

Location **First Floor Flat 58 Long Lane London N3 2PX**

Reference: **18/7055/FUL** Received: 26th November 2018
Accepted: 30th November 2018

Ward: West Finchley Expiry 25th January 2019

Applicant: Ms Stella Christou

Proposal: Extension to roof including 1no rear dormer window with juliet balcony, 1no
rooflight to rear roofslope and 3no rooflights to front roofslope

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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: Dwg 15/06 - SO (Location Plan); Dwg 15/06 - S1A(Existing Plans); DWg 15/06 - S2 (Existing Elevations); Dwg 15/06 - P1A (Proposed plans); Dwg 15/06 - P2REVA (Proposed loft and roof plans); Dwg 15/06 - P3REVA(Proposed Elevations).

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 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.56 and no.60 Long Lane.

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):

1 In accordance with paragraphs 38-57 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. 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.

Officer's Assessment

The application has been called in for determination by the committee by Councillor Houston who raises the following concerns:

- the plans are inaccurate
- noise, disturbance and loss of privacy for neighbours
- impact on parking and highways

1. Site Description

The site comprises a two-storey semi-detached dwelling house and shares a party wall with no. 56.

The site is located directly opposite Victoria park along a residential street, is not within a Conservation area and is not a listed building.

2. Site History

Reference: 15/01067/HSE

Address: First Floor Flat, 58 Long Lane, London, N3 2PX

Decision: Refused

Decision Date: 21 April 2015

Description: Extension to roof including 3no. front rooflights and rear dormer with juliet balcony to facilitate a loft conversion

3. Proposal

Extension to roof including 1no rear dormer window with juliet balcony, 1no rooflight to rear roofslope and 3no rooflights to front roofslope.

Dimensions:

The proposed rear dormer window would measure 1.8 metres in depth, 2 metres in width and 1.7 in height.

The total width of the existing roofslope is 5 metres and the total height of the existing roofslope is 2.6 metres.

4. Public Consultation

Consultation letters were sent to 8 neighbouring properties.

3 responses have been received, comprising 3 letters of objection from one property.

The objections received can be summarised as follows:

- Inaccurate details of existing floor plans and side elevations.
- Lack of privacy with the loft conversion overlooking the ground floor extension.
- Adverse effect on the residential amenity of neighbours - additional persons living in the house with increased noise.
- The development would adversely affect highway safety - increased demand for parking as ground floor flat has an increased number of bedrooms (increased density). Access to drive often blocked.
- Request for first floor flat is brought to modern sound proofing standards.

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 24th July 2018. 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, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. 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.

The London Plan is currently under review. 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 adopted 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 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.

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

The host dwelling received a refusal in 2015 for the 'Extension to roof including 3no. front rooflights and rear dormer with juliet balcony to facilitate a loft conversion' based on the proposed rear dormer representing an incongruous addition to the host property.

It is worthwhile to note application 15/01067/HSE submitted in 2015 for a proposed roof extension and additional of rooflights was refused. However, in comparison with the submitted application within this report it was greater with regards to size and scale.

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

There are examples of rear dormer windows within the immediate vicinity of the area, particularly no. 64.

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 Residential Design Guidance SPD 2016 states that dormer windows are half the height and half the width of the roofslope and are considered to be a subordinate feature in the roof.

Although the proposal is larger than the associated Residential Design Guidance SPD it is considered neither dominant or incongruous and a subordinate addition to the existing building. It is considered that the proposal would not cause harm to the character and appearance of the existing building, the street scene and the wider locality. This is due to the long outrigger to this and the neighbouring properties which means that the dormer would not be clearly seen from the rear. It is also noted that the other half of the semi-detached pair, no. 56, has a very similar dormer window. The design, size and sitting of the proposed extension to the roof including 1no rear dormer is considered acceptable. There would be no impact caused as a result of the proposed roof lights.

Overall, the proposal is considered acceptable in this regard.

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

The proposed loft conversion size and design would match the attached semi-detached property at no. 56. Towards the neighbouring property at no. 56 the proposed dormer with Juliet balcony will not cause any appreciable harm in terms of loss of privacy, given the proposed size and siting of the rear dormer window. There would be no concern in terms of loss of sunlight to this neighbour due to the existing building orientation and the east to west sunlight orientation. There are no side windows being proposed, thus there would be no issue in terms of overlooking. Also, there is sufficient separation distance between the host property and no. 1 Dukes Avenue to eliminate overlooking.

There would be no impact caused as a result of the proposed roof lights to this neighbour.

The rear dormer with Juliet balcony would not unduly affect the character or appearance of no. 60 and it is not considered the proposal would have any significant effect on the living conditions of this neighbour. There would be no concern in terms of loss of privacy/sunlight to this neighbour due to size and scale of the dormer. Furthermore, there are no side windows being proposed, thus there would be no issue in terms of overlooking.

There would be no impact caused as a result of the proposed roof lights to this neighbour.

5.4 Response to Public Consultation

- Inaccurate details of existing floor plans and side elevations.

Amended plans were submitted to show an amended existing and proposed first floor layout.

- Lack of privacy with the loft conversion overlooking the ground floor extension.

