

Location 15 Trinity Road London N2 8JJ

Reference: 19/2393/HSE Received: 25th April 2019
Accepted: 1st May 2019

Ward: East Finchley Expiry 26th June 2019

Applicant: Mr Lewis Robertson

Proposal: Single storey rear infill extension. First floor rear extension

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:

678-00-01
678-EX-00 A
678-EX-01 A
678-EX-02 A
678-EX-03 A
678-EX-04 A
678-PR-00 E
678-PR-01 F
678-PR-02 F
678-PR-03 F
678-PR-04 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).

- 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. A pre-application advice service is also offered and the Applicant engaged with this prior to the submissions of this application. 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 located at 15 Trinity Road consisting of a three-storey mid terrace dwellinghouse with front and rear amenity space. The area surrounding proposed site is mainly residential consisting of similar three-storey terrace dwellinghouses with front and rear amenity spaces. The site is located within the East Finchley ward.

The site is not within a conservation area (designated as Article 2(3) land in The Town and Country Planning (General Permitted Development)(England) Order 2015 as amended) and is not within an area covered by an Article 4 direction. Furthermore, there are no conditions attached to the site which remove permitted development rights.

2. Site History

Reference: 17/7478/HSE

Address: 15 Trinity Road, London, N2 8JJ

Decision: Refused

Decision Date: 22 January 2018

Description: Three storey rear extension at lower and upper ground, and first floor levels

Refusal reasons:

1. Character:

The proposed upper ground floor and first floor rear extensions by reason of their size, siting, bulk and design would constitute an overly dominant, incongruous and insubordinate form of development which would appear unduly obtrusive and an alien feature in the locality. The proposals would be detrimental to the character and appearance of the existing house and the terrace of which it forms part of, contrary to Policy DM01 of the Barnet Development Management Policies DPD (2012), Policy CS5 of the Barnet Core Strategy (2012), Policies 7.4 and 7.6 of the London Plan (2015) and the guidance contained within Barnet's Residential Design Guidance Supplementary Planning Document (2016).

2. Amenity

The proposed extension by reason of its size, height, rearward projection, siting, scale, bulk and design would be a visually dominating, oppressive, and overbearing form of development, and lead to a materially harmful loss of outlook to no.13 Trinity Road and loss of outlook and light to 17 Trinity Road, contrary to Policy CS5 of Barnet's Adopted Core Strategy (2012), Policy DM01 of the Adopted Development Management Policies DPD (2012) and the Adopted Residential Design Guidance SPD (2016).

3. Proposal

The application seeks approval for a single storey rear infill extension and a first-floor rear extension.

The single storey rear infill extension will be infilling the recess in the existing ground floor extension. The extension will measure 0.5 metres in depth, 2.6 metres in width and 2.54 metres in height.

The first-floor extension will measure 2 metres in depth, 3.34 metres in width, have an eaves height of 2.8 metres and a ridge height of 3.45 metres.

4. Public Consultation

Consultation letters were sent to 7 neighbouring properties. 12 responses have been received, comprising 12 letters of objection. The objections can be summarised as follows:

- The proposal will set precedent for similar developments in the surrounding area
- The addition will harm the character and appearance of the Victorian architecture
- The extension would harm the neighbouring amenity as it will appear overbearing, result in a loss of light and lead to a feeling of enclosure
- The extension will be visually dominant as it is far too big and bulky
- Not in keeping with the surrounding area - most people have extended at ground floor or loft
- The building works will bring noise, dirt and parking problems
- Parking would be an issue if the property was converted in to flats
- The previous application reasons for refusal should still apply
- Barnet Council have not acted wisely with regards to changing character of the area as a loft conversion was allowed behind Trinity Road on Long Lane
- Garden space will be shortened which will impact on habitats. In view of all the implications of climate change and pressure on resources, it is essential that every square foot of garden space is maintained

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 amended on 19 February 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.

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

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

Single storey rear infill extension

The property already benefits from a single storey rear extension which infills between the original outrigger and the boundary wall. The original outrigger sides no.17 Trinity Road and measures 3.7 metres in depth. The existing extension measures 3.3 metres in depth, 2.6 metres in width and 2.48 metres in height.

