

LOCATION: 15 Tenterden Drive, London, NW4 1EA

REFERENCE: H/03039/12

Received: 05 August 2012

Accepted: 14 August 2012

WARD(S): Hendon

Expiry: 09 October 2012

Final Revisions:

APPLICANT: Mr & Mrs Bhudia

PROPOSAL: Amendments to approved planning application H/04376/11 for 'Demolition of the garage and construction of a ground floor side and rear extension, a first floor side and rear extension and a rear dormer window' to include increasing the size and altering the roof of the ground floor rear extension.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: RE:EAP08.12, EE:EAP08.12, GFS:EAP.08.12 and RP.StP.EAP08.12, received 12 August 2012.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 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) unless otherwise agreed in writing by the local planning authority.

Reason:

To safeguard the visual amenities of the building and the surrounding area.

- 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, without the benefit of the grant of further specific permission in writing from the Local Planning Authority.

Reason:

To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

- 5 Before the building hereby permitted is occupied the proposed window(s) in the flank elevation facing number 17 Tenterden Drive shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

INFORMATIVE(S):

- 1 The reasons for this grant of planning permission or other planning related decision are as follows: -
 - i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (UDP) (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1 (Character), D2

(Built Environment / Character), and H27 (Extensions to Houses and Detached Buildings), and:

Core Strategy (Adopted) 2012:

Relevant policies: CS NPPF, CS1, CS5

Development Management Policies (Adopted) 2012:

Relevant Policies: DM01, DM02,

- ii) The proposal is acceptable because it does not cause harm to the visual amenities of the locality or the residential amenities of neighbouring occupiers.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

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 27 March 2012. 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 London Plan is recognised in the NPPF as part of the development plan.

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."

NPPF retains 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 July 2011:

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 2031. It forms part of the development plan for Greater London.

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.

Relevant Unitary Development Plan Policies:

The statutory plan for the Borough is the Barnet UDP. This was adopted on 18 May

2006, replacing the original UDP adopted in 1991.

On 13 May 2009 the Secretary of State for Communities and Local Government issued a Direction “saving” 183 of the 234 policies within the UDP.

Relevant policies to this case: GBEnv1, GBEnv2, D1, D2, D5 & H27.

Design Guidance Note No 5 – Extensions to Houses

The Council Guide ‘Extension to Houses’ was approved by the Planning and Environment Committee (The Local Planning Authority) on March 2010. This leaflet in the form of a supplementary planning guidance (SPG) 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.

Included advice 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.

In respect to amenity, the extension should not be overbearing or unduly obtrusive and care should be taken to ensure that they do not result in harmful loss of outlook and be overbearing or cause an increased sense of enclosure to adjoining properties.

The basic principles the Local Authority has adopted in respect to different types developments are that they should not unduly reduce light or outlook from neighbouring windows to habitable rooms, overshadow or create an unacceptable sense of enclosure to neighbouring gardens. They should not look out of place, overbearing or bulky from surrounding areas.

The Council has also adopted (June 2007), following public consultation, a Supplementary Planning Document “Sustainable Design and Construction”. The SPD provides detailed guidance that supplements policies in the Unitary Development Plan, and sets out how sustainable development will be delivered in Barnet. Part 6 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

Core Strategy (Adopted) 2012:

Barnet’s Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the Local Plan (Core Strategy and Development Management Policies documents) is complete, 183 policies within the adopted Unitary Development Plan (UDP) remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 16 policies in the CS. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Core Strategy Policies: CS NPPF, CS1, CS5.

Development Management Policies (Adopted) 2012:

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

Development Management Policies was adopted by the Council on September 11 2012. It is now subject to a 6 week period of legal challenge which ends on October 30 2012. Therefore very significant weight should be given to the 18 policies in the DMP. The National Planning Policy Framework (NPPF) (para 216) sets out the weight that can be given to emerging policies as a material consideration in the determination of planning applications.

Relevant Development Management Policies (Adopted) 2012: DM01, DM02.

Relevant Planning History:

Application:	Planning	Number:	H/04376/11
Validated:	24/10/2011	Type:	APF
Status:	DEC	Date:	09/03/2012
Summary:	APC	Case Officer:	Sally Fraser
Description:	Demolition of the garage and construction of a ground floor side and rear extension, a first floor side and rear extension and a rear dormer window.		

