

LOCATION: 12B Pymmes Brook Drive, Barnet, Herts, EN4 9RU

REFERENCE: B/03382/12 **Received:** 03 September 2012

Accepted: 11 September 2012

WARD(S): East Barnet **Expiry:** 06 November 2012

Final Revisions:

APPLICANT: Mr & Mrs Foskett

PROPOSAL: Two storey side and rear extensions with 2no. side juliet balconies. Single storey front extension with internal alterations and associated landscaping works.

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

195_SL_01, 195_EX_01, 195_EX_02, 195_EX_07, 195_EX_03, 195_EX-04, 195_EX_05, 195_EX_06, 195_EX_08, 195_EX_09, 195_PR_11, 195_PR_15, 195_PR_12, 195_PR_13, 195_PR_14, 195_PR_16, 195_PR_17 and 195_PR_18 received by the local planning authority on 3rd September 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).

Reason:

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

4. Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows, other than those expressly authorised by this permission, shall be placed at any time in the first floor front elevation(s), of the extension(s) hereby approved.

Reason:

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

5. The use of the extension hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit.

Reason:

To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties.

6. The roof of the single storey front 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.

7. Before the building hereby permitted is occupied the proposed window(s) in the flank elevations of the property facing No.12a Pymmes Brook 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 as indicated on Drawing Nos. 195_PR_13 and 195_PR_17.

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, D2, D5, H27.

Supplementary Design Guidance Note 5: Extensions to Houses

Core Strategy (Adopted) 2012:

Relevant policies: CS5

Development Management Policies (Adopted) 2012:

Relevant Policies: DM01, DM02

ii) The proposal is acceptable for the following reason(s): - The proposed development is considered to have an acceptable impact on the character and appearance of the host property. The extensions are considered to have a limited visual impact on the street scene or general locality. The proposal is not considered to have a significantly adverse impact on the residential or visual amenities of the adjoining occupiers and would be in accordance with the aforementioned policies.

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:

Site Address: Land between 12 & 13 Pymmes Brook Drive NEW BARNET
Herts
Application Number: N02536R
Application Type: Full Application
Decision: Withdrawn
Decision Date: 30/12/1996
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of a pair of 3 bedroom semi-detached houses.**

Site Address: Land between 12 & 13 Pymmes Brook Drive NEW BARNET
Herts
Application Number: N02536S
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 16/06/1997
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Two detached houses.**

Site Address: 12B Pymmes Brook Drive, Barnet, Herts, EN4 9RU
Application Number: B/03000/11
Application Type: Full Application
Decision: Withdrawn
Decision Date: 05/12/2011
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Two storey front, side and rear extension. New front porch.**
Case Officer: Lisa Cheung

Site Address: 12B Pymmes Brook Drive, Barnet, Herts, EN4 9RU
Application Number: B/00401/12
Application Type: Householder
Decision: Refuse
Decision Date: 16/05/2012
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Two storey side and rear extensions. Single storey front extension with internal alterations.**
Case Officer: Lisa Cheung

Consultations and Views Expressed:

Neighbours Consulted: 42 Replies: 21
Neighbours Wishing To Speak: 5

The objections raised may be summarised as follows:

- Five bedroom property would be out of keeping with the rest of the properties in the cul de sac
- The proposal is likely to increase the volume of water running down the slope area to the front of the application site- runoff would damage existing road surface over time
- Over-shadowing
- Privacy
- Overbearing impact from proposal
- Plans are inaccurate- No. 13 states that their border is not shown correct despite this being raised as an issue under the last committee
- 12B will have the largest footprint of any property on the road but also will have the largest habitable room on the road
- Overlooking directly on to No. 13 from the garden of application site
- Noise and disturbance from construction (enabling) works
- Scale of the development is excessive
- Extension is not subordinate to the house
- Overly dominant
- Overdevelopment
- Loss of privacy
- Trees which currently provide a limited amount of privacy will be cut down

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site relates to a detached single family dwelling property located on the northeastern side of Pymmes Brook Drive. This road is a cul-de-sac, predominantly residential in character, comprised of detached single family dwellings, similar in age and style.

