

Location **101 Greenway London N20 8EL**

Reference: **17/8076/HSE**

Received: 20th December 2017

Accepted: 22nd December 2017

Ward: Totteridge

Expiry 16th February 2018

Applicant: Mr S Jodieri

Proposal: Part single, part two-storey front and rear extension with decking and steps leading down to garden with changes to landscaping. First Floor side extension. Extension to roof including new crown roof with 1no rear dormer window with juliette balcony and rooflights to both side elevations

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Design & Access Statement, Tree Survey, Drg.SK-01, Drg.SK-03A, Drg.SK-04A, Drg.SK-05A, Drg.SK-06A, Drg.SK-07B, Drg.SK-08A and Drg.SK-09B.

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 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).

- 3 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).

- 4 Before the building hereby permitted is first occupied the proposed window(s) and roof lights in the side elevation facing no.99 and no.103 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 Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted April 2013).

- 5 a) Before the development hereby permitted is first occupied, details of privacy screens to be installed to the decking area shall be submitted to and approved in writing by the Local Planning Authority.

b) The screens shall be installed in accordance with the details approved under this condition before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012), the Residential Design Guidance SPD (adopted April 2013) and the Sustainable Design and Construction SPD (adopted April 2013).

- 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 or doors, other than those expressly authorised by this permission, shall be placed at any time in the flank elevation(s), of the extension(s) hereby approved, facing 99 or 103 Greenway.

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).

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning

policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

Officer's Assessment

1. Site Description

The application site is a detached single family dwelling house located on the southern side of Greenway, which is predominantly residential in character with varied roof forms, storey heights and materials.

The properties on this stretch of Greenway stagger in height, with No. 99 Greenway at a lower level and No. 103 Greenway at a higher level.

The property is not listed and does not fall within a designated conservation area, however there are a number of TPO trees on land adjacent to the site - at No.101 and No.105 Greenway.

2. Site History

Reference: TPP/0306/17

Address: 101 Greenway, London, N20 8EL

Decision: Trees: Refused

Decision Date: 19 July 2017

Description: 1 x Yew (applicant's ref. T1) - Reduce the top of the tree by approx. 20-25 percent, major thinning out by 10%, major dead wooding and to prune and re-shape again by 15%, to prune back the side to re-balance the tree 15%. Standing in group G64 of Tree Preservation Order, 1 x Yew (applicant's ref. T2) - Reduce by approx. 20-25 percent, major thinning out by 10%, major dead wooding and to prune and re-shape and to re-balance the tree 15%. Standing in group G64 of Tree Preservation Order

Reference: 17/4975/HSE

Address: 101 Greenway, London, N20 8EL

Decision: Refused

Decision Date: 14 December 2017

Description: Part single, part two-storey front extension, part two-storey rear extension with decking and steps leading down to garden with changes to landscaping. First floor side extension. Extension to roof including new crown roof with 1 no rear dormer window with juliette balcony and 3 no roof light to side elevation and 1no rooflight to the crown roof. Changes to fenestration including juliette balcony to rear first floor level

Reference: TPP/0576/17

Address: 101 Greenway, London, N20 8EL

Decision: Trees: Refused

Decision Date: 25 September 2017

Description: 2 x Yew (applicant's ref. T1 and T2) - Reduce the top of the trees by approx. 10%, Major thinning out by 10%, Major dead wooding and to prune and re-shape again by 15%, To prune back the side by 1- ½ Meters to re-balance the trees. Group G64 of Tree Preservation Order

3. Proposal

The current application follows a previous refusal at committee (17/4975/HSE). The application was refused for the following reasons;

"The proposed development, by reason of the size, scale, mass and bulk of the rear extensions and the new roof, would cumulatively amount to a disproportionate addition to

the main dwelling and would be out of keeping with the street scene and the general locality. Moreover, the proposed development would appear intrusive and overbearing, resulting in an increased sense of enclosure which would be detrimental to the residential amenities of both adjoining occupiers, particularly no.99 Greenway. The development would therefore be contrary to Policies 7.4 and 7.6 of the London Plan (2016), Policy CS5 of the Adopted Barnet Local Plan Core Strategy (2012), policy DM01 of the Adopted Barnet Development Management Policies DPD (2012) and the Residential Design Guidance SPD (2016)".

It is noted that the applicant is appealing this decision.

Similar to the previous proposals this application seeks consent for a part single, part two-storey front and rear extension with decking and steps leading down to garden with changes to landscaping. First Floor side extension. Extension to roof including new crown roof with 1no rear dormer window with juliette balcony and rooflights to both side elevations.

The proposals have been revised to overcome the previous reasons of refusal.

Through negotiations the scheme has been further amended since the original submission. The amendments include:

- Reducing the depth of the single storey rear extension to 3.5m, a reduction of 1m from the previous refused scheme
- Setting in the first floor rear extension 2.5m from the neighbouring boundary with no.99 maintaining a distance of 3.5m between the flank walls as opposed to the 2.2m gap under the previously refused scheme
- The roof has been reduced in height to 3m as opposed to the refused scheme of 3.5m
- The rear dormer has been reduced in depth by 0.3m from the previously refused scheme

Roof

The property is two storey in height with a flat roof. The applicant seeks approval to create a hipped roof with a crown top over. The proposed roof to the top of the roof ridge would be 3m in height.