Consultations and Views Expressed:

Neighbours Consulted:	19	Replies:	7
Neighbours Wishing To Speak	0		

The objections raised may be summarised as follows:

- Construction already taken place, larger than approved. Appears more like a new house rather than extensions to an existing.
- Overdevelopment which is out of character with this residential street.
- Concerned that works should be carried out with materials to match existing.
- Hours of working outside permitted hours
- Concern that property will be converted to flats
- Neighbours note that the proposed porch is larger than that approved.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is a 2 storey single family semi detached dwelling house sited on the north side of Tenterden Drive on a corner plot. The site backs onto garages at Boltmore Close.

Proposal:

Planning Permission H/04376/12 previously approved on this site:

- The demolition of the existing garage.
- Erection of a ground floor rear/side extension (2.7m wide, 4.5m deep, 3.8m tall) and a connected rear extension (6.6m wide where attached to the house, reducing to 5m wide at the rear elevation, 4.8m deep, 3.8m tall).
- Erection of a first floor side extension, 3.5m wide, with a subordinate pitched roof, extending to the rear where it would be 3m deep with a subordinate hipped roof, set off the shared boundary with number 13 by 3m.
- Installation of a rear dormer window (1m wide, 2m deep, 1.5m tall) with a flat roof, sited centrally in the main roof slope.

This application (H/03039/12) seeks to amend the rear/side and rear extensions approved by permission H/04376/12, with the following amendments:

- The rear/side extension will be altered so that its western wall will extend outwards at an angle, tracking the boundary fence, resulting in the rear wall of the proposed dining room being 0.7m wider at the rear elevation, at 3.8m wide.
- The proposed rear/side and rear ground floor extensions also have proposed amendments to their roofs, comprising changing the roofs from having hipped ends and flat roofs to both having a lean to roof with hipped sides.

Planning Considerations:

The main issues in this case are considered to be covered under two main areas:

- The living conditions of neighbouring residents;
- Whether harm would be caused to the character and appearance of the area and street scene, having regard to the size and siting of the proposal.

General Policy GBEnv1 of the Unitary Development Plan (2006) aims to maintain and improve the character and quality of the environment.

Policies D1 and D2 of the Unitary Development Plan (2006) aims to ensure compatibility with the established character and architectural identity of existing and adjoining properties and the general location in terms of scale, design and impact on neighbouring properties. Established local character and townscape quality can be harmed by insensitive development, which is out of scale with and unrelated to the locality.

Part of policy D5 of the Unitary Development Plan (2006) requires new development

to safeguard outlook and light of neighbouring residential occupiers

Policy H27 of the Unitary Development Plan (2006) states that extensions to houses should harmonise existing and neighbouring properties, maintain the appearance of the street scene and have no significant adverse effect on the amenity of neighbouring occupiers. They should be in keeping with the scale, proportion, design and materials of existing and neighbouring houses.

Policy DM01 of the Development Management Policies (Adopted) 2012 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.

The proposed amendments would comply with the aforementioned policies and Council Design Guidance on Extensions to Houses and would be a proportionate addition to the dwelling house. The proposed footprint is not significantly greater and the proposed roof is not taller overall and is in fact less bulky overall. Although the height adjacent to the boundary is greater, overall the monopitch roof is less bulky than that previously approved. It would have an acceptable impact on the character and appearance of the street scene, site property, general locality and the residential amenity of neighbouring occupiers causing no material impact on visual or residential amenity.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Note: this application should be considered on its own merits and does not relate to the additional proposed side garage / extension, presently being constructed, which is subject to ongoing enforcement enquiries.

This application does not relate to any alterations to the porch.

The permission granted and current proposal are for extensions to a single family house. Any conversion to flats or bedsits would require a separate planning permission.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet UDP policies and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. This application is therefore recommended for **APPROVAL**.

SITE LOCATION PLAN: 15 Tenterden Drive, London, NW4 1EA

REFERENCE: H/03039/12



Reproduced by permission of Ordnance Survey on behalf of HMSO. © Crown copyright and database right 2012.
All rights reserved. Ordnance Survey Licence number LA100017674.