

Location **23 Kenerne Drive Barnet EN5 2NW**

Reference: **19/2282/HSE** Received: 17th April 2019
Accepted: 18th April 2019

Ward: Underhill Expiry 13th June 2019

Applicant: Mr Sharkawi

Proposal: Single storey 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:
 - 01 Ground Floor Plan
 - 02 First Floor Plan
 - 03 Loft Plan
 - 04 Roof Plan
 - 05 Front Elevation
 - 06 Side Elevation
 - 07 Rear Elevation
 - 08 Section
 - OS Map

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).

- 5 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 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 relates to a two-storey semi-detached dwelling located on the west side of Kenerne Drive, Barnet, EN5 2NW. The existing property is a three-bedroom single family dwellinghouse. The surrounding area is characterised by similar two-storey semi detached dwellings which benefit from amenity space to the rear.

To the north, the application site shares a common boundary with No.25 Kenerne Drive, to the south the host dwelling directly adjoins No.21 Kenerne Drive. To the rear, the application site abuts, Nos 34 and 36 Darlands Drive.

The host property benefits from Prior Approval for a single storey rear extension with a depth of 5.35 metres, width of 5.30 metres, eaves height of 3.25 metres and maximum height of 3.25 metres, incorporating a flat roof design, under application ref no. 18/5974/PNH dated 08.11.2018. Following the benefit of a site visit it was noted that this extension has since been substantially completed.

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: 18/5974/PNH

Address: 23 Kenerne Drive, Barnet, EN5 2NW

Decision: Prior Approval Not Required

Decision Date: 8 November 2018

Description: Single storey rear extension with a proposed depth of 5.35 metres from original rear wall, eaves height of 3.25 metres and maximum height of 3.25 metres.

Reference: 18/6662/192

Address: 23 Kenerne Drive, Barnet, EN5 2NW

Decision: Lawful

Decision Date: 13 November 2018

Description: Roof extension involving rear dormer window and 1no side facing rooflight

Reference: 19/1170/192

Address: 23 Kenerne Drive, Barnet, EN5 2NW

Decision: Unlawful

Decision Date: 28 March 2019

Description: Single storey rear extension

Reference: 19/2180/192

Address: 23 Kenerne Drive, Barnet, EN5 2NW

Decision: Lawful

Decision Date: 23 May 2019

Description: Single storey rear extension

3. Proposal

Planning permission is sought for the erection of a single storey rear extension. The extension would measure a depth of 5.35 metres, width of 3.68 metres, eaves height of 3.0 metres and maximum height of 3.25 metres to the parapet wall.

The extension proposes materials to match the existing dwelling and would exist adjacent to the existing single storey rear extension.

4. Public Consultation

The Local Planning Authority notified four adjoining properties and received six objections.

Summary of comments include;

Inaccurate plans

Eyesore

Drainage concerns

Loss of light, overshadowing

Disruptive building work

Out of character

Set a precedence

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 19th 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 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.

It should be noted that the proposal would not be viewable from the front of the dwelling and as such receives a degree of obscurity from the public domain which mitigates impacts onto the established character of the locality. Following an examination of historical records and aerial photography, it has been found that extensions to the rear are characteristic of the surrounding area. Therefore, the principle of a single storey rear extension would not be considered to be of detriment to the character of the general locality.

The Council's Residential Design Guidance (2016) sets clear and detailed guidance for single storey rear extensions.

Barnet's Design Guidance outlines that a depth of 3.5 metres is normally considered acceptable for a single storey rear extension on a semi-detached dwellinghouse. The proposed rear extension would not comply with this guidance as the application proposes a maximum depth of 5.35 metres.

However, in this case there are material planning considerations which render the larger depth at this property, on balance acceptable. The host property benefits from Prior Approval for a single storey rear extension measuring a depth of 5.35 metres, this extension has since been substantially completed as per the plans submitted within the application (18/5974/PNH) this is considered a sufficient fall back position to render the full width extension acceptable, outlined below.

The extension submitted within this application proposes to infill the rear of the property measuring a width of 3.68 metres, depth of 5.35 metres and maximum height of 3.0 metres. Taking into consideration the existing extension at the application site, coupled with the subordinate nature of the infill extension, it is not found that the proposed development itself would detrimentally harm the character of the original dwelling, streetscene or general locality.