The host property and neighbouring property No.12a are later additions to the road but are similar to other properties in terms of design and form.

The property is gable ended at both the front and back.

In recent years, the application site has increased in size as a result of the purchase of land adjacent to the property (at the rear of properties in Park Road). The site as enlarged is much larger than the other sites in Pymmes Brook Drive.

The property is only visible when at the head of the road given that it is set back some 14m from the cul-de-sac. The recently acquired land to the side is not currently visible from the road given the screening provided by existing trees, which are not protected under a Tree Preservation Order.

Levels rise from the front to the rear of the site and continue to rise which means that properties in Park Road to the north are at a higher level than those on Pymmes Brook Drive. Access from the house into what was the original rear garden is provided via a decked area which does not appear to benefit from planning permission and does not form part of this application.

Properties in this road have a staggered building line which is continued around to include both No.12a and No.12b. This means that 12a sits further back than 12b and also projects further rearwards than No.12b. As a result of the layout of the road, No.13 is located some 15m in from of No.12b but is angled away towards the northeast so that the front of No.12b faces the flank wall of No.13.

Dimensions:

This application seeks planning permission for a two storey side and rear extension with 2 no. side Juliette balconies and a single storey front extension with internal alterations and associated landscaping works.

The current submission follows the submission of a previous application which was refused by the planning committee in May 2012 on the grounds that the proposal would, due to its excessive bulk and size, be overbearing and out of proportion with the existing house and would result in overlooking and loss of privacy to neighbouring residents. In this regard it was considered that the scheme would have detracted from the character and appearance of the host property and the surrounding area.

The current application proposes an overall reduction in the size of the scheme as proposed under B/00407/12, however, for ease, the extensions whilst linked will be described separately. Starting with the two storey side extension, the ground floor element would measure 3.7m wide and have a depth of 6.9m. The first floor element would be 3.7m wide, 6.9m deep and the ridge of the roof would continue across but would be hipped at the front, back and side. Windows and juliet balconies are proposed within the flank elevation of the extension facing the enlarged garden.

The ground floor element of the rear extension would have a depth of 2m running across the width of the main house and proposed side extension. A key difference between the previous submission and the current scheme is that the previous application proposed a depth of 3m running for a 7.2m width of the main house/side extension rather than a maximum depth of 2m. The first floor element would have the same depth as the ground floor element, with the same width. The roof of the rear extension would be part gabled, thus continuing the ridge of the main roof rearwards, before joining with the pitched hipped roof (as described above).

The single storey front extension would have a maximum width of 3m, angled away from the property, set off the boundary with No.13 by 6.3m. This is a further key difference between the current scheme and the previously refused application; the width of the front extension proposed under the previous application was considerably greater at 6.9m and the distance to the shared boundary with No. 13 was significantly shorter at 3m. It would have a height of 2.75m with a flat roof and would extend around across the front of the property to form a roof above the entrance lobby (this will not be enclosed).

The proposal also includes re-landscaping although planning permission is not required for these works. The existing unauthorised rear decking will also be removed, as indicated within the Design and Access Statement.

Planning Considerations:

The proposed development is considered to be acceptable for the following reasons:

The extensions would in effect wrap around the side of the dwelling however in view of its location, set back from the road and out of view from the majority of the street, it is considered that the majority of the bulk of the extended property would be satisfactorily accommodated on this site. In addition to this the overall bulk has been reduced from that previously proposed further improving the relationship of the site to the surrounding area.

The two storey side and rear extension would not be visible from the street given the set back of the side extension and the angling of the property, as well as the proximity of No.12a and as such these extensions would have a limited impact on the character and appearance of the street scene. Despite the lack of subordination in respect of the rooflines, the set back of the extension as well its siting would be of a character and appearance reflective of that on the main house and would be compatible with the surrounding locality.

