

LOCATION: 101 Brent Way, London, N3 1AR

REFERENCE: F/03309/12

Received: 26 August 2012

Accepted: 28 August 2012

WARD(S): West Finchley

Expiry: 23 October 2012

Final Revisions:

APPLICANT: Mr Wardman

PROPOSAL: Single storey rear and front porch extension. First floor side extension with pitched roof. Removal of one existing roof light.

RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Design and Access Statement; Sustainability Checklist; Drawing no. 300/12/01 (date received 26-Aug-2012); Drawing no. 300/12/02 RevB (date received 08-Oct-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. 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.

5. 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 extension(s) hereby approved, facing no. 99 or no. 103 Brent Way.

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), GBEnv2 (Design), D1 (High Quality Design), D2 (Built Environment / Character), D5 (Outlook) and H27 (Extensions to Houses and Detached Buildings), and:

Supplementary Design Guidance:

Barnet Design Guidance Note 5 – Extensions to Houses, Barnet Design Guidance Note 11 - Porches.

Core Strategy (Adopted) 2012:

Relevant policies: CS NPPF, CS1, CS5

Development Management Policies (Adopted)2012:

Relevant Policies: DM01, DM02

ii) The proposal is acceptable for the following reason(s): - 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 in keeping with Council Policies and Guidelines.

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

Design Guidance Note No 11 - Porches

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:	F/03309/12
Validated:	28/08/2012	Type:	HSE
Status:	REG	Date:	
Summary:	DEL	Case Officer:	Denisse Celi
Description:	Single storey rear and front porch extension. First floor side extension with pitched roof. Removal of one existing roof light.		

Consultations and Views Expressed:

Neighbours Consulted:	11	Replies:	8
Neighbours Wishing To Speak	0		

The objections received can be summarised as follows:

- First floor side extension will be out-of-keeping with streetscene and character of area;
- No other property has been extended this way;
- First floor extension is overdevelopment, disproportionate and spoil symmetry of pair of houses;
- First floor extension will block space between properties and result in loss of light to garden;
- Side extension fails to respect appearance & pattern of surrounding buildings;
- Proposals make the house too large for plot; one of smallest plots on street and already most extended;
- Drainage of water will be affected as rear extension will cover nearly a third of garden;
- Loss of light to adjoining gardens;
- Overlooking due to rear extension causing loss of privacy;
- Building on boundary will make wall impossible to maintain;
- Porch will overshadow and alter the appearance of house to the detriment of its 'twin'
- Argument that house has poor circulation & cramped as existing is not valid as it is already larger on the ground floor than other houses on the road;
- Create precedent.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site property is a two storey semi-detached dwelling with rooms in roofspace on the north-western side of Brent Way within that West Finchley Ward. The property is not listed and it is not in a Conservation Area.

Proposal:

The applicant seeks planning permission for a single storey rear extension, new front porch, first floor side extension and removal of existing rooflight on front roof slope.

The porch is 2.35 metres wide and 1.1 metres deep. The porch would have a dual pitched roof with a maximum height of 3.1 metres and an eaves height of 2.3 metres. It is considered to be a subordinate addition and is not considered to be out of character as there are other examples of similar porches. Due to its modest height and projection, it is considered acceptable.

The first floor side extension is 1.5 metres wide and is 7.5 metres long. It will be set back from the front elevation by 1 metre and away from the boundary with no. 103 by 1 metre. Furthermore, the ridge of the extension is set lower than the ridge of the main dwelling by 0.5 metres and the roof pitch is the same as the pitch of the main roof. Due to the siting of the proposed extension away from the boundary and the set back from the front wall the extension it is not considered that it will result in a loss of light to the adjoining neighbours and will not be detrimental to the appearance of the host property or the character of the streetscene.

The rear extension will be 3.5 metres deep and 8.6 metres long following the removal of the existing rear conservatory along the boundary with no. 99. The original rear wall of the host property is set back from the rear wall of no.103 by 1.75 metres, therefore the proposed extension will project by 1.75 metres from the rear wall of no.103. Moreover, the extension will have a flat roof with a height of 2.6 metres to match the height of the existing side projection.

Due to the change of levels on site, the applicant proposes a new raised patio with a depth of 1.6 metres and height of 0.45 metres. Following amendments, landscaping will be added at the patio level along both boundaries to prevent overlooking onto either neighbouring property.

The removal of the front rooflight is considered acceptable and will not be harmful to the appearance of the host property.

Planning Considerations:

The main issue 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 streetscene 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 proposals would comply with the aforementioned policies and Council Design Guidance on Extensions to Houses and would be a proportionate addition to the dwellinghouse. It would have an acceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The objections have been addressed in the report above.

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**.

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