

Location **21 Elmgate Gardens Edgware HA8 9RU**

Reference: **18/7271/HSE**

Received: 6th December 2018

Accepted: 11th December 2018

Ward: Hale

Expiry 5th February 2019

Applicant: Mr & Mrs Lipowicz

Proposal: Single storey side and rear extension following demolition of the existing garage. Roof extension involving side and rear dormer windows. Alterations to the front fenestration.

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:
 - 01 Existing Ground Floor
 - 02 Existing First Floor
 - 03 Existing Elevations/Cross Sections
 - 04a Proposed Ground Floor
 - 05a Proposed First Floor
 - 06a Proposed Elevations/Cross Sections

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 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 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

1. Site Description

The application site is a detached bungalow dwelling located on the southern side of Elmgate Gardens. The existing property is a three-bedroom single family dwellinghouse. The property has a hipped roof and an integral garage on the southern elevation of the property. There is an existing, non-original single storey rear projection, sited adjacent to neighbouring property No. 27 to the north of the site. The host dwellinghouse is unusual on Elmgate Gardens in that the general locality is largely characterised by large, two-storey detached residential properties, although several examples of bungalows exist towards the north of Elmgate Gardens. The property at 19 Elmgate Gardens has been extended at the side but does not project significantly further than the rear of the application property.

While there is on street car parking, the property benefits from parking within the front curtilage of the dwelling. The application site is not situated within a conservation area, contains no listed buildings and is not subject to any other relevant planning restrictions.

2. Site History

Reference: 18/1726/PNH

Address: 21 Elmgate Gardens, Edgware, HA8 9RU

Decision: Prior Approval Required and Refused

Decision Date: 3 April 2018

Description: Single storey rear extension with a proposed depth of 8 metres from original rear wall, eaves height of 3 metres and maximum height of 3 metres

Reference: 18/2284/PNH

Address: 21 Elmgate Gardens, Edgware, HA8 9RU

Decision: Prior Approval Required and Refused

Decision Date: 4 May 2018

Description: Single storey rear extension with a proposed depth of 8 metres from original rear wall, eaves height of 3 metres and maximum height of 3 metres

Reference: 18/4142/HSE

Address: 21 Elmgate Gardens, Edgware, HA8 9RU

Decision: Approved subject to conditions.

Decision Date: 3 September 2018

Description: Single storey side and rear extension

3. Proposal

Planning permission is sought for the erection of a single storey rear and side extension following the demolition of the existing garage. Roof extension involving side and rear dormer windows. Alterations to the front and rear fenestration.

The proposed single storey side extension, following the demolition of the existing garage, would measure a depth of 8.9 metres, width of 2.9 metres. This element of the proposal proposes a maximum height of 4.0 metres, and eaves height of 3.0 metres, incorporating a pitched roof form.

The side extension would wrap around to adjoin the proposed rear extension, this would measure a maximum depth of 4.0 metres, a width of 11.9 metres, this element of the proposal would not extend from the existing rear outrigger, currently used as a kitchen area, closest to the boundary with No.27. The rear extension proposes a maximum height of 3.0 metres with a flat roof design and bi-folding doors on the rear elevation.

As part of this application 4 no. dormers are proposed on the existing dwellhouse, including 1 to the rear, 1 on the side of the roof located closest to the boundary with No.19 and 2 on the side of the roof located nearest to the boundary with No.27.

The alterations to the front fenestration include a new front door constructed from wood, 5 no. additional windows to the front elevation, following the removal of the existing windows. To the rear, the application proposes the removal of 4 existing windows, and the introduction of 2 additional windows.

4. Public Consultation

The Local Planning Authority notified eight adjoining properties and received ten objections.

Summary of comments include;

Overbearing, impact privacy, overlooking and loss of light issues.

Loss of outlook, impacting on views.

Damage to wildlife and vegetation.

Not considered sustainable development.

Insufficient plans.

Out of character.

Overdevelopment and excessive.

Damage to property.

5. Planning Considerations

5.1 Policy Context

Revised 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 Revised National Planning Policy Framework (NPPF) was published on 24 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 Revised 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 Revised 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 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.
- 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

Impact on Character

Any proposed 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 Barnet Local Plan), 7.4 and 7.6 (both London Plan). DM01 helps to protect Barnet's Character and amenity stating that development should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

Barnet's Residential Design Guidance outlines that side extensions should not be more than half the width of the original house. The width of the proposed side extension is 2.9 metres, the width of the original dwellinghouse measures approximately 12.6 metres. Therefore the existing is substantially less than half the width, and therefore in accordance with the design guidance. It should also be noted that the proposed hipped roof form serving the side extension, is in keeping with the roof design of the host property.

