

Location **34 Oakview Gardens London N2 0NJ**

Reference: **16/6694/HSE** Received: 19th October 2016
Accepted: 2nd November 2016

Ward: East Finchley Expiry 28th December 2016

Applicant: Mr Matab Chowdhury

Proposal: Single storey rear extension. Three storey side extension

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan,
406-EX-00 REV H
406-PR-00 REV K
406-EX-01 REV H
406-PR-01 REV K
406-EX-02 REV H
406-PR-02 REV K
406-EX-03 REV A
406-PR-03 REV K

Existing plans submitted with application received (19/10/2016)

Amended Plans REV K received (31/01/2017)

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 CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 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 Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

- 4 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 or doors, 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 32 and 36 Oakview Gardens.

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

- 5 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 Development Management Policies DPD (adopted September 2012).

Informative(s):

Officer's Assessment

1. Site Description

The application site is located on the southern side of Oakview Gardens, within the East Finchley ward.

The application property is a three-storey, end terraced single family dwelling house.

The property is not listed and does not fall within a conservation area and the area is predominantly residential in character.

2. Site History

Reference: 16/3061/HSE

Address: 34 Oakview Gardens, London, N2 0NJ

Decision: Approved subject to conditions

Decision Date: 14 July 2016

Description: Three storey side extension to the existing dwelling house

Reference: 16/5560/PNH

Address: 34 Oakview Gardens, London, N2 0NJ

Decision: Prior Approval Required and Refused

Decision Date: 26 September 2016

Description: Single storey rear extension with a proposed depth of 5 metres from original rear wall, eaves height of 3 metres and maximum height of 3 metres.

Reference: 15/01461/HSE

Address: 34 Oakview Gardens, London, N2 0NJ

Decision: Approved subject to conditions

Decision Date: 11 May 2015

Description: Three storey side extension to the existing dwelling house

3. Proposal

This application seeks consent for a three storey side extension to the existing dwelling house and a single storey rear extension.

Three Storey side extension measuring:

- 4 metres in width on the ground floor and set back 2.5 metres from the front of the host property, this element would have a flat roof.
- 3.5 metres in width on the first and second floor and set back 3.6 metres from the front of the host property with the existing pitched roof of the main house continued over but with the ridge set down slightly from that of the original roof.
- No windows proposed on the side elevation of the extension

Rear extension:

-It is proposed that this extension would have a staggered rear elevation, it would project 3m along the boundary with no. 36 Oakview Gardens, to the north east, and step out to 3.5m at a distance of 1.4m from that boundary. It would have an overall width of 11.9m.

4. Public Consultation

Consultation letters were sent to 6 neighbouring properties.
5 objections have been received

The objections can be summarised as follows;

- Hugely disproportionate
- Alter street cape + Light
- Overlooking
- Over bearing
- Contrary to guidelines
- Over populated
- Privacy

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

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 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'. The NPPF retains a 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 2015

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 and is recognised in the NPPF as part of the development plan.

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.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

The Council's approach to development as set out in Policy DM01 is to minimise the 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 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 make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

The proposed three storey side extension is identical to that previously approved under application ref 16/3061/HSE. It is considered that it will not detract from the character or appearance of the existing house or the surrounding area. Additionally, it has an acceptable relationship with the neighbouring properties and will not affect their outlook or amenities.

The rear extension has been reduced so that it has a depth of 3 metres at the boundary with number 36 Oakview Gardens, the development is then set in by approximately 1.4 metres, then steps out to an overall depth of 3.5 metres. The reduction in depth of the rear extension ensures the extension is not an overbearing addition to the application site, which would not result in a loss of light such as to warrant refusal of the permission sought. In addition, the lack of windows to the flank elevation reduces any potential overlooking and loss of privacy. The extension would not be overbearing or visually obtrusive. The extension is compliant with design guidance.

The proposals are considered to be acceptable, subject to compliance with the attached conditions. The proposed development would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers.

This application is therefore recommended for approval.

5.4 Response to Public Consultation

The concerns raised by neighbours are noted. The current scheme is considered to be an acceptable addition to the host application property, and is an addition to the previously approved scheme.

The proposed development is still less than half the width of the original property. In addition, the extensions are shown to be set back from the main front elevation and set down from the main ridge height, and the rear extension set in at the boundary in line with the requirements of the adopted Residential Design Guidance.

No windows are proposed to the flank elevation of the extension and the windows proposed to front and rear are not considered to give rise to any unacceptable overlooking, or loss of privacy given they are adjacent to and on the same plain as existing windows. The property has not made a proposal for change of use therefore no rise to overcrowding can be assessed.

6. Equality and Diversity Issues

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

7. Conclusion

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed development as amended would have an acceptable impact on the character and appearance of the application site, the street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.

