

Location **111 Daws Lane London NW7 4SJ**

Reference: **18/1105/HSE** Received: 19th February 2018
Accepted: 1st March 2018

Ward: Mill Hill Expiry 26th April 2018

Applicant: Ms Jo Magnani

Proposal: Two story side extension (amended description)

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:

- 1703/01
- 1703/02 Rev A
- 17/03/11 Rev A
- 1703/12 Rev A
- Site Location Plan

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 Before the building hereby permitted is first occupied the proposed windows in the first floor of the side elevation facing No.113 Daws Lane 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 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):

- 1 In accordance with paragraphs 38-58 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. A pre-application advice service is also offered. 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 located at 111 Daws Lane, Barnet which is a two-storey semi-detached dwelling with a front yard and private amenity space to the rear. The site is located a short distance away from the junction with Hammers Lane and opposite Mill Hill Park.

The surrounding area can be classified as a two-storey semi-detached and single storey detached residential properties with front gardens, and private amenity space to the rear. In the section of Daws Lane contained between the junctions of Hammers Lane and Marion Road are properties of uniquely different designs, types and sizes which have all largely been extended to some degree.

The application site is not located within a conservation area, nor is it within close proximity to any listed buildings or sites of archaeological importance.

2. Site History

Reference: 18/0204/192

Address: 111 Daws Lane, London, NW7 4SJ

Decision: Lawful

Decision Date: 8 February 2018

Description: Roof extension involving rear dormer window with juliette balcony, 2no. rooflights to front elevation

Reference: 18/1096/PNH

Address: 111 Daws Lane, London, NW7 4SJ

Decision: Prior Approval Required and Refused

Decision Date: 1 March 2018

Description: Single storey rear extension with a proposed depth of 6 metres from original rear wall, eaves height of 3 metres and maximum height of 2.85 metres

Reference: 18/1483/PNH

Address: 111 Daws Lane, London, NW7 4SJ

Decision: Prior Approval Required and Refused

Decision Date: 11 April 2018

Description: Single storey rear extension with a proposed depth of 6 metres from original rear wall, eaves height of 2.85 metres and maximum height of 3 metres

3. Proposal

This application seeks planning permission for the erection a two-storey side extension (amended description) at 111 Daws Lane, Barnet.

The proposed development is located at the rear of the property. The two-storey extension would have a depth of 5.4m, a width of 1.8m, and a maximum height of 5.83m. Four windows are proposed to the side elevation, two at ground floor level and two at first floor (which are to be obscured glazed). One door and one window is proposed to the rear elevation. The proposed materials are as follows:

- o Roof - Brown Redland 49 clay roof tiling
- o Rainwater goods - Black gutters and fascia boards
- o Walls - Red brickwork

The scheme has been amended from the original submission following the removal of the dormers to the rear roofslope and the roofslope of the outrigger (or rear projection).

4. Public Consultation

Consultation letters were sent to 14 neighbouring properties. 6 comments/objections were received during the consultation process.

These comments have been summarised below:

- o Does not comply with Barnet's Residential design guide. Should encourage to retain historic structures.
- o Would be detrimental to the amenity of the surrounding properties.
- o Roots of the trees in the rear garden will be cut.
- o Overdevelopment which is inappropriate in a Victorian house in this area.
- o Taken with the proposed rear extension of some 6 metres (application 18/1483/PNH) and the added roof height this is a huge overdevelopment
- o Concerns that roof extension is not shown on plans

It should be noted that representations received on behalf of the Mill Hill Preservation Society were later formally withdrawn, however 5 other written objections had been received at time of writing.

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 24 July 2018. 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 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.

The Mayor's Draft London Plan

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 (2016)

- Sets out information for applicants to help them design developments which would receive favourable consideration by the Local Planning Authority. 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 developments 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 it states that developments 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

Officers consider that the main planning considerations are as follows:

- o Principle of the development
- o Design and Integration
- o Impact upon residential amenity
- o Third Party Representations

5.3 Assessment of proposals

Principle of Development

Paragraph 131 states that 'in determining applications, local planning authorities should take account of the desirability of new development making positive contribution to local character and distinctiveness.

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), 7.4 and 7.6 (both of the London Plan).

Policy DM01 states that all proposals should preserve and enhance the local character of the area. This application seeks planning permission for the erection a two story side extension (amended description) at 111 Daws Lane, Barnet.