Paragraph 14.14 of the Residential Design Guidance SPD (2016) states that side extensions to existing buildings can be unacceptable prominent features in the street scene.

Given that the proposed side extension would exist in the footprint of the existing garage and would be set back from the highway (boundary) by approximately 8.8 metres it is found that the proposed side extension would have a minimal visual impact on the streetscene.

The Residential Design Guidance states that single storey rear extensions need to ensure that they do not look too bulky and prominent compared to the size of the main building and garden in which they relate. It goes on to outline that a depth of 4.0 metres is normally considered acceptable for a single storey rear extension on a detached dwelling. The proposed rear extension would extend to a maximum depth of 4.0 metres, nearest the boundary with No.19 Elmgate Gardens. This element of the proposal would not extend from the existing rear outrigger, currently used as a kitchen area, closest to the boundary with No.27 Elmgate Gardens. As such, the proposal would comply with the aforementioned guidance. It should be noted that this element of the proposal would be situated at the rear

of the property and subsequently, receives a degree of obscurity from the public domain which mitigates impacts onto the established character of the locality.

Following an examination of aerial photography and historical planning records it has been noted that several properties in the immediate vicinity have benefitted from extensions to the rear. Therefore, it is not found that the principle of a single storey rear extension would be of detriment to the character of the surrounding area.

Residential Design Guidance stipulates that additional, useable space can sometimes be created by converting roof space, providing this is carried out sympathetically. It goes on to outline that dormer roof extensions should be subordinate features on the roof and should not occupy more than half the width or half the depth of the roof slope to which they are positioned. This application proposes 4no. dormers, the dormer positioned on the rear roof slope would measure a width of 2.9 metres and height of 1.4 metres, the roof slope measures a width of 8.0 metres and height of 3.0 metres. The 2no. dormers on the side roof, on the northern roof elevation would measure a width of 1.6 metres and height of 1.3 metres and the proposed 1no. dormer on the southern roof elevation would measure a width of 2.2 metres and height of 1.3 metres. The proposed dormer roof extensions would not occupy more than half the width or half the depth of the roof slope of the host dwellinghouse, in compliance with the design guidance.

It should be noted that dormer roof extensions are not unique to Elmgate Gardens. Several properties within the general locality benefit from side dormer roof extensions, namely Nos. 3 and 36 and rear dormer windows, namely Nos 3, 37 and 49 Elmgate Gardens. As such, it is not found that the character of the surrounding area, would be affected should this proposal garner approval.

The proposed dormer roof extensions are considered to be subordinate, proportionate features, which respect the character and appearance of the original dwellinghouse.

Given that the existing design and front façade of the host dwellinghouse largely differs to that existing on Elmgate Gardens, it is not considered that the proposed alterations to the front and rear fenestration would result in demonstrable harm to the character of the streetscene and surrounding area.

The massing and bulk of the proposed extensions appear as sympathetic developments which respect the scale of the host dwelling and adequately integrate into the host dwelling's residential character.

In assessment, its considered the proposal does not cause detrimental harm to the host dwelling or the locality of Elmgate Gardens and therefore, the proposal is compliant with Policy DM01 of Barnet's Local Plan 2012.

Impact on neighbouring Amenity

It will be important that any scheme addresses the relevant development plan policies including DM01 (of the Barnet Local Plan), 3.5 (of the London Plan) and the guidance contained in the Barnet Supplementary Planning Documents 'Sustainable Design and Construction' and 'Residential Design Guidance.' In respect of the protection of the amenities of neighbouring occupiers, this will include taking a full account of all neighbouring sites.

Regarding the side extension, Residential Design Guidance states that side extensions should ensure that the visual and residential amenities of neighbouring properties are not significantly affected. The proposed side extension would exist in the footprint of the existing garage, located closest to the boundary with No.19 Elmgate Gardens. The existing garage measures a maximum height of 3.9 metres, the side extension proposes a maximum height of 4.0 metres. The proposed side extension would not extend forward of the front building line of No.19 Elmgate Gardens, in addition it is worth noting that no windows exist on the northern elevation of No.19 nearest the shared boundary with the application site and as such no concerns have been raised regarding a loss of light and outlook to the detriment of the amenity of the neighbouring occupiers at No.19 Elmgate Gardens.