The elevations of the property would be significantly altered as a result of the proposal. However the property is not considered to be of special architectural interest which would restrict such extensions such as that proposed. These elevations would not be visible from the public highway nor, given the degree of mature vegetation on this site and neighbouring sites, readily so from adjoining dwellings. The proposed fenestration detailing is considered to be in keeping with the treatment of the existing property.

The front extension would be visible from the public highway however it would be of a considerably reduced scale, in particular its width, to that of the previous scheme. In this regard the modest height of the proposed extension and its overall design is considered an acceptable addition to main property, in keeping with its proportions and scale.

In terms of residential amenity, the proposed development is not considered to have a significantly adverse impact on the residential or visual amenities of the neighbouring occupiers, namely No.12a and 13 Pymmes Brook Drive. A new window is to be inserted within the first floor front elevation of the existing property however no window is proposed within the first floor front elevation of the two storey side extension. The new window would face the flank of No.13, some 16m away and given this, is not considered to give rise to overlooking or the perception of being overlooked given its siting and also the positioning of the property in relation to No.13. It is noted that potentially having a window along the front elevation of the proposed side extension at first floor level may well result in some overlooking and as such a window has not been proposed. A suitably worded condition has been attached to ensure no windows are inserted to safeguard the residential amenities of those living at No.13.

Whilst the extensions are significant, they have been designed to ensure that they will not be overbearing to the neighbouring occupiers. In addition to this the overall scale of the extensions has been reduced from the rear by over a metre in depth along a 7m stretch (width) of the extension nearest No. 13 and from the front extension whereby the width has been reduced by over half that proposed

under the previous application. The two storey rear extension would have a depth not extending any further rearwards than the rear wall of No.12a and in this regard the extension would not overbear or overshadow the amenity of No. 12a.

The front wall of the two storey side extension would be some 11.8m off the boundary with No.13. Given that the extension is to the north of No.13 along with the change in levels between these two sites and the existing trees along the boundary, this extension is not considered to be overbearing nor would it result in a loss of light. Objections have been raised with regards to the loss of the boundary screening and the impact that the resultant extension would have without the screening. The assessment of this scheme has been based on the current situation which is that of mature planting along the boundaries of this site. No permission would be required for the removal of this planting as the Local Planning Authority has not placed a Tree Preservation Order (TPO) on the trees on this site, given their condition nor do the existing trees form part of an approved landscaping scheme for when the host property and 12a were built.

In the previous application which was refused, a number of trees were shown to be removed along the boundary with No.13 Pymmes Brook Drive. These removals do not require consent from the LPA as these trees are not statutorily protected. The existing and proposed block plans submitted as part of the current submission do show a number of removals however given the retention of other trees along the boundary will still allow for an acceptable level of screening between the properties. The plans also indicate additional landscaping along this boundary including new hedging to a height of 2m with new trees planted at a height of 5m. The LPA has considered the imposition of a condition requiring details of a landscaping scheme however this is not considered to be necessary to the development. Even if there was no or little planting along the boundaries, the extensions, whilst more visible would not be significantly harmful to the adjoining occupiers, given the set off from the boundaries and the positioning of the properties.

The two storey side extension would be visible from gardens of properties in Park Road however it is set away from the boundaries and at a lower level and as such would not be overbearing to the occupiers of these properties. The front extension is of a modest height and set off the boundary with No.13 by 6.3m. It will therefore not be overbearing to those living at No.13.

