

prior to the first use/occupation of the single storey rear extension and extended patio and retained as such thereafter.

Reason:

To safeguard the character and appearance of the general locality and the amenities of adjoining occupiers.

6. 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 side elevations of the extensions hereby approved.

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, GBEnv2, D1, D2, D4, D5 and H27.

Supplementary Design Guidance Note 5: Extensions to Houses, and:

Core Strategy (Adopted 2012): CS NPPF, CS1 and CS5.

Development Management Policies (Adopted 2012): DM01 and 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 application site and the general street scene. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This proposal is considered to accord with Council policies and guidance.

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 Government's 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 September 2012)

Barnet's emerging Local Plan is made up of a suite of documents including the Core Strategy (CS) and the Development Management Policies Development Plan Document (DPD). Until the Local Plan 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 is now capable of adoption following receipt of the Inspector's Report in June 2012. The Inspector endorsed all the Council's modifications at EIP and found it sound and legally compliant. 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 and CS5.

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

The Development Management Policies DPD is now capable of adoption following receipt of the Inspector's Report in June 2012. The Inspector endorsed all the Council's modifications at EIP and found it sound and legally compliant. 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 September 2012): DM01 and DM02.

Relevant Planning History:

Application Number:	N15861A/08
Decision:	Approve with conditions
Decision Date:	17/07/2008
Proposal:	Single storey rear extension.

Consultations and Views Expressed:

Neighbours Consulted: 10

Replies: 5 letters of objection received.

Neighbours Wishing To Speak: 1

The objections raised may be summarised as follows:

- The submitted survey drawings are inaccurate (Officer Note: The survey drawings were amended during the course of the application).
- Proposed extension would adversely affect the street scene and daylight received to neighbouring property.
- Increase in ridge height would result in the side element appearing too bulky, and would close the gap between the buildings.
- Proposed rear terrace would result in overlooking to neighbouring property.
- Proposed boundary fencing would dominate and overshadow rear garden of neighbouring property.
- Windows in first floor rear extension would overlook neighbouring property.

Internal /Other Consultations: None.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site contains a detached two storey dwelling, located toward the northern end of Grimsdyke Crescent. The application site is on ground which slopes down from south to north, such that the existing dwelling is at a higher level to No. 32 to the north.

Proposal:

This application proposes a new front porch, a single storey rear extension including a raised patio area, a first floor rear extension and alterations to the eaves height of the existing side projection to the north of the dwelling.

The existing lean-to front porch roof is proposed to be replaced with a pitched roof 3.5 metres high. The position of the front door would remain unchanged.

The single storey rear extension would measure 1.8 metres in depth adjacent to the common boundary with No. 32, and project 4.7 metres away from that boundary before extending a further 2.4 metres rearward, and returning to adjoin the existing single storey rear projection. It would have a flat roof 3 metres high. The rear patio area would wrap around this extension, and would match the floor level of the main dwelling. The patio level would extend 1.5 metres rear of the extension adjacent to No. 32. It would then be set 2 metres from the boundary with this neighbouring property before extending a further 4.8 metres rear. The submitted plans note that the existing boundary fence would remain in place. In addition to this, a 2 metre high fence would be erected on the boundary with No. 32 where the patio extends adjacent to this boundary. The 2 metre set-in would include a 1.7 metre high privacy screen, as would the 4.8 metre rear-projecting element. These are intended to reduce overlooking from the application site toward the neighbouring property.

The proposed first floor rear extension would measure 1.4 metres in depth by 4.1 metres in width. It would have both ridge and eaves heights matching those of the main dwelling.

The alterations to the eaves level to the north of the dwelling will increase the height of the eaves such that they would match the eaves height to the main dwelling.

Planning Considerations:

The proposed single storey rear extension and patio, alterations to the front porch and first floor rear extension would not be clearly visible from outside the application site, and given their size and scale would not be detrimental to the character and appearance of the dwelling or the wider locality.

The increase to the eaves height of the two storey side projection would alter the appearance of this element. It is noted that the main roof to this element as existing has a ridge height matching that to the main dwelling. The eaves height would be increased to match that of the main dwelling, and this is to facilitate internal alterations to raise the floor levels to ensure internal floor levels match. The width of the extension would remain the same, and the spacing between the application dwelling and the neighbouring property to the north would remain as existing. The neighbouring property to the north is at a lower ground level to the application site, and there exists a natural step-down in heights between the buildings. The alterations to the eaves height would not remove this step-down, as the main buildings would remain at different heights. It is not considered that the alterations to the eaves height would result in the application dwelling appearing cramped within its plot, or detrimental to the character and appearance of the street scene. The Council's current Adopted Design Guidance would not require the dropped eaves height for an extension. It is therefore considered that the proposal would not be detrimental to the character and appearance of the dwelling, the street scene or the wider locality.

The proposed single storey rear extension would not project rear of the neighbouring property to the north, No. 32, and would not appear overbearing when viewed from this neighbouring property. The proposed rear patio would extend 1.5 metres rear of this rear extension adjacent to the common boundary with the neighbouring property. A 2 metre high fence panel would be constructed alongside this part of the patio. Whilst No. 32 is at a lower ground level, such that the proposed fence would appear taller than 2 metres, there is only a single fence panel proposed at this height and at this proximity to the neighbouring property, and it is not considered that this fencing would appear overbearing when viewed from No. 32. The remainder of the patio area would be set 2 metres from the boundary with No. 32, and enclosed by a 1.7 metre high screen. Given the distance between the proposed patio, the fence enclosure and the neighbouring property, it is not considered that the patio would appear overbearing or visually intrusive when viewed from No. 32. The proposed fencing as shown on the submitted plans can be secured by condition, and it is considered both reasonable and necessary to do so. Subject to this fencing and the privacy screen being provided, it is not considered that the proposal would adversely affect the privacy of the occupants of No. 32.

The increase to the eaves height to the north of the dwelling would increase the height of this flank wall when viewed from No. 32. However, given the depth and height of the existing wall, and taking into account the roofslope and the existing outlook from the side glazed kitchen door at No. 32, which is a secondary light source to the room it serves, it is not considered that the increase in roof height would have a significant detrimental impact on the amenities of the occupants of this neighbouring property.

The proposed first floor rear extension would have a limited rearward depth, with one window facing rear over the garden to the application site. This window is in a similar position to the rear-facing windows to the existing dwelling. It is not considered that this element of the proposal would appear overbearing or visually intrusive when viewed from any neighbouring property, and it would not adversely affect the privacy of the occupants of any neighbouring property.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Comments raised are addressed in the appraisal above. It should be noted that property values are not a material planning consideration.

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

The proposal is considered to be acceptable in terms of its impact on the application site, the general locality and the amenities of neighbouring residents. The proposal accords with council policy and guidance and the application is subsequently recommended for **approval** subject to conditions.

SITE LOCATION PLAN: 30 Grimsdyke Crescent, Barnet, Herts, EN5 4AG

REFERENCE: B/02356/12



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