

**Location**                      **155 Chanctonbury Way London N12 7AE**

**Reference:**                    **18/2073/HSE**

Received: 4th April 2018

Accepted: 6th April 2018

Ward:                              Totteridge

Expiry 1st June 2018

Applicant:                      Mr & Mrs Rusta

Proposal:                        Ground floor outbuilding (Summer house) with storage (basement level)

**Recommendation:** Approve subject to conditions

AND the Committee grants delegated authority to the Service Director of Planning and Building Control 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:

PA\_001 RevA Site plan/block plan  
PA\_002 REV A  
PA\_003  
PA\_004  
PA\_005  
PA\_006

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 indicated in the submitted application form.

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 The use of the outbuilding 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 or dwelling.

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 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**

This item was deferred at the 17th July 2018 Chipping Barnet Area Planning Committee meeting as during the consideration of the item IT issue lead to the failure for officers to deliver their presentations and whilst hard copy of the plans were circulated, members raised concerns about the accuracy of the plans.

The application has been called in by Councillor Caroline Stock, the reason being due to concerns with the size of the structure.

### **1. Site Description**

The application site contains a semi-detached dwellinghouse, located on the south of Chanctonbury Way, which is a predominantly residential area. The proposed development will be located to the rear of the site. The property backs on to the London equestrian centre.

The property is not located within a conservation area, and is not listed.

The property is currently undergoing building works following recent planning approvals and also including the proposed outbuilding.

There has been a number of joint applications for 155 and 157 Chanctonbury Way, this proposal is for 155 Chanctonbury Way only.

### **2. Site History**

Reference: 17/6065/HSE

Address: 155 Chanctonbury Way, London, N12 7AE

Decision: Approved subject to conditions

Decision Date: 14 December 2017

Description: Part single, part two storey side and rear extension following demolition of existing attached garage. Extension to roof including hip to gable end, 1no rear dormer window and 2no roof lights to front elevation. Basement excavation below footprint of ground floor. Associated changes to windows and door including relocation of front entrance to 155 Chanctonbury Avenue. Part single-part two-storey side and rear extension following demolition of existing side/rear extension and garage. Association changes to windows and door including relocation of front entrance to 157 Chanctonbury Avenue

Reference: 18/0129/FUL

Address: 155 Chanctonbury Way, London, N12 7AE

Decision: Approved subject to conditions

Decision Date: 28 February 2018

Description: Demolition of no 155 and erection of 1no dwelling. Part single-part two-storey side and rear extension following demolition of existing side/rear extension and garage. Association changes to windows and door including relocation of front entrance to 157 Chanctonbury Avenue

Reference: 18/1981/CON

Address: 155 Chanctonbury Way, London, N12 7AE

Decision: Approved

Decision Date: 17 May 2018

Description: Submission of details of conditions 3 (Materials) 13 (Demolition and Construction Method Statement) pursuant to planning permission 18/0129/FUL dated 28/02/18

Reference: 17/0497/HSE

Address: 155 and 157 Chanctonbury Way, London, N12 7AE

Decision: Refused

Decision Date: 12 April 2017

Description: Part single, part two storey side and rear extension following demolition of existing attached garage. Extension to roof including hip to gable end, 1no rear dormer window and 2no roof lights to front elevation. Associated changes to windows and door including relocation of front entrance to 155 Chanctonbury Avenue. Part single-part two-storey side and rear extension following demolition of existing side/rear extension and garage. Association changes to windows and door including relocation of front entrance to 157 Chanctonbury Avenue

Appeal Reference: APP/N5090/D/17/3177417

Address: 155 and 157 Chanctonbury Way, London, N12 7AE

Decision: Appeal Allowed

Date: 8 September 2017

Reference: 17/2939/HSE

Address: 155 and 157 Chanctonbury Way, London, N12 7AE

Decision: Approved subject to conditions

Decision Date: 30 June 2017

Description: Part single, part two storey side and rear extension following demolition of existing attached garage. Extension to roof including hip to gable end, 1no rear dormer window and 2no roof lights to front elevation. Associated changes to windows and door including relocation of front entrance to 155 Chanctonbury Avenue. Part single-part two-storey side and rear extension following demolition of existing side/rear extension and garage. Association changes to windows and door including relocation of front entrance to 157 Chanctonbury Avenue

### **3. Proposal**

This application seeks planning permission for:

Summer house and storage building at lower ground floor level

Single storey outbuilding is to measure 5 metres in depth, 11 metres in width, the basement level will have a height of 2.5 metres and the ground level will have a maximum height of 3 metres to a slight sloped roof.

