

LOCATION: 19 Hendon Avenue, London, N3 1UJ
REFERENCE: F/03847/12 **Received:** 10 October 2012
Accepted: 31 October 2012
WARD(S): Finchley Church End **Expiry:** 26 December 2012
Final Revisions:

APPLICANT: Mr S Kanoria
PROPOSAL: Loft extension with 3no front rooflights and 3no rear rooflights to facilitate a loft conversion. Single storey rear and first floor rear extensions, balcony above single storey rear extension and formation of pitched roof to replace existing on side outbuilding.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Location Plan, HEN_P04f, HEN_P03f, HEN_P05f, HEN_P06f, HEN_P02a, HEN_P02f, HEN_E03a, HEN_E02a, HEN_P01f, HEN_E06a, HEN_E04a, HEN_E05a, HEN_E00a, HEN_E01a and HEN F01a received by the local planning authority on 10 October 2012; Email from Matthias Hamm of spaceAgent on 14 February 2013 at 09:16.
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 No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.
Reason:
To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 5 No siteworks or works on this development shall be commenced before a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 Trees in relation to design, demolition and construction - Recommendations are submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with such approval.

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 6 The use of the extensions hereby permitted shall remain ancillary to and occupied in conjunction with the main building which shall at all times remain in residential use (Class C3) only.

Reason:

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

- 7 Before the building hereby permitted is occupied the proposed rear dormer window within the proposed roof of the outbuilding 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.

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).

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, 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 or protected trees in the vicinity.

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, CS7.

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) 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.

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.

Residential Design Guidance (Consultation Stage):

<http://barnet.moderngov.co.uk/ieDecisionDetails.aspx?Id=4342>

Sustainable Design and Construction (Consultation Stage):

<http://barnet.moderngov.co.uk/ieDecisionDetails.aspx?Id=4343>

Relevant Planning History:

Site Address: Land at rear of 19 Hendon Avenue N3
Application Number: C06347C
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 09/04/1980
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Two storey detached house with integral garage.**
Case Officer:

Site Address: Rear of 19 Hendon Avenue N3
Application Number: C06347D
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 23/06/1980
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **erection of two storey detached house. Double garage at side and replacement of existing double garage.**
Case Officer:

Site Address: Land rear of 17-19 Hendon Avenue N3
Application Number: C06347E
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 27/08/1980
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Two storey house and detached double garage.**
Case Officer:

Site Address: Land rear of 17-19 Hendon Avenue N3
Application Number: C06347F
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 03/12/1980
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Two storey house and detached double garage.**
Case Officer:

Site Address: Land at rear of 19 Hendon Avenue N3
Application Number: C06347G
Application Type: Full Application
Decision: Refuse
Decision Date: 17/06/1981
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of five bedroom house and separate garage.**
Case Officer:

Site Address: land rear of 19 Hendon Avenue N3
Application Number: C06347H
Application Type: Full Application
Decision: Refuse
Decision Date: 17/03/1982

Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of detached house and garage.**
Case Officer:

Site Address: Land at r/o 19 Hendon Avenue N3
Application Number: C06347J
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 07/07/1982
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Two storey house with detached garage.**
Case Officer:

Site Address: Land r/o 19 Hendon Avenue N3
Application Number: C06347K
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 23/12/1982
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Detached garage.**
Case Officer:

Site Address: rear of 19 Hendon Avenue N3
Application Number: C06347L
Application Type: Full Application
Decision: Approve
Decision Date: 14/10/1983
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Two storey house with detached garage.**
Case Officer:

Site Address: THE COACH HOUSE 17 Hendon Avenue London N3 1UJ
Application Number: C16145/05
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 22/03/2005
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Conversion of existing 2no. garages into habitable rooms involving external alterations. Construction of attached garage at side. New front porch. Installation of 2no. bay windows at rear. Dormer windows to both sides of projecting front wing.**

