

LOCATION: 10 Fursby Avenue, London, N3 1PL

REFERENCE: F/00067/13 **Received:** 24 December 2012

Accepted: 09 January 2013

WARD(S): West Finchley **Expiry:** 06 March 2013

**Final
Revisions:**

APPLICANT: Ms M Wixon

PROPOSAL: Demolition of existing side projection followed by construction of single storey rear extension with 1no skylight. Two storey side extension with 1no front rooflight and 2no rear facing rooflights to facilitate an extension of the existing loft conversion. Enlargement of existing porch.

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 (date received 24-Dec-2012); Drawing no. 600/11/01; Drawing no. 600/11/02 (date received 16-Jan-2013); Drawing no. 600/11/03 Rev A; Drawing no. 600/11/04 Rev A (date received 13-Feb-2013).

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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (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 policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (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 Adopted Barnet Development Management Policies DPD (2012).

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 elevation(s), of the extension(s) hereby approved, facing no. 8 Fursby Avenue.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

6. 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 in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

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 Core Strategy (2012) and Development Management Policies DPD (2012).

In particular the following policies are relevant:

Design Guidance Note No.5 on Household Extensions.

Core Strategy (Adopted) 2012:

Relevant policies: CS NPPF, CS1 and CS5

Development Management Policies (Adopted) 2012:

Relevant Policies: DM01 and 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 Local Plan policies and guidance 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.

iii) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant/ agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant 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 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 Local Plan (2012) Policies:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11th September 2012

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.

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

Supplementary Planning Documents and Guidance

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) in March 2010. This 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, 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.

The Council adopted a Supplementary Planning Document (SPD) "Sustainable Design and Construction" (June 2007), following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local 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.

The Council is currently consulting on the following two supporting planning documents to implement the Core Strategy and Development Management Policies DPDs. These are now material considerations. The Residential Design Guidance SPD (consultation draft November 2012) and Sustainable Design and Construction SPD (consultation draft November 2012) are now material considerations.

Relevant Planning History:

**Site history for current landparcel :
96857 - 10 Fursby Avenue, London, N3 1PL
Case Reference: F/00067/13**

Application: Planning **Number:** C/02854/B/06
Validated: 21/12/2006 **Type:** APF
Status: DEC **Date:** 02/03/2007
Summary: APC **Case Officer:** Alissa Fawcett
Description: Single storey flat roof extension to rear of property.

Application: Planning **Number:** C/02854/C/06
Validated: 21/12/2006 **Type:** 192
Status: DEC **Date:** 12/03/2007
Summary: LW **Case Officer:** Alissa Fawcett
Description: Roof extension including hip to gable and rear dormer window to facilitate loft conversion.

Application: Planning **Number:** C/02854/D/07
Validated: 07/08/2007 **Type:** 192
Status: DEC **Date:** 02/10/2007
Summary: LW **Case Officer:**
Description: Construction of double detached garage following demolition of existing single garage at rear of the property.

Application: Planning **Number:** C/02854/E/08
Validated: 15/01/2008 **Type:** 192
Status: DEC **Date:** 22/02/2008
Summary: LW **Case Officer:** Alissa Fawcett
Description: Remove existing single garage and construct new brick double garage.

Application: Planning **Number:** F/00096/11
Validated: 24/12/2010 **Type:** 192
Status: DEC **Date:** 17/02/2011
Summary: ULW **Case Officer:** Junior C. Moka
Description: Reduction in height of the existing garage.

Application: Planning **Number:** F/00565/11
Validated: 28/02/2011 **Type:** 192
Status: DEC **Date:** 06/04/2011
Summary: LW **Case Officer:** Junior C. Moka
Description: Erection of single storey garage in the rear garden.

Application: Planning **Number:** F/02543/11
Validated: 23/06/2011 **Type:** HSE
Status: APD **Date:** 06/12/2011
Summary: APC **Case Officer:** Junior C. Moka
Description: Erection of outbuilding in rear garden.