### **4. Public Consultation**

Consultation letters were sent to 8 neighbouring properties. 1 response has been received and can be summarise below:

- Working hours

- Comments relating to other works on the site

Re-consultation was carried out due to a change in description. The initial consultation was carried out with the description of development being for a single storey outbuilding. To provide clarity the description of development was amended to make it clear that a basement level for storage also forms part of the development. No additional comments were received following the second round of consultation.

## **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 (MALP)

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 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 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 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**

It should be noted that various works have been carried out the site to implement existing permissions relating to the main dwellinghouse. Further to this works have begun to erect the outbuilding to the rear of the site, however, works have stopped whilst permission is sought.

Currently on site is a framework for the outbuilding and excavations for the basement level have taken place. Although part of the site works to the main property do not affect the proposal for the outbuilding and due consideration of the planning merits of the outbuilding should be considered separately.

## Character and Street Scene

The Council's 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 proposed outbuilding is located to the rear of the site and not visible from the streetscene. The host site benefits from a large garden and the proposed outbuilding will be set away from all boundaries. The outbuilding would be sited a sufficient distance from the

rear elevation of the main property and surrounding boundaries to retain a degree of openness and ensure the proposal does not result in an overdevelopment of the site when taking into consideration other consented works relating to the main property. Given the distance of separation between the proposed outbuilding and the dwelling house and the relative sizes between both buildings, it is considered that the proposed development would not appear as an overly large building in this context. It is noted that the building will have 2 storeys, however, there will be no visual manifestation of the basement level which is to be used as a store with access being from within the building. At ground level the building will appear as single storey. The proposed outbuilding would appear as subordinate and proportionate structure in the context of the site. A substantial garden area would remain ensuring adequate amenity space provision for the occupiers of the property and the building will not disrupt the wider character of the area.

It is acknowledged that the construction works for the proposal have begun, the visible structure is single storey in height. It is considered to be subservient to the character of the original building and will not detract from the character of the building and the relationship established character of the area or the site of which it relates.

For the above reasons, it is not considered the proposal would have a detrimental impact to the character of the host dwellinghouse or the surrounding area.

### Residential Amenity

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.

The host property benefits from a large size garden which increases in width at the rear due to the location of the property location on the turning head of Chanctonbury Way. The proposed outbuilding will be set away 3 metres from the boundary with no. 153, 16m from the boundary with no.157 and 4 metres from the rear boundary where there are no residential properties being adjacent to the London Equestrian Centre. Given the height of 3 metres and the structure is set away from the boundaries, it is not considered this proposed development would cause harm to the amenity of the neighbouring properties by way of overbearing or overshadowing.

it is noted that permitted development for rear outbuildings indicates that outbuildings set 2m from all boundaries can extend up to a height of 4m, accordingly, a height of 3m set off all neighbouring boundaries is not considered to be harmful to the neighbouring amenities.

The proposed outbuilding would be used as a summer house/ store and the basement level to be used as a store room it is not considered the bi-folding door facing the north elevation would create any overlooking for neighbouring properties being set a sufficient distance from the neighbouring properties.

## **5.4 Response to Public Consultation**

- Working hours - concern relating to out of hours construction works is not a planning consideration. Neighbours can report noise nuisance to environmental health
- Comments relating to other works on the site - This application can only assess the proposal for the outbuilding. any unauthorised work can be reported to the planning enforcement team.

## 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 outbuilding 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 a significant adverse impact on the amenities of neighbouring occupiers or the residents of the host property. This application is therefore recommended for APPROVAL.

