

**LOCATION:** 3 Limes Avenue, London, NW7 3NY

**REFERENCE:** H/00535/13

**Received:** 05 February 2013

**Accepted:** 06 February 2013

**WARD(S):** Hale

**Expiry:** 03 April 2013

**Final Revisions:**

**APPLICANT:** Mr Moscow

**PROPOSAL:** Part single, part two-storey rear/side extension. Single storey front extension.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 2012/0721 - Existing Plans and Elevations, 2012/0721 Proposed Plans and Elevations Rev 3, 2012/0721 Proposed Sections Rev 3.

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 Before the building hereby permitted is occupied the proposed window(s) in the first floor flank elevation facing No 5 Limes Avenue 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).

- 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 first floor flank elevation(s), of the extension(s) hereby approved, facing Nos 1 and 5 Limes 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).

**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 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 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:

<b>Application:</b>	Planning	<b>Number:</b>	H/02824/11
<b>Validated:</b>	11/07/2011	<b>Type:</b>	HSE
<b>Status:</b>	DEC	<b>Date:</b>	05/09/2011
<b>Summary:</b>	APC	<b>Case</b>	Emily Benedek
		<b>Officer:</b>	
<b>Description:</b>	Part single, part two-storey side and rear extension. Single storey rear extension. New front porch.		

<b>Application:</b>	Planning	<b>Number:</b>	H/04250/11
<b>Validated:</b>	17/10/2011	<b>Type:</b>	HSE
<b>Status:</b>	DEC	<b>Date:</b>	20/12/2011
<b>Summary:</b>	REF	<b>Case</b>	Emily Benedek
		<b>Officer:</b>	
<b>Description:</b>	Part single, part two-storey side and rear extension. Single storey rear extension. New front porch.		

<b>Application:</b>	Planning	<b>Number:</b>	W/12343/C/05
<b>Validated:</b>	13/06/2005	<b>Type:</b>	APF
<b>Status:</b>	APD	<b>Date:</b>	25/07/2005
<b>Summary:</b>	DIS	<b>Case</b>	
		<b>Officer:</b>	
<b>Description:</b>	First floor side and rear extension and new porch area.		

<b>Application:</b>	Planning	<b>Number:</b>	W/12343/D/05
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**Validated:** 04/10/2005  
**Status:** DEC  
**Summary:** APC

**Type:** APF  
**Date:** 19/12/2005  
**Case Officer:**

**Description:** Creation of covered way and first floor side extension.

Consultations and Views Expressed:

Neighbours Consulted: 8                      Replies: 5  
Neighbours Wishing To Speak 1

The objections raised may be summarised as follows:

- Adverse impact development would have on neighbours especially Nos 1 and 5 Limes Avenue
- Drawings devoid of dimensions
- Create a terracing effect
- Detrimental impact on street scene
- Loss of light to No 5
- Proposal will result in loss of car parking spaces
- Scale and appearance of the proposal - dominating and overbearing on No 5
- Overlooking and loss of privacy
- Proposal larger than previous 5 applications
- Loss of view to No 5
- Overshadowing to No 5
- Over development
- Contrary to Council policy and guidance
- Adversely affect the architectural coherence of the property in relation to its neighbours and street scene

Internal /Other Consultations:

N/A

Date of Site Notice:

N/A

**2. PLANNING APPRAISAL**

Site Description and Surroundings:

The application site relates to a detached single family dwelling house located on the east side of Limes Avenue which is predominantly residential in character.

Proposal:

The application seeks permission for a part single, part two storey side/rear extension and a single storey front extension. The plans have been amended since originally submitted.

The proposed ground floor front extension will measure 2.45 metres in width, 3.4 metres in depth and 3.4 metres in height with a pitched roof. The proposed ground floor side/rear extension following the demolition of the existing conservatory will measure a maximum of 4.8 metres in depth, 9.15 metres in width and 3.7 metres in height with a crown roof.

The proposed first floor side extension will measure 2.45 metres in width, 6.55 metres in depth and 5.85 metres in height with a pitched roof. The proposed first floor rear extension will measure 4.35 metres in width, 2.5 metres in depth and 6 metres in height with a pitched roof.

### 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.

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 proposed part single, part two storey side and rear extensions and new front extension are considered acceptable additions to the property, would meet the design considerations listed within the aforementioned guidance note and would be in keeping with the character and appearance of the street scene. The proposed front porch is identical to that approved under planning permission H/02824/11 and is not considered to have an adverse impact on traffic, access and parking.

The proposed ground floor side/rear extension will project up to the boundary with

No 1 Limes Avenue and will only project 1 metre beyond this neighbouring ground floor extension. The ground floor extension will only project 2.1 metres in depth from the existing rear building line of the property on the side adjacent to No 5 Limes Avenue. The proposed extension will be located 1.4 metres from this shared boundary and the neighbouring property at No 5 is located 2.4 metres from the shared boundary. Given the size of the ground floor extension and the distance between the neighbouring properties, it is not considered to have an adverse impact on neighbouring amenity.

The plans have been amended with regards to the proposed first floor side and rear extensions so that they measure no more than that which was previously allowed under planning permissions W12343D/05 and H/02824/11. The proposed first floor side extension will be set back from the front of the house by 2 metres and will be located 1.4 metres from the boundary with No 5 Limes Avenue. Given the size and siting of the proposed first floor side extension it is not considered to result in demonstrable harm to the visual and residential amenities of the occupiers of the neighbouring residential property including loss of light. Furthermore, there is an additional door to the rear elevation of No 5 which will provide additional light. The proposed extension will be located over 1 metre from the boundary with No 5 Limes Avenue allowing for an open aspect to the rear gardens and would not create a terracing effect. Furthermore, given that there will be a minimum distance of 2.4 metres between Nos 3 and 5 Limes Avenue (increasing to over 3.5 metres to the rear of the site) it is not considered to have an overbearing impact or result in an increased sense of enclosure to the occupiers of the neighbouring residential property. A condition has been recommended to ensure that the windows on the first floor flank elevation facing No 5 are obscurely glazed and restricting the insertion of further windows on either flank elevation without planning permission. This will mitigate against any overlooking or loss of privacy as perceived by the occupiers of the neighbouring residential properties. The proposed first floor rear extension will be located over 2 metres away from the neighbouring first floor window of No 1 Limes Avenue and will be located over 5 metres away from the boundary with No 5 Limes Avenue. As amended it is considered that the proposed first floor rear extension will have minimal adverse impacts on neighbouring amenity.

It is not considered that the proposed extensions will have a harmful impact on the amenities of the neighbouring occupiers or the character of the area. It is not considered that the extensions would appear out of context.

### **3. COMMENTS ON GROUNDS OF OBJECTIONS**

The objections have mostly been addressed in the above report.

Although no measurements are indicated on the plans, the plans have been drawn to scale.

### **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 the proposed development would be in keeping with the character and appearance of the surrounding area. The proposed development is not considered to have a detrimental impact on the residential amenities of neighbouring developments and would provide good quality residential accommodation. This application is considered to comply with National, London Plan, and Council Policies and Guidelines and is recommended for **APPROVAL**.



**SITE LOCATION PLAN:** 3 Limes Avenue, London, NW7 3NY

**REFERENCE:** H/00535/13



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