Application: Planning **Number:** F/00067/13
Validated: 09/01/2013 **Type:** HSE

Status: REG
Summary: DEL
Description: Demolition of existing side projection followed by construction of single storey rear extension with 1no skylight. Two storey side extension with 1no front rooflight and 2no rear facing rooflights to facilitate an extension of the existing loft conversion. Enlargement of existing porch.

Date:
Case Officer: Denisse Celi

Enforcement Notices picked up in spatial search

Reference Name **ENF/01393/09/F**
Description **Enforcement Notice served under Section 171A(1)(a) of the Town & Country Planning Act 1990. (construction of a single storey garage in the rear garden)**

Consultations and Views Expressed:

Neighbours Consulted: 24 Replies: 20
Neighbours Wishing To Speak 4

Objections received can be summarised as follows:

- Overdevelopment of the site with extension providing additional 80sqm, disproportionate & overbearing.
- Property already has four en-suite bedrooms, the proposal will add another en-suite.
- Excessive size and mass
- Severely damage streetscene- contrary to Design Guidance Note 5.
- Road characterised by semi-detached properties, proposal would result in terracing-effect.
- With no side entrance, bins & bicycles will be kept at front- a further detriment to the streetscene.
- Removal of side entrance will further increase traffic on pathway to Nethercourt Avenue, with dustbins on the street and even worse parking facilities.
- Result in loss of light and privacy for neighbouring occupiers.
- Extension not subordinate and would be more than half width of original dwelling.
- Diminishes design integrity of street and does not leave 1 metre from side boundary.
- Drawings misleading as side alleyway is narrower than indicated on drawings.
- Outbuilding in violation of Planning Inspectorate report, with all amenities- not indicated on drawings and pitched roof not removed.
- Design represents complete departure from the principles and guidelines established by Local Authority.
- Extension will have a length of 11 metres and will result in loss of light.
- Extension will offset the aesthetic balance as existing along the front elevations on Fursby Avenue and would be out-of-character.
- Precedent could be set.
- Once the development is completed, the property including the double garage with all the amenities will be flats.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application property is a two-storey semi-detached dwelling in a suburban residential area on Fursby Avenue within the West Finchley Ward. The property is not listed nor does it lie in a Conservation Area.

The host building is set lower than the pavement level and, due to the change in levels on the road inclining towards the east, the non-adjoining property no.8 Fursby Avenue is set higher than no.10 Fursby Avenue. The property benefits from a roof extension carried out under Permitted Development, a single storey rear extension and an outbuilding at the rear.

Proposal:

The application seeks planning permission for the following development:

- Two storey side extension following the removal of the existing lean-to structure (portico).
- Single storey rear extension.
- Enlargement of existing roof space with 1no rooflight at the front elevation and 2no rooflights at the rear elevation
- Enlargement of existing front porch.

The two storey side extension would have a width of 4.05 metres at ground floor and 3.05 metres at first floor, and a length of 7.45 metres up to the level of the original rear wall. At first floor level the extension would be sited 1 metre away from the boundary with no.8 Fursby Avenue, maintaining a gap of 2 metres between the flank elevations of no.8 and the host property. Moreover the ridge line of the proposed extension would be 0.5 metres lower than the ridge of the main roof and would be set back 1 metre from the front elevation. This is therefore considered to create subordination and reduce the visual impact on the streetscene.

The roof of the proposed two storey side extension would facilitate the enlargement of the existing loft conversion, for which a certificate of lawfulness was previously issued. The installation of 1no front rooflight and 2no rear rooflights are considered subordinate additions which reflect the character of the existing property.

The proposed single storey rear extension would project 3.5 metres beyond the original rear wall along the boundary with no. 8 Fursby Avenue and link with the existing single storey rear extension. The proposed single storey rear extension would have a flat roof to match the height of the existing extension at 3 metres.

The enlargement of the existing porch would result in an increase of 0.5 metres in width only, and the projection towards the highway will remain as existing.

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.

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 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.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and that development makes a positive contribution to the borough. The development standards set out in Policy DM02: Development Standards are regarded as key for Barnet to deliver the highest standards of urban design.

The Council's draft SPD 'Residential Design Guidance' states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant.