Case Officer: Kevin Waters

Site Address: 19 Hendon Avenue London N3 1UJ
Application Number: C06347S/05
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 10/06/2005
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Erection of timber log single storey building to cover over existing swimming pool.**
Case Officer: Kevin Waters

Site Address: THE COACH HOUSE 17 Hendon Avenue London N3 1UJ
Application Number: C16145A/06
Application Type: Full Application
Decision: Approve with conditions
Decision Date: 26/04/2006
Appeal Decision: No Appeal Decision Applies
Appeal Decision Date: No Appeal Decision Date exists
Proposal: **Single storey side garage extension.**
Case Officer: Kevin Waters

Consultations and Views Expressed:

Neighbours Consulted: 11 Replies: 5

Neighbours Wishing To Speak 2

The objector raised the following concerns:

- There is no proof via Land Registry records to confirm that the applicant of the site is the owner;
- It is extremely unlikely that an extension which includes a lift and when completed 12 bedrooms and 13 bathrooms is solely for domestic use;
- The plans submitted are incorrect as the road labelled 'public access road' on the plans is a private road owned by No. 17a and 17b Hendon Avenue who also pay for the upkeep of the road;
- The applicant is a major shareholder in the business of operating care homes - this extension appears as though it could be used for operating a care home;
- The granting of this application would significantly increase the traffic in the vicinity much of which would be ambulances;
- Increase in the number of bedrooms with en-suites (7 to 12);
- Increase in parking and noise as a result of the increase of rooms;
- Concerns about the proposal change of use from a residential dwelling;
- Works in regard to the change of the garage door to two windows and a doorway in the front elevation plus the conversion of the garage to a habitable room have taken place without planning permission;
- The proposal is out of keeping with the area.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The site is a two-storey detached property with a bedroom in the roof space. The property lies on a substantial plot located on the southeast side of Hendon Avenue. The surrounding area consists of predominantly residential properties.

Proposal:

The proposal consists of a proposed rear extension on the first floor and at second floor (loft) level to increase the number of bedrooms from 7 at present to 12. No alterations are proposed along the front elevation. The first floor extension would measure 8.4m (w) x 3.5m (depth along the western flank) x 6.2m (height); the extension would measure 6.4m in depth along the eastern flank. A further extension is proposed along the western side of the rear of the property; the extension would

create a gable feature that would accommodate a new bedroom. The extension at roof level would increase the width of the roof from 7.8m to 13.6m with the height of the roof remaining as per the existing.

Planning Considerations:

The main issues in this case are considered to be covered under three 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.
- Whether harm would be caused to any protected trees on site

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.

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 although substantial in nature (creating a large number of bedrooms) would comply with the aforementioned policies and Council Design Guidance on Extensions to Houses as they would constitute a proportionate addition to the dwellinghouse. The proposal would have an acceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers.

The site contains 4 no trees subject to a tree preservation order; 2 no. at the front and 2 no. at the rear and other non-protected trees on the site. However, given the sufficient distance between the protected trees and the property there is considered to be no significant harm from the proposed scheme on to the trees although suitable conditions could be placed on the decision notice requiring the submission of tree protection measures were the Council minded to approve the application. In this regard the proposal is considered acceptable and complies with the Council's

relevant policies and guidance.

3. COMMENTS ON GROUNDS OF OBJECTIONS

The objectors have raised concerns over ownership of the site, however the applicant's agent has completed the relevant part of the application form (Certificate A) and the Council has considered the application valid. In addition to this any discrepancies over the public access as denoted on the plans would not affect the decision of this application given that the access falls outside of the redline area of the site. The Council's Highways officer has not raised any objections to the proposal and therefore in terms of traffic generation the proposal is considered acceptable.

All other issues raised by objectors are either not considered a planning matter or have been addressed in the appraisal section above.

