

Location **11 Eleanor Crescent London NW7 1AH**

Reference: **19/1607/HSE**

Received: 18th March 2019

Accepted: 19th March 2019

Ward: Mill Hill

Expiry 14th May 2019

Applicant: Mr & Mrs Williams

Proposal: Conversion of existing garage into habitable room, insertion of new window and entrance door to replace garage door. Removal of existing front porch. Replacement of existing rear extension pitched roof with flat roof including green roof. Alterations to front and rear window openings and changes to fenestration [amended description]

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:

Site location plan;

189/010 RevA;

189/015 RevA;

189/020 RevA;

189/021 RevA;

189/025 RevA;

189/080 RevB;

189/081 RevB;

189/085 RevB;

189/090 RevB;

189/091 RevB;

189/095 RevB.

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 Notwithstanding the green roof as detailed in the submitted plans hereby approved, 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 flat roof hereby permitted to the existing rear extension 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 host dwelling is a detached property situated on Eleanor Crescent, NW7 1AH. It does not lie within a conservation area and is not a locally or statutory listed building.

2. Site History

Reference: W00195M

Address: 11 Eleanor Crescent, NW7

Decision: Approved subject to conditions

Decision Date: 18.02.1977

Description: Change of use to garden.

Reference: W00195T

Address: 11 Eleanor Crescent, NW7

Decision: Approved subject to conditions

Decision Date: 16.11.1979

Description: Single storey rear extension.

3. Proposal

This application seeks planning permission for conversion of existing garage into habitable room, insertion of new window and entrance door to replace garage door; removal of existing front porch; replacement of existing rear extension pitched roof with flat roof including green roof; alterations to front and rear window openings and changes to fenestration.

The proposal as original submitted included the creation of a roof terrace above the proposed flat roof extension. This has been removed from the proposal by the applicant and replaced with a Juliette balcony to the rear dormer window.

4. Public Consultation

Consultation letters were sent on 21.03.2019 to 4 neighbouring properties. A total of 13 responses objecting to the application were received by the end of the consultation period. They can be summarised as follows:

- The proposed roof terrace [in the original plans] will negatively impact the amenity of neighbouring occupiers by causing overlooking to neighbouring gardens and windows and leading to a loss of privacy.

- The proposed roof terrace would be out of keeping with the local character.

The Mill Hill Preservation Society provided the following comment:

- The proposed roof terrace would have a detrimental effect on the privacy of neighbours and would be out of character with the row of houses on Eleanor Crescent.

An additional period of consultation was carried out on 07.05.2019 due to amendments to the scheme to remove the proposed roof terrace. No additional comments were received during this additional consultation.

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 revised National Planning Policy Framework (NPPF) was published in 2019. 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.

The Council's approach to development as set out in Policy DM01 is to minimise the 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

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 is a detached property which forms part of a row of 6 detached properties with similar architectural styles on Eleanor Crescent in Mill Hill ward. The properties have single storey double garages to the front which project forwards of the front elevation of the dwelling. Ground levels at the site slope down sharply towards the rear garden, allowing the dwellinghouse to benefit from a basement level to the rear. The host dwelling also benefits from an existing single storey rear extension with a pitched copper roof. This has a depth of approximately 5 metres from the original rear wall.

The proposed development involves the conversion of the existing double garage into habitable space. The existing window on the front elevation would be replaced with a larger casement window in painted timber. The front entrance door would also be relocated from the front elevation to the flank wall of the existing garage and additional windows added to this elevation, replacing the garage door. The existing front porch would be removed. A new timber canopy is proposed above the new front entrance door measuring 0.65 metres in depth by 1.8 metres in width.

The proposed development also involves the replacement of the existing rear extension pitched copper roof with a flat roof including green roof. It would also involve the addition of juliette balconies to the rear existing dormer window and various other alterations to fenestration.

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

Paragraph 131 of the NPPF 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.' Thus, any proposal should respect the local character and either preserve or enhance it. This is compliant with policies DM01 and CS05 of the Local Plan DPD.

The proposed conversion of the double garage to habitable rooms would not involve any increase in the footprint of the dwelling or any extension forward of the front elevation. Although it would involve the loss of the existing garage door and its replacement with a front entrance door and windows, this is not considered to be detrimental to the appearance of the host dwelling or the local character. The removal of the existing front porch is found to be acceptable.

The alterations to the existing rear extension likewise do not involve any increase in the footprint of the dwelling or any additional extension rearward. The change from the existing pitched roof to a new flat roof is not found to be harmful to the appearance or local character. The addition of a green roof across the extent of the roof of the single storey extension is supported.

The proposal has been amended to remove the proposed roof terrace and replace with juliette balconies to the existing rear dormer window. The amended proposal is found to be acceptable in terms of its impact on the character and appearance of the host dwelling.

The proposed development is therefore found to comply with Policies DM01 and DM02 of Barnet's Local Plan.

- Whether harm would be caused to the amenity of neighbouring occupiers.

Policy DM01 of the Local Plan states that any schemes must protect the amenity of neighbouring residents. It is necessary to assess the impact of all new development on neighbouring amenity, including impact on light, outlook, privacy and causing a feeling of overbearing.

The proposed development would not increase the footprint or scale of the existing dwelling. As such, it would not cause a loss of light, outlook or an increased sense of overbearing to neighbouring occupiers. The amended proposal no longer includes a walk on roof terrace, mitigating concerns of loss of privacy and overlooking to neighbouring gardens and windows. The proposed development is therefore found to protect the amenity of all neighbouring occupiers, in accordance with Policy DM01 of Barnet's Development Management Policies.

5.4 Response to Public Consultation

- The proposed roof terrace [in the original plans] will negatively impact the amenity of neighbouring occupiers by causing overlooking to neighbouring gardens and windows and leading to a loss of privacy.
- The proposed roof terrace would be out of keeping with the local character. The Mill Hill Preservation Society provided the following comment:
 - The proposed roof terrace would have a detrimental effect on the privacy of neighbours and would be out of character with the row of houses on Eleanor Crescent. These concerns are addressed in the above appraisal. The amended proposal has responded to these concerns by removing the roof terrace from the proposal.

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

The proposal is not considered to conflict with the requirements of the Development Plan and is therefore recommended for approval.

