies unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

### The Mayor's London Plan July 2011:

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for

the development of the capital to 2031. It forms part of the development plan for Greater London.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

#### Relevant Unitary Development Plan Policies:

The statutory plan for the Borough is the Barnet UDP. This was adopted on 18 May 2006, replacing the original UDP adopted in 1991.

On 13 May 2009 the Secretary of State for Communities and Local Government issued a Direction “saving” 183 of the 234 policies within the UDP.

Relevant policies to this case: GBEnv1, GBEnv2, D1, D2, D5 & H27.

#### Design Guidance Note No 5 – Extensions to Houses

The Council Guide ‘Extension to Houses’ was approved by the Planning and Environment Committee (The Local Planning Authority) on March 2010. This leaflet in the form of a supplementary planning guidance (SPG) sets out information for applicants to help them design an extension to their property which would receive favourable consideration by the Local Planning Authority and was the subject of separate public consultation.

Included advice states that large areas of Barnet are characterised by relatively low density suburban housing with an attractive mixture of terrace, semi detached and detached houses. The council is committed to protecting, and where possible enhancing the character of the borough’s residential areas and retaining an attractive street scene.

In respect to amenity, the extension should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook and be overbearing or cause an increased sense of enclosure to adjoining properties.

The basic principles the Local Authority has adopted in respect to different types developments are that they should not unduly reduce light or outlook from neighbouring windows to habitable rooms, overshadow or create an unacceptable sense of enclosure to neighbouring gardens. They should not look out of place, overbearing or bulky from surrounding areas.

The Council has also adopted (June 2007), following public consultation, a Supplementary Planning Document “Sustainable Design and Construction”. The SPD provides detailed guidance that supplements policies in the Unitary Development Plan, and sets out how sustainable development will be delivered in Barnet. Part 6 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

## Core Strategy (Adoption version) 2012

Barnet's emerging Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the Local Plan is complete, 183 policies within the adopted Unitary Development Plan (UDP) remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy is now capable of adoption following receipt of the Inspector's Report in June 2012. The Inspector endorsed all the Council's modifications at EIP and found it sound and legally compliant. Therefore very significant weight should be given to the 16 policies in the CS. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies (Adoption version) 2012: CS NPPF, CS1, CS5.

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Development Management Policies is now capable of adoption following receipt of the Inspector's Report in June 2012. The Inspector endorsed all the Council's modifications at EIP and found it sound and legally compliant. Therefore very significant weight should be given to the 18 policies in the DMP. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Development Management Policies (Adoption version) 2012: DM01, DM02.

### **Relevant Planning History:**

Site Address: 47 Stanway Gardens EDGWARE MIDDLESEX  
Application Number: W05795A  
Application Type: Full Application  
Decision: Refuse  
Decision Date: 20/08/1991  
Appeal Decision: No Appeal Decision Applies  
Appeal Decision Date: No Appeal Decision Date exists  
Proposal: Roof extension to form gable end to side and second floor extension to rear.  
Case Officer:

Site Address: 47 Stanway Gardens EDGWARE MIDDLESEX  
Application Number: W05795B  
Application Type: Full Application  
Decision: Approve with conditions  
Decision Date: 19/11/1991

Appeal Decision: No Appeal Decision Applies  
Appeal Decision Date: No Appeal Decision Date exists  
Proposal: Second floor side and rear extensions  
Case Officer:

Site Address: 47 Stanway Gardens Edgware  
Application Number: W05795  
Application Type: Full Application  
Decision: Approve with conditions  
Decision Date: 13/07/1978  
Appeal Decision: No Appeal Decision Applies  
Appeal Decision Date: No Appeal Decision Date exists  
Proposal: Single-storey rear extension.  
Case Officer:

### **Consultations and Views Expressed:**

**Neighbours Consulted:**6      Replies:0  
**Neighbours Wishing To Speak** 0

The objections raised may be summarised as follows:  
No objection received on this application

**Internal /Other Consultations:**  
None

**Date of Site Notice:** None

## **2. PLANNING APPRAISAL**

### **Site Description and Surroundings:**

The application site relates to a semi- detached single family dwelling house located on the northern side of Stanway Gardens, which is predominantly residential in character.