It is not considered that there would be any issue in terms of overlooking to the neighbour, given no side windows are being proposed.

- Adverse effect on the residential amenity of neighbours - additional persons living in the house with increased noise.

Although noise is a material planning consideration, it is considered due to the scale of the proposal that increased noise would not warrant a refusal of the application. The proposal is to provide an additional bedroom for an existing flat, not for the creation of a new flat.

- The development would adversely affect highway safety - increased demand for parking as ground floor flat has an increased number of bedrooms (increased density). Access to drive often blocked.

Parking is a material planning consideration. However, in this case the increase of one bedroom would not require additional parking provision. The access to the drive being regularly blocked is not a material planning consideration.

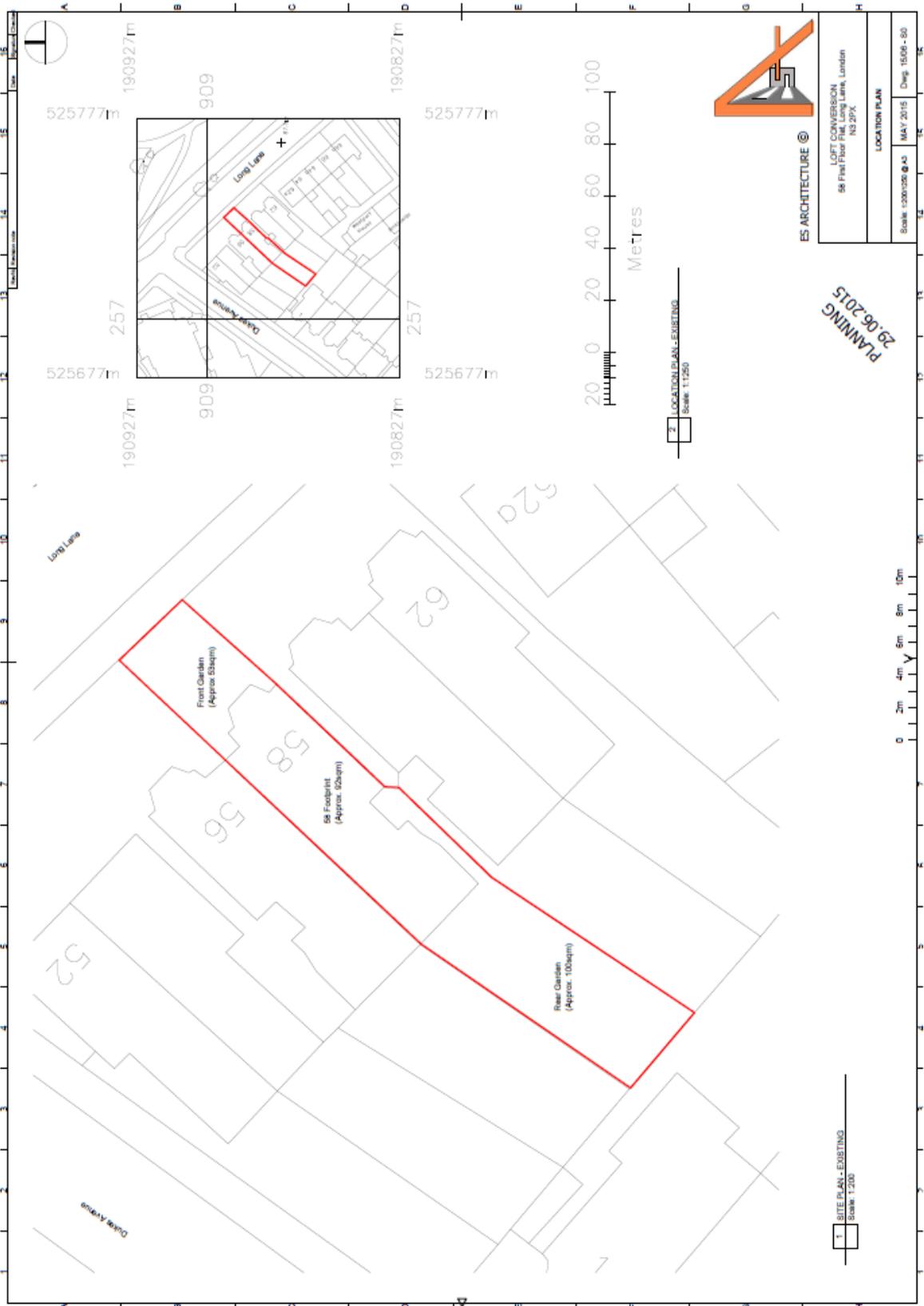
- Request for first floor flat to be brought to modern sound proofing standards. This is not a material planning consideration in this case as the proposal is for an additional bedroom not a new flat. Building regulations would ensure sound proofing standards are met.

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 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.



1 SITE PLAN - EXISTING
Scale: 1:200

2 LOCATION PLAN - EXISTING
Scale: 1:1250

ES ARCHITECTURE ©

LOFT CONVERSION
58 First Floor
Lushy Lane, London
N5 2PA

LOCATION PLAN

Scale: 1:200/250 @ A3
MAY 2015
Dwg: 15/04-15/0

PLANNING
20.06.2015