With regard to the proposed dormer windows the Residential Design Guidance outlines that care should be undertaken in the design and location of new dormers, directly referring to side dormers, to minimise overlooking. The application proposes 2no. side dormers on the northern roof slope, nearest the boundary with No.27 Elmgate Gardens and 1no. dormer on the southern roof slope, nearest the boundary with No.19 Elmgate Gardens. Neither No.19 and No.27 Elmgate Gardens benefit from windows on the flank walls adjacent to the shared boundary with the application site. Given that the neighbouring dwellings are two-storey, coupled with the fact neither benefit from windows on the flank walls of the properties located nearest the shared boundary with the host site, it is considered the proposed side dormer roof extensions would demonstrate an adequate form of development in which visual and residential amenity issues can be offset.

To the rear, the application site abuts Nos.17 and 19 Selva Lane. It is considered that the significant elevation to elevation separation distance of approximately 42.0 metres, coupled with the vegetative screening which exists on the shared boundary, to the rear of the site, adequately offsets amenity impacts. The proposed dormers do not protrude beyond the rear building line of the property and as such it is not found that a detrimental loss of outlook would occur, should this proposal garner approval.

In reference to the proposed single storey rear extension, the Residential Design Guidance outlines that the depth and height must not result in a significant sense of enclosure, loss of outlook or light to the principal habitable rooms of neighbouring properties. The host dwellinghouse benefits from a rear outrigger located nearest to the shared boundary with No.27 Elmgate Gardens, this extends approximately 2.0 metres from the rear building line and is currently in use as a kitchen area. The application does not propose an extension to the existing outrigger and as such the proposed rear extension would be set away from the boundary with No.27 by 4.5 metres. Although the existing rear building line at No.27 is set back from the existing outrigger at the application site, given the separation distance of the proposed rear extension from the shared common boundary, it is not considered that this element of the proposal would result in an unacceptable loss of light, outlook or increased sense of overbearing to No.27 Elmgate Gardens.

With regard to the neighbouring property to the south of the application site, namely No.19 Elmgate Gardens, the rear building line of this dwelling is marginally set forward from the rear building line of the host property. As such, the proposed rear extension would extend approximately 3.9 metres rearward of the rear building line at No.19. It is considered that given the perceived subordinate nature of the works, the SPG compliant depth, it is considered impacts can be managed, sufficiently mitigated and offset. Both neighbouring properties will still benefit from sufficient early morning and late evening sunlight, enjoy unhindered views/outlook from their retrospective properties and receive unobstructed daylight/sunlight. Indeed, the proposed extensions as constructed would satisfy the tests for the protection of daylight and sunlight set out in the BRE guidance for sunlight and daylight

in new development. Furthermore, as the proposed extension would be set to the north of 19 Elmgate Gardens, the proposed development would not give rise to any harm to the level of sunlight currently enjoyed by that property.

The proposed alterations to the rear fenestration are suitably positioned, in addition, no additional windows have been proposed on the flank walls of the host property, and as such it is not found that the privacy of the neighbouring dwellings would be significantly compromised by way of overlooking.

The proposed extensions do not appear to be overbearing or unduly obtrusive and care has been taken to ensure that it does not result in harmful loss of privacy.

In assessment, it is considered the proposed developments do not demonstrate significant amenity concerns regarding loss of light, privacy or outlook and is therefore compliant with policy DM01 of Barnet's Local Plan 2012.

5.4 Response to Public Consultation

Overbearing, impact privacy, overlooking and loss of light issues.
Addressed within report.

Loss of outlook, impacting on views.
Addressed within report.

Damage to wildlife and vegetation.
Given the siting of the proposed development outside of any ecology designation and away from TPO trees no concerns were raised regarding damage to wildlife and vegetation at the application site.

Not considered sustainable development.
The National Planning Policy Framework outlines that planning policies and decisions should play an active role in guiding development towards sustainable solutions, in doing so should take local circumstances into account. Given that the proposal complies with Barnet's Local Planning Policies it is considered that the proposal would be considered to constitute sustainable development.