### **Proposal:**

Planning permission is sought for an excessive second single storey rear extension. The proposed second single storey rear extension would be 4.65 metres deep, 4.73 metres wide and a height of 3.4m to the succah roof light and 3 metres at the parapet wall with a flat roof. It would be set in 2.8 metres from the side boundary with No.49 Stanway Gardens and on the common boundary with No.45 Stanway Gardens.

### **Planning Considerations:**

The main issue in this case are considered to be covered under two main areas:

- The living conditions of neighbouring residents;

- Whether harm would be caused to the character and appearance of the area and street scene, having regard to the size and siting of the proposal.

General Policy GBEnv1 of the Unitary Development Plan (2006) aims to maintain and improve the character and quality of the environment.

Policies D1 and D2 of the Unitary Development Plan (2006) aims to ensure compatibility with the established character and architectural identity of existing and adjoining properties and the general location in terms of scale, design and impact on neighbouring properties. Established local character and townscape quality can be harmed by insensitive development, which is out of scale with and unrelated to the locality.

Part of policy D5 of the Unitary Development Plan (2006) requires new development to safeguard outlook and light of neighbouring residential occupiers

Policy H27 of the Unitary Development Plan (2006) states that extensions to houses should harmonise existing and neighbouring properties, maintain the appearance of the streetscene and have no significant adverse effect on the amenity of neighbouring occupiers. They should be in keeping with the scale, proportion, design and materials of existing and neighbouring houses.

Policy DM01 of the Development Management Policies (Adoption version) 2012 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.

**Whether harm would be caused to the character and appearance of the area, having regard to the size and siting of the proposal.**

The proposed single storey rear extension providing a family room is considered an unacceptable addition to the property and would not meet the design considerations listed within the aforementioned guidance note.

The Design Guidance No.5 Extensions to Houses (2010) recommends a 3.5m depth rear extension for semi - detached houses.

The proposed 4.65m deep single storey rear extension would be an addition to the existing 3.1m depth single storey rear extension. It is considered that cumulatively the extensions would not be a proportionate addition to the dwelling house. It would have an overall depth of 7.75m beyond the host property original building line which is considered unacceptable. The proposal due to its depth would be detrimental to the character and appearance of the site property and the general locality.

The 5.3 metre deep single storey rear extension with polycarbonate roof at No.45 Stanway Gardens was refused permission on 28 September 2000(Reference W05958B/00). It is considered that the existence of this extension does not justify approval of the current proposal which far exceeds the guidelines adopted in Design Guidance Note 5.

### **Impact on the residential amenity**

The 4.65m depth of the proposed rear extension together with the existing 3.1m depth rear extension would result in a 7.75m deep extension overall.

It is considered that the proposed extension although 7.75m deep in total would not have a detrimental effect on the residential amenities of the neighbouring occupiers in terms of loss of outlook, given that it would largely be screened from No. 49 by the existing detached garage and the existing extension at No.45 Stanway Gardens.

### **3.COMMENTS ON GROUNDS OF OBJECTIONS**

None

### **4.EQUALITIES AND DIVERSITY ISSUES**

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

### **5.CONCLUSION**

Having taken all material considerations into account, it is considered that the proposed single storey rear extension in addition to the existing 3.1m deep extension will not comply with the Adopted Barnet UDP policies and would not be keeping with the character and appearance of the host property and the surrounding area. It is considered that the proposed development would have a detrimental impact on the character and appearance of the area, the living conditions of the neighbouring occupiers and residential amenities of neighbouring occupiers. This application is therefore recommended for **Refusal**.

### **In the event of an appeal:**

#### **The following conditions should apply:-**

#### **1- Approved Plans**

The development hereby permitted shall be carried out in accordance with the following approved plans: Plan Nos. 6084 -01 /KEE, and 6084 -02/KEE,

##### **Reason:**

For the avoidance of doubt and in the interests of proper planning.

#### **2- Time Limit on Full Planning Permission**

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 construction of the external surfaces of the building(s) shall match those used in the existing building(s)

##### **Reason:**

To safeguard the visual amenities of the building and the surrounding area.

**SITE LOCATION PLAN:** 47 Stanway Gardens, Edgware, Middx, HA8 9LN

**REFERENCE:** H/02117/12



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