Rear dormer

The rear dormer will be centrally located on the rear roof slope and will measure 2.1m in height, 3m in width with a depth of 2.3m. It will be set down from the main ridge by approximately 0.5m and set away from the eaves by approximately 0.2m.

Rooflights

2no. roof lights are proposed on the roof slope adjacent to no.103 and 2no. roof lights are proposed on the roof slope adjacent to no.99. An additional roof light is proposed on the flat part of the crown roof.

Front extension

The applicant seeks planning permission for a two storey centrally located front extension. It will be set in from the flank wall of the host property adjacent to no.103 by 3.6m and will have a width of 6.5m and a depth of 0.74m. It will be set in from the flank wall of the host property adjacent to neighbouring property at no.99 by 2.6m.

It will have a hipped roof with eaves to match the host property measuring 5.8m and a maximum height of 8.8m when measured from ground level.

First floor side extension

The first floor side extension along the boundary with neighbouring property at no.103 will be set in from the boundary by 1m. It will have a width of 1.6m.

It will have a hipped roof with eaves to match the existing eaves of the host property and will join the proposed crown roof to create a hip.

Ground floor Rear extension

The existing rear building line is staggered. The proposals will infill the staggered areas to form a flush building line at rear. The proposed single storey rear extension will project 3m in depth along the common boundary at no.103 Greenway, full width of the property. It will be set away by approximately 1m from the boundary wall with no.99 and approximately 2.2m from the flank wall of this neighbouring property. It will measure 3.5m in depth from the rear wall, adjacent to this neighbouring property.

The ground floor extension will have a flat roof measuring 3m in height.

The first floor rear extension will be set away by 2.5m from the common boundary wall with no.99 and 3.5m between flank walls and will measure 2.3m in depth and 10.3m in width.

Decking

The gradient of the property drops to the rear of the property. To enable access to the rear garden, the applicant is proposing to extend the existing raised decking.

The decking will have a depth of 2.6m and will be set away from the boundary wall of no.103 by approximately 0.6m. It will extend full width of the garden up to the boundary of no.99. It will have a depth of 3.2m with access steps leading to the rear garden adjacent to no.99.

4. Public Consultation

6 consultation letters were sent to neighbouring properties.

7 responses have been received.

Objections have been summarised below:

- Overdevelopment of the site
- Plans are inaccurate
- Overbearing and obtrusive
- Loss of privacy
- Overlooking
- Loss of light
- Overshadowing
- Loss of outlook
- Sense of enclosure
- Out of character
- Dormer not in keeping with the roof of the house
- Balconies will result in overlooking

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 2016

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 2050. 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.

The Draft London Plan 2018

Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the 2016 London Plan.'

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 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 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

Residential Design Guidance SPD (adopted October 2016)

- 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. The SPD 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.
- States that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. 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.
- In respect of amenity, states that 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.

Sustainable Design and Construction SPD (adopted October 2016)

- 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

Impact on the character and appearance of the existing building, the street scene and the wider locality

As mentioned above the existing property has a flat roof. The street benefits from varied roof forms mostly hipped/pitched and crown. There are no examples of flat roof dwellings within the immediate vicinity of the area, with the exception of the host property. The design and massing of the new roof will be more in keeping with the character of the surrounding area and will respect the staggered relationship that exists between the neighbouring properties.

With the proposed two storey side extension and extensions to the roof, a balanced appearance is established. The extensions will introduce symmetry to the frontage whilst respecting the original forward projection.

The single storey rear extension is considered to be an subservient addition to the dwelling.

The rear dormer is considered to have an acceptable impact on the character of the host property.

The development is therefore considered to harmonise with the character and appearance of the host property and will not harm the streetscene of Greenway nor the neighbouring Conservation Area.

Impact on the living conditions of neighbouring residents

The rear dormer has been reduced in depth by 0.3m from the previously refused scheme (17/4975/HSE). It will be centrally located on the proposed crown roof and will be sufficiently set away from the roof slope on both sides. It will also retain adequate roof slope above and below the dormer. The rear dormer by virtue of its design scale and siting are therefore considered to be acceptable. The proposed Juliette balcony will be flush with the rear wall and will not involve an extended platform to step out on. As such the proposed dormer with the Juliette balcony is considered to be acceptable and will not result in overlooking or loss of privacy to neighbouring properties. Furthermore the roof lights and proposed windows to side elevations will be conditioned to be obscure glazed to prevent any potential overlooking or privacy concerns.

The proposed two storey front extension will project approximately 0.72m beyond the main front wall of the host property and appear as a subordinate addition to the property. The front extension will be sufficiently set away from both neighbouring properties - 2.6m from no.99 and 3.6m from no.103. As such this element of the proposal is not considered to harm the amenities of both neighbouring properties.