Design and Integration

Two storey extension

It is recognised that the applicant has taken into account many of the principles outlined in Barnet's Residential Design Guidance SPD in the design of the two storey side extension. The development is essentially an infill extension, as it would not extend beyond the building line to the rear or to the side of No.111 Daws Lane.

Due to the size and scale of the proposed development officers consider that it does appear to be subordinate in scale when compared with the main dwelling, and doesn't appear as a bulky or prominent feature. While the proposed two storey extension would have a total depth of 5.4m, officers have noted that it would not extend beyond the rear or side building line, complying with the residential design guidance. Officers consider that the proposal would not have a detrimental impact upon the dwelling. Sufficient space would also remain to the rear garden, and therefore would not result in a significant loss of garden space to the rear of the property.

Officers have noted a number of properties within Daws Lane have had two storey extensions approved to the properties including No.77 and No.115 Daws Lane. Therefore, this element of the proposal would respect the established form of development within Daws Lane, with the proposed materials to match the existing. Officers are of the view that this would complement not only the main dwelling but would blend in with the existing diversity and variety of character in the area.

Officers have noted that the proposed two storey extension would incorporate a flat roof element. While it is recognised that pitched roofs to extension help fit in with the street, in this instance, officers consider that it would not appear detrimental to the character of the house or to the area. A condition will be attached stating that the flat roof of the two storey shall not be used as a roof terrace.

Impact upon Residential Amenity

It will be important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

This approach is echoed under Policies CS5, DM01, DM02 DM04 of the Barnet Council Development Plan Document. These policies seek to manage the impact of new developments and ensure that there is not an excessive loss of amenity in terms daylight/sunlight, outlook and privacy for existing residential occupiers or gardens.

Two storey extension

With regards to the proposal, the development would be constructed approximately 1m from the shared boundary with No.113 Daws Lane, and have a maximum height of 5.83m. However, due to the existing boundary treatment (approx. 2.5m wooden with shrubbery) along the shared boundary with No.113, the presence of an extension to the rear and the orientation of windows as a result, officers consider that the proposed development would not appear as over bearing or visually obtrusive. Due to the orientation of the buildings, the location of the application and the fact that the proposed development would not extend beyond the existing building line at No.111, officers are content that no overshadowing or loss of sunlight is expected to occur. Two windows are proposed to the side elevation of the first floor, with both to be obscured glazed to ensure no overlooking would occur. It is noted that extension would include a flat roof element; a condition will be attached to ensure that this is not used as a roof terrace.

With regards to No.109 Daws Lane, officers consider that the proposed development would not have an impact upon their private amenity space. As previously noted, the proposed development would not extend beyond the rear building line for No.111 and therefore, it would not appear as a visually obtrusive and prominent element to No.109. Due to the orientation of the sun, the location of the application and the fact that the proposed development would not extend beyond the existing building line at No.111, officers are content that no overshadowing or loss of sunlight is expected to occur. No overlooking would occur as the proposed window openings on the rear elevation would look upon the private amenity space of No.111.

Third Party Representations

Consultation letters were sent to 14 neighbouring properties. 3 comments/objections were received during the consultation process. These comments have been summarised below:

- o Does not comply with Barnet's Residential design guide. Should encourage the retention of historic structures.
- o Would be detrimental to the amenity of the surrounding properties.
- o Roots of the trees in the rear garden will be cut.
- o Overdevelopment which is inappropriate in a Victorian house in this area.
- o Taken with the proposed rear extension of some 6 metres (application 18/1483/PNH) and the added roof height this is a huge overdevelopment
- o Concerns that roof extension is not shown on plans

With regards to the above comments, officers have assessed the proposed development and address the issues in the previous section of the report. With regards to the roots of the trees, the development would not extend beyond the rear building line, and therefore the trees would not be affected.

The site history shows that a proposed rear dormer extension would comprise lawful development under the GDPO. Whilst the submitted application did include the roof extensions and indicate a large rear extension, neither forms part of the amended proposal. The applicant does benefit from deemed consent under permitted development for a roof extension and therefore express planning permission is not required. As such it does not form part of the proposal presently under assessment.

Similarly, at time of writing, prior approval for a large rear extension had been found required and refused. Therefore this element would have no merit as part of the planning application under present assessment and has consequently been revised out.

6. Equality and Diversity Issues

The existing development 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 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.