The application as proposed has overcome the reason for refusal under the previous application through its reduction in overall mass, bulk, and size and therefore would not result in an overbearing and visually obtrusive impact and would be in keeping with the proportions of the existing house. In addition to this, due to the suitable distance between proposed windows and neighbouring properties in particular No. 13 Pymmes Brook Drive, the proposal would not result in significant overlooking or an unacceptable loss of privacy to neighbouring occupiers and in this regard the proposal is acceptable and in keeping with the character and appearance of the host property and surrounding area.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Mainly dealt with in the planning appraisal. However the following comments can be made:

- Water run off and any other structural issues are not material planning considerations
- The plans are considered to be an accurate reflection of the existing house as built on this site.
- The Council's Highways team have not raised any concerns over the parking issues related to the scheme

4.EQUALITIES AND DIVERSITY ISSUES

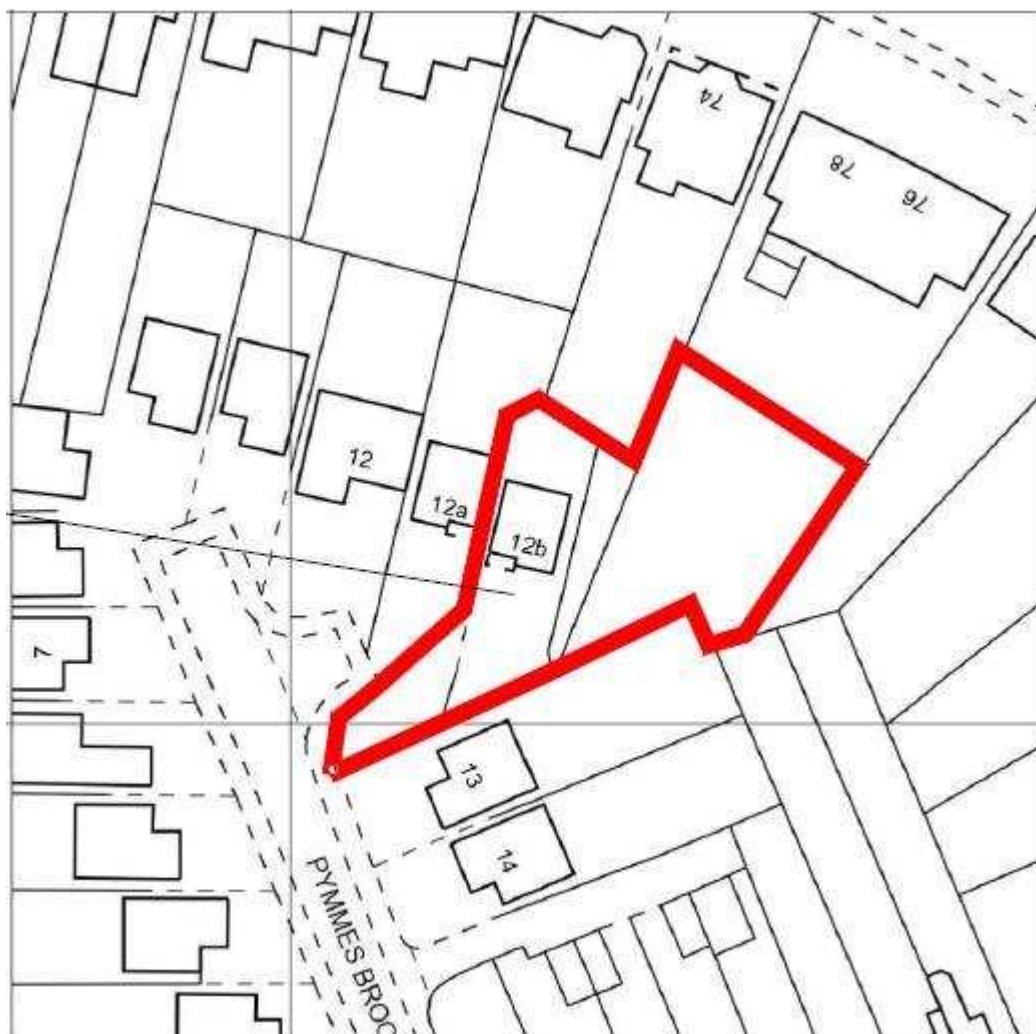
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

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 and Local Plan 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: 12B Pymmes Brook Drive, Barnet, Herts, EN4 9RU

REFERENCE: B/03382/12



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