The single storey rear infill extension will be infilling the recess in the existing ground floor extension and the original outrigger. The extension will measure 0.5 metres in depth, 2.6 metres in width and 2.54 metres in height. The proposed extension at ground floor level is not considered to have a detrimental impact on the host property or the surrounding area as it will merely be infilling the recess in the existing rear extensions and would not extend any further rearwards. A number of properties along this terrace of Trinity Road have completed similar extensions which infill between the original outrigger and the boundary.

First floor rear extension

Barnet's Residential Design Guidance SPD; 14.24 sets out that two-storey rear extensions should not create an overbearing impact or harm the character or appearance of the property and surrounding area. Furthermore, the SPD states that two-storey rear extensions which are closer than 2 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable.

The proposed first floor rear extension will measure 2 metres in depth and 3.34 metres in width. The extension will be located above the existing ground floor extension and will have a hipped roof with an eaves height of 2.8 metres and a ridge height of 3.45 metres. The extension will be 2.54 metres above ground level. This is found to remain a subordinate and proportionate addition to the property.

First floor extensions are not a common characteristic of the surrounding area. However, there is a similar example of a first-floor extension at no.7 Trinity Road which was approved in 1997.

The proposal is not considered to detract from the character and appearance of the dwellinghouse and surrounding area. The proposed materials will also not detract from the appearance of the dwellinghouse as brickwork will be used to match the existing.

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

Single storey rear infill extension

The proposed extension at ground floor level will have no detrimental impacts on both neighbouring property as it will merely be infilling the recess in the existing rear extensions and would not extend any further rearwards. The infill extension will add 0.5 metres in depth to the existing single storey rear extension. This will not extend any further than the neighbours extension at no.13 Trinity Road and therefore will have no impact on neighbouring amenity. The depth of the original outrigger siding no.17 Trinity Road will remain unchanged.

First floor rear extension

The SPD states that two-storey rear extensions which are closer than 2 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable. The proposed first floor extension will have a depth of 2 metres along the boundary with no.17 Trinity Road. Whilst no.17 does not benefit from a single storey rear extension along the rear boundary with the application site, it is not considered that the proposed first floor extension would have detrimental impacts on the amenity of no.17 Trinity Road. The 2-metre depth, together with the pitched roof, is not found to be overbearing or lead to loss of light for the adjoining property at no.17.

The first-floor extension, measuring 2 metres in depth, will be 1.5 metres from the shared boundary with no.13 Trinity Road. Therefore, the first-floor extension is not found to lead to any detrimental impacts on the amenity of the adjoining property at no.13.

The proposed first-floor extension will be 20 metres from the rear wall of the first-floor projection at no.452 Long Lane. This is not considered to lead to significant overlooking or privacy concerns for the neighbouring occupiers at no.452 Long Lane. Furthermore, it is considered that vegetation between the application site and no.452 Long Lane will overcome any overlooking from the proposed first floor extension into the ground floor windows of no.452

5.4 Response to Public Consultation

Concerns regarding character and amenity have been addressed in the main assessment. However, the following comments can also be made:

- With regards to setting precedent, each application is assessed on a case by case basis.
- The proposal is not found to be a huge or dominant addition to the property. The extension will have a depth of 2 metres at first floor.
- Concerns surrounding the building works itself, i.e. noise, dirt and parking, are not a planning consideration
- There is no evidence to suggest the property would be converted in to flats. This would need planning permission for a conversion and would be assessed with regards to flat conversion policies
- The 0.5 metre extension at ground floor level will not lead to significant loss of garden space available
- The reasons for refusal for the previous application at this site in 2017 have been overcome. The previous application sought approval for a three-storey extension at upper ground and first floor levels. This proposal seeks to extend only the upper ground floor level and is not found to be visually dominating, oppressive, and overbearing
- Loft conversions do not require planning permission, these are achievable under permitted development

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.



LOCATION PLAN