Insufficient plans.
It is considered that the applicant has provided sufficient plans for the Local Planning Authority to fully assess the proposal.

Out of character.
Although subjective, has been addressed within the report.

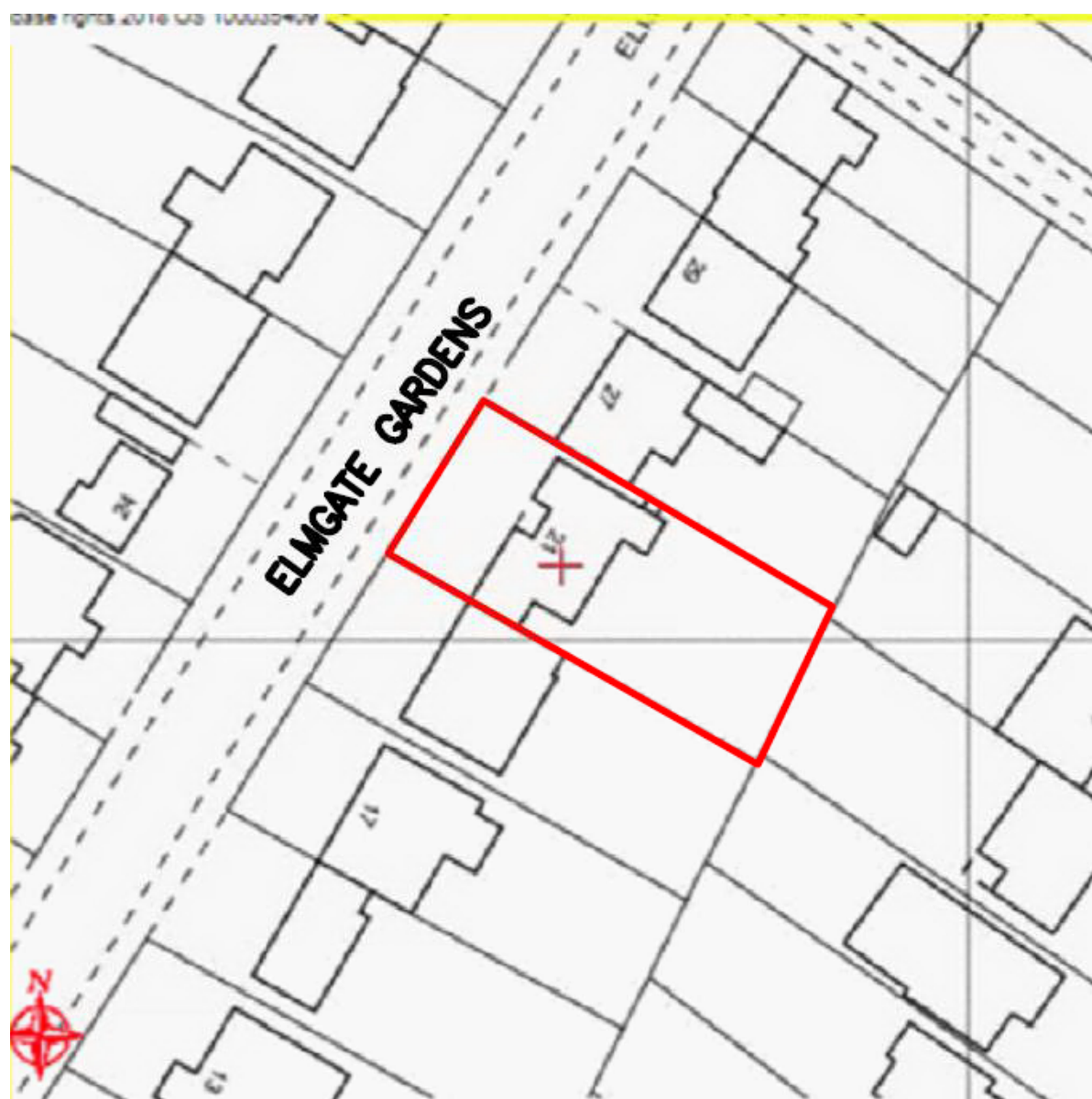
Overdevelopment and excessive.
It is acknowledged that the host property benefits from a subordinate, non-original single storey rear extension however, given the mass, scale design and bulk of the proposed extensions it is not found that this proposal would result in overdevelopment at the application site.

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.



SITE LOCATION PLAN