In assessment it is not considered that the single storey rear extension, by virtue of its mass, bulk, siting and design would result in harm to the residential character of the host dwellinghouse, streetscene or locality of Kenerne Drive 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.

To the north, the application site shares a boundary with No.25 Kenerne Drive, this property benefits from a detached garage located adjacent to the common boundary with No.23. To the south, the host dwellinghouse directly adjoins No.21 Kenerne Drive, which benefits from a single storey rear extension measuring a depth of 4.0 metres.

With regard to the neighbouring property at No.25, as noted above, this dwelling benefits from a single storey detached garage located nearest the shared boundary with the application site.

Given the existing detached garage at No.25, a significant proportion of the proposed extension would not be viewable from this neighbouring property. Therefore, although the submission proposes an extension of a sizeable depth, it is not considered that it would adversely impact on the amenity of the neighbouring occupiers at No.25, by way of loss of light, outlook or increased sense of overbearing.

In reference to the adjoining property at No.21, the property benefits from a single storey rear extension measuring a depth of approximately 4.0 metres. Adjacent to the shared boundary a rear extension of a depth of 5.35 metres is in situ at the application site. Although the extension proposes a depth larger than normally considered acceptable, the proposal would not extend rearward of the existing extension at the application site and as such its impact on No.21 Kenerne Drive is considered de minimis and it is not found to result in a significant loss of light, outlook or increased sense of enclosure.

The extension has not proposed windows to the flank walls of the extension, therefore no concerns have been raised regarding a 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

Summary of comments include;

Inaccurate plans

The plans submitted to the best of the Local Planning Authorities knowledge are accurate. Should the plans be inaccurate the applicant may not be able to implement the proposed development.

Eyesore

Given the siting of the proposal, positioned to the rear of the property, extending no further than the existing rear extension it is not found that the proposal would be result in a visually obtrusive form of development.

Drainage concerns

This is not a material planning consideration.

Loss of light, overshadowing

Covered in the main body of the report.

Disruptive building work

In order to ensure that the building work associated with the development does not prejudice the amenities of the neighbouring properties, a condition will be applied. The condition will ensure that no construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Out of character

Although subjective, has been addressed within the report.

Set a precedence

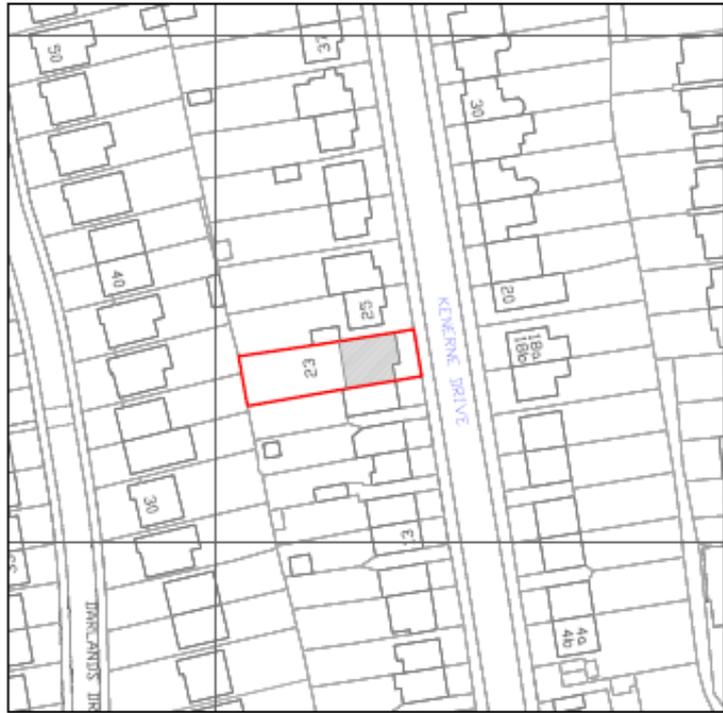
Officers do not consider that this case would set an undesirable precedent, each planning application is assessed on its own merits. Site specific considerations with regard to the application site and the surrounding properties render this proposal, on balance acceptable.

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.



OS MAP
SCALE 1:1250