It is considered that the set back of the extension at the front, lower setting of the ridge of the two storey extension, the gap of 2 metres between the flank elevations and proposed materials would create subordination and mitigate the visual impact on the streetscene. Moreover, due to the higher siting of the neighbouring property and the modest height of the rear extension, it is not considered that the proposal would result in loss of light or perceived sense of enclosure to the neighbouring occupiers particularly at no.8 Fursby Avenue.

Two storey side extensions are not considered to be out-of-character in this section of Fursby Avenue; planning permission has previously been granted at no.22 Fursby Avenue (F/03573/10) for a similar two storey side extension.

The Council's Design Guidance Note 5 on Extensions to Houses advises that 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.

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 comments received are addressed below:

Objections

- Design represents complete departure from the principles and guidelines established by Local Authority.
- Severely damage streetscene- contrary to Design Guidance Note 5.
- Precedent could be set.

Comments

The Residential Design Guidance SPD set out provides a reference point on acceptable design, however each application is assessed on its own merits. Other

applications submitted in this area will also be assessed on their own merits and context.

No.22 Fursby Avenue benefits from a similar two storey side extension and it is not considered that the extension at the host property would be out of character.

Objection

- Extension not subordinate and would be more than half width of original dwelling.
- Overdevelopment of the site with extension providing additional 80sqm, disproportionate & overbearing.
- Excessive size and mass.
- Road characterised by semi-detached properties, proposal would result in terracing-effect.
- Diminishes design integrity of street and does not leave 1 metre from side boundary.
- Extension will offset the aesthetic balance as existing along the front elevations on Fursby Avenue and would be out-of-character.
- Property already has four en-suite bedrooms, the proposal will add another en-suite.

Comments

As mentioned above, the SPD provides guidance for development that is generally considered acceptable. In this instance, due to the existing lean-to structure, the impact of an extension at ground floor would be similar as the lean-to structure is built up the boundary at street level. It is acknowledged that although the extension at ground floor is more than half the width of the main dwelling, at first floor level, due to the 1 metre gap from the boundary, the extension is less than half the width and its impact is considered acceptable.

The extension has been set back from the front building line by at least 1 metre at ground and first floor level, set lower than the ridge of the main dwelling by 0.5 metres and sited away from the boundary. All of these design features allow the extension to be viewed as a subordinate addition and help reduce the visual impact on the streetscene.

As mentioned, no.22 Fursby Avenue was granted planning permission under application reference F/03573/10 for a similar two storey side extension.

Objection

- With no side entrance, bins & bicycles will be kept at front- a further detriment to the streetscene.
- Removal of side entrance will further increase traffic on pathway to Nethercourt Avenue, with dustbins on the street and even worse parking facilities.

Comments

It is considered that the siting of bins at the front does not warrant reason for refusal of this application. Moreover, various properties on the street keep their bins at the front of the property and have retained the side entrance. The objectors are advised to contact the Highways department if bins obscure public access.

This application does not involve any alteration to the parking arrangement of the site and therefore it is not considered that the development will have a detrimental impact on the parking facilities in the locality.

Objection

- Outbuilding in violation of Planning Inspectorate report, with all amenities- not indicated on drawings and pitched roof not removed.

Comments

The outbuilding is currently subject to Enforcement action.

Objection

- Result in loss of light and privacy for neighbouring occupiers.
- Extension will have a length of 11 metres and will result in loss of light.

Comments

The neighbouring property no.8 is set higher than the host property by at least 0.5 metres. Moreover, it is not considered that the proposal will result in loss of light due to the gap between the extension and the boundary.

At first floor level, the extension will not project beyond the original rear wall of both the host dwelling and no.8. The windows at no.8 sited on the flank elevation serve the staircase and not habitable rooms.

Objection

- Drawings misleading as side alleyway is narrower than indicated on drawings.

Comments

The amendments provided have addressed this objection.

Objection

- Once the development is completed, the property including the double garage with all the amenities will be flats.

Comments

The application is assessed as submitted and has not considered the subdivision of the property.

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 Local Plan policies and guidance 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: 10 Fursby Avenue, London, N3 1PL

REFERENCE: F/00067/13



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