The first floor side extension will be adjacent to neighbouring property at no.103. It will project along the flank wall of the host property and will be set in from the boundary wall of this neighbouring property by 1m. Paragraph 14.17 of the Residential Design Guidance SPD states that in order to reduce the visual impact of two storey or first floor side extensions, there should be normally be a gap of 2m between the flank walls of properties at first floor level (i.e. a minimum gap of 1m between the boundary and the extension at first floor level for most two storey extensions). As such this element of the proposal would comply with Barnet Residential Guidance. It is not considered to have an impact on this neighbouring property as it will be in line with the proposed two storey extension existing at this neighbouring property.

The rear extension is staggered. The proposal is to infill this stagger with a new part single storey part two storey extension. The single storey element will project 3m in depth along the common boundary wall of neighbouring property at no.103 Greenway, this extension could be carried out under Permitted Development as a standalone development. Due to the rear stagger, the extension will measure 3.5m in depth adjacent to no.99. The proposed extension will be set away by approximately 1m from the boundary wall with neighbouring property at no.99 and approximately 2.2m from the flank wall of this neighbouring property. Barnet's residential design guidance states that a depth of up to 4 metres for a detached property is acceptable. It is therefore considered that this element of the proposal, given the distances maintained and its compliance with Barnet's policies, would not have an unacceptable impact on the amenities of both neighbouring properties.

Paragraph 14.23 of the Residential Design Guidance SPD states that two storey extensions which are closer than 2m to the neighbouring boundary and project more than 3m in depth are not normally considered acceptable, because they can appear to be too bulky and dominant and have a detrimental effect on the amenities of neighbours. Neighbouring property at no.99 is set on a lower level and set forward by approximately 0.3m than the host property. The first floor rear extension will project 2m in depth beyond this neighbouring property and will be set away from the common boundary wall with the neighbouring

property at no.99 by approximately 2.5m and from the flank wall of this neighbouring property by approximately 3.5m. As such this element of the proposal would comply with Barnet Residential Guidance.

Due to the orientation of the property, the proposed part single part two storey rear extension is not likely to have an impact on the amenities of no. 99 to an unacceptable level. Given the orientation of the sun it is not considered the proposed extensions would cause any significant loss of light or overshadowing to this neighbour to warrant refusal of the application. No 103 benefits from a two storey extension, notwithstanding that the single storey element will extend by 0.435m beyond this neighbouring extension, the first floor element would not be any deeper therefore there would be no impact on the amenities of the occupiers of this property.

Whilst a Juliet balcony is proposed to the rear dormer, it does not consist of a platform to step out onto; therefore this balcony is not considered to result in overlooking or loss of privacy to neighbouring properties.

The gradient of the property drops to the rear of the property. To enable access to the rear garden, the applicant is proposing to extend the existing raised decking. The host property has an existing patio at the same depth and size which will be replaced by the rear extension. The proposed decking will be set away from the boundary wall of no.103 by approximately 0.6m, full width of the garden up to the boundary of no.99. It will have a depth of 2.6m with access steps leading to the rear garden adjacent to no.103. This relationship is considered to be acceptable. The application property already has high boundary treatments in the form of a high fence and dense vegetation that provides natural screening along the boundary with No.99 and no.103. Overall the increase is not considered to be unduly overbearing and will not cause a significant overlooking and loss of privacy. A condition has been attached to ensure suitable screening is used for the proposed decking. This will improve the existing relationship between the application property and its neighbours.

There are protected trees in the rear gardens of No.101 and No.105 Greenway. Sufficient information has been received for the Trees and Landscaping Team to assess the impact on these trees. The proposal does not involve the construction of a basement, all works are proposed outside of the root protection areas and the development will therefore have an acceptable impact on the health of these trees of special amenity value.

The proposal as amended is considered to overcome the concerns raised by committee members during the previous refused application (17/4975/HSE). Furthermore neighbouring property at no.103 has had approval for a very similar side extension under ref. B/02230/11. It is considered that the proposal will be in keeping with the character of the host property and the immediate area and is not likely to cause harm to neighbouring properties to an unacceptable level.

5.4 Response to Public Consultation

- Loss of privacy
- Overlooking
- Loss of outlook
- Overshadowing
- Sense of enclosure
- Out of character
- Roof will be overbearingly dominant
- Juliet balcony will result in overlooking

- Dormer not in keeping with the roof of the house

The above comments have been addressed in the main body of the report

- Overdevelopment of the site

The proposal has been amended since the original submission and further amendments were secured during the life of the current application. The roof has been reduced in height and the rear dormer has been reduced in depth. The single storey has been reduced in depth and the first floor element has been set in away from the boundary wall of no.99. The amended proposal is therefore not considered to constitute overdevelopment.

- Plans are inaccurate

The plans have been amended with regards to the roof lights, since the initial submission. Measurements are considered to be adequate to make an assessment.

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 this proposal would comply 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.