4. EQUALITIES AND DIVERSITY ISSUES

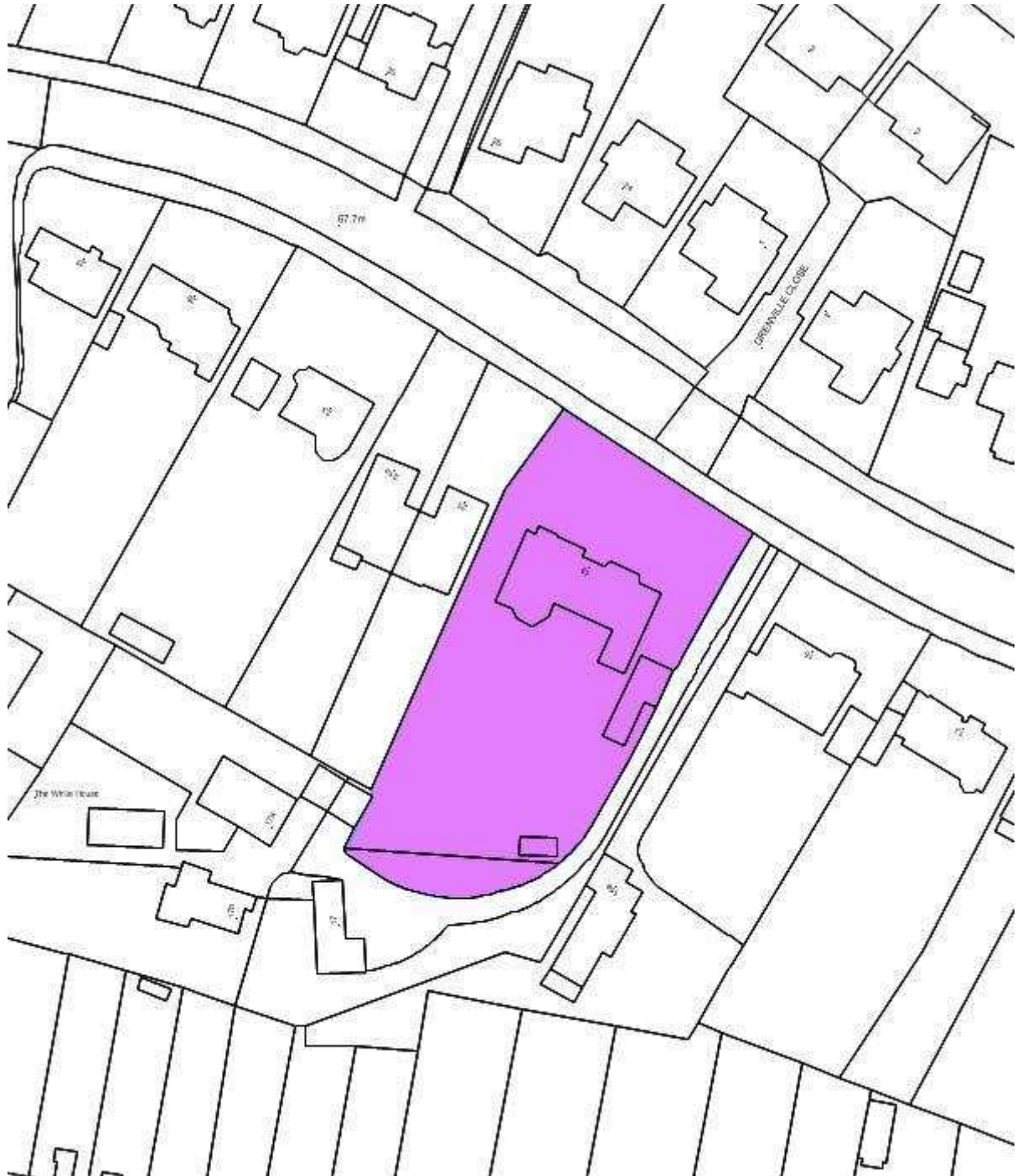
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

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 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 or any protected trees. This application is therefore recommended for **APPROVAL**.

SITE LOCATION PLAN: 19 Hendon Avenue, London, N3 1UJ

REFERENCE: F/03847/12



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