

**Location**                    **4 Norrys Close Barnet EN4 9JY**

**Reference:**                **19/1050/HSE**

Received: 21st February 2019

Accepted: 22nd February 2019

Ward:                        East Barnet

Expiry 19th April 2019

Applicant:                 Mr Cihan Kartal

Proposal:                    Part single, part two storey side and single storey rear extension and associated external steps to the rear.

**Recommendation:** Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – 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:

A101 REV C

A102 REV C

A103 REV D

A104 REV D

A105 REV D

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 elevations, of the extensions hereby approved, facing No 3 and No 5 Norrrys Close.

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).

- 6 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm pm on other days.

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Development Management Policies DPD (adopted September 2012).

#### **Informative(s):**

- 1 In accordance with paragraphs 38-57 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 two storey semi-detached single family dwelling house located to the south east side of Norrys Close which is a residential cul-de-sac in the East Barnet ward. The property benefits from a certificate of lawfulness for a roof extension involving hip to gable rear window and 3 no front facing rooflights which is currently under construction.

The site is not listed and is not located within a conservation area.

### **2. Site History**

Reference: 18/7528/192

Address: 4 Norrys Close, Barnet, EN4 9JY

Decision: Lawful

Decision Date: 24 January 2019

Description: Roof extension involving hip to gable, rear dormer window and 3no front facing rooflights

### **3. Proposal**

The application seeks permission for Part single, part two storey side and single storey rear extension and extensions to roof.

Single storey rear extension would measure 3.5 metres in depth from the rear wall, 10.5 metres in width including the 4.3 metres side extension and a maximum height of 3.2 metres to a flat roof.

The single storey side extension would have a width of 4.3 metres and a depth of 10.8 metres along the side elevation.

The first-floor side extension would have a depth of 7.1 metres along the side elevation with a width of 4.3 metres and a maximum height of 9.5 metres to the top of the gabled roof.

### **4. Public Consultation**

Consultation letters were sent to 9 neighbouring properties.

6 responses have been received, comprising 6 letters of objection.

The objections received can be summarised as follows:

- Loss of daylight and sunlight
- sense of enclosure
- quality of life severely diminished
- too dominant and overbearing
- not within character
- construction noise
- nuisance and traffic
- visual impact
- garden loss
- siting, massing and cumulative effect
- lack of off-street parking
- invasion of 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 revised National Planning Policy Framework (NPPF) was published on 19th February 2019. 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, creates better places in which to live and work and helps make development acceptable to communities.... being clear about design expectations, and how these will be tested, is essential for achieving this'. 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 London Plan is currently under review. 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 adopted 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**

The proposal has been amended omitting the first floor rear extension and raised rear patio area. The amendments also reduce the overall height of the two storey side extension.

### **Impact on the character and appearance of the property and general locality (Principle):**

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).

### *Part single, part two-storey side extension*

The application site is situated on the turning point of the cul-de-sac between No. 3 and No. 5. The application site is a two-storey semi-detached property which was granted a certificate of lawful development for a roof extension ref: 18/7528/192 and during the site visit it was visible that the works for this were well underway.

The proposed development would be set back from the front by 2.4m given this set back the two storey extension would not be immediately visible from the streetscene. The two storey element would not project beyond the main rear wall on the first floor and would be set down 0.5m from the ridge line to appear as a subordinate addition to the host property.

There are similar two storey side extensions in Norry's Close. It is noted that No.3 Norrys Close, received approval for a two-storey side extension ref: N01106A and No. 5 Norrys Close received approval for part single part two storey side and rear extension and loft conversion with rear dormer window ref: N13607/03. It is considered two storey side extensions are in character within Norrys Close.

### *single storey rear extension*

The single storey rear extension would have a depth of 3.5 metres which is in line with the Residential Design Guidance which recommends a Depth of 3.5 metres for semi-detached properties.

The proposed extension will be proportionate addition that will not detract from the established character and appearance of the host property.

It is noted the host property has a smaller size rear garden of 9.8 metres to the rear and this will be reduced to 6.3 by the proposed rear extension. However, the property has additional amenity space to the side therefore it is considered there would still be an appropriate amount of private amenity for the existing and any future occupiers.

### **Impact on the amenities of neighbouring occupiers:**

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.

The single storey side extension would have a width of 4.3 metres and a depth of 10.8 metres along the side elevation. The first-floor side extension would have a depth of 7.1 metres along the side elevation with a width of 4.3 metres and a maximum height of 9.5 metres to the top of the gabled roof. This element would be set away from the boundary with no. 5 who has also extended to the side. The proposed two storey side extension would be set away from this neighbouring boundary a minimum of 1 metres to the front and due to the splayed angle of the site the rear of the host property is set further away from the boundary. It is noted this neighbouring property has a number of windows on its side elevation facing the host property. The proposed part single part two storey side extension has no windows proposed to the side elevation therefore no issue with overlooking would arise from this. Furthermore this neighbouring property is set at a higher level to the host property and the proposed side extension would be set 2.4 metres back from the front elevation. Also given the orientation of the sun from the east It is not considered this element

would cause harm to this neighbouring property in terms of loss of light, noise, privacy, sense of enclosure, loss of light or overbearing.

#### *single storey rear extension*

The proposed single storey rear extension would measure 3.5 metres in depth from the rear wall, extend 10.5 metres in width including the 4.3 metres wide side extension. The height would have a maximum height of 3.2 metres to a flat roof. This element would be built to the boundary with No. 3 who does not benefit from a rear extension. However, the proposed rear extension would be in line with the Residential Design Guidance. It is noted that the host property is at a higher level to this neighbouring property, however given the proposed does not exceed the recommended depth of 3.5 metres from the rear wall it is considered the proposed development would be acceptable in terms of terms of loss of light, noise, privacy, sense of enclosure, loss of light or overbearing.

The rooflight on the extension roof would not result in overlooking. Also the access steps to the garden from the extension is considered acceptable.

The proposed extensions would provide additional floorspace to accommodate a bedroom with ensuite at first floor and larger kitchen/dining room at ground level. The dwelling would still be a single-family dwelling and therefore no increase in parking required.

There is an access road which separates the host property from the neighbouring properties on Belmont Avenue. Given the distance between these two properties it is not considered the proposed development would cause harm to the amenity of these properties namely No. 73 and No. 75 Belmont Avenue.

### **5.4 Response to Public Consultation**

Mainly addressed within the body of the report.

-construction noise - a condition will be attached with regards to the construction hours.

### **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 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.

