

Location **23-25 Florence Street London NW4 1QG**

Reference: **19/2238/FUL**

Received: 16th April 2019

Accepted: 17th April 2019

Ward: Hendon

Expiry 12th June 2019

Applicant: Indigo Real Estate Ltd

Proposal: Single storey rear extension to both buildings (AMENDED DESCRIPTION)

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:

- U-J11461 LP-00, U-J11461 EP-01, U-J11461 EP-01.1, U-J11461 EE-02, U-J11461 E8-03, U-J11461 EV-04, U-J11461 PP-05, U-J11461 PP-05.1, U-J11461 PE-06, U-J11461 P8-07, U-J11461 PV-08,.

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 The extensions hereby approved shall be completed in full accordance with the approved plans within 6 months of the date of commencement.

Reason:

To ensure that harm is not caused by the partial implementation of the planning permission.

- 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 38-57 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 comprises two terraced properties located along the southern side of Florence Street in the ward of Hendon. To the south of the site between Florence Street and Church Road is a two storey backland development limiting the depth of rear gardens. Some properties have been extended and one half of the pair of properties at 25 already benefits from an existing rear extension with a depth of 2.8 metres.

The application site is not situated within a conservation area, contains no listed buildings and is not subject to any other relevant planning restrictions.

2. Site History

Reference: 19/1046/191
Address: 23 Florence Street, London, NW4 1QG
Decision: Lawful
Decision Date: 27 February 2019
Description: Use as 3no self-contained flats

Reference: 19/2276/FUL
Address: 23 Florence Street, London, NW4 1QG
Decision: Approved subject to conditions
Decision Date: 13 June 2019
Description: Single storey rear extension

3. Proposal

This application follows amendments to remove the first storey elements. The application now is only considering a single storey rear extension to each property.

The extensions would have a maximum depth of 4 metres, reducing to 3 metres at either boundary with the neighbouring occupiers at no.21 and no.27 respectively.

The maximum height of the extensions would be 2.95m incorporating a flat roof.

The extension proposes materials to match the existing dwellings.

4. Public Consultation

Consultation letters were sent to 25 neighbouring properties. 6 responses have been received, comprising 6 letters of objection which can be summarised as follows;

- Concerns regarding the two-storey element and impact on already small amenity area.
- Concerns regarding proportionality of extensions.
- Concerns regarding potential overbearing impact on neighbouring occupiers from first floor extension.

5. Planning Considerations

5.1 Policy Context

Revised 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 Revised 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 Revised 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 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.
- 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 Character

Any proposed 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 Barnet Local Plan), 7.4 and 7.6 (both London Plan). DM01 helps to protect Barnet's Character and amenity stating that development should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

Planning permission is sought for the erection of single storey rear extensions to both 23 and 25 Florence Street. The extensions would have a maximum depth of 4m but recessed to 3m along the boundaries with 21 and 27 Florence Street. The proposed extensions due to the depth of 4m are partially non compliant with the Adopted Residential Design Guidance and would reduce the area of garden remaining. Nevertheless, in this case it is considered that the partial recess to a compliant depth of 3m, the frequent occurrence of single storey rear extensions in the area and the fact that the applicants could utilise permitted development rights for a larger householder extension through prior approval that the proposed development would on balance be acceptable.

While the extensions are slightly larger than that which would normally be permissible through the development plan and supplementary guidance, it is considered that the proposed development would not be out of character or incongruous and as such detrimental to the character and appearance of the area.

The Council's Residential Design Guidance (2016) sets clear and detailed guidance for single storey rear extensions.

Barnet's Design Guidance outlines that a depth of 3 metres is normally considered acceptable for a single storey rear extension on a terraced dwellinghouse. The proposed rears would have maximum depth of 4 metres incorporating a staggered rear, reducing to 3 metres at either boundary.

The guidance outlined within the Residential Design Guidance is to ensure the amenity of neighbouring occupiers is retained and that the extension would be subordinate to the dwellinghouse. Although the extensions are over what is usually considered acceptable, given the staggered rear projection and minimal height, the proposed is considered to resultant in subordinate additions to each property in accordance with Policy DM01 of the Development Management Policies SPD.

In assessment it is not considered that the single storey rear extensions, by virtue of its mass, bulk, siting and design would result in harm to the residential character of the host dwellinghouse, streetscene or locality of Florence Street and therefore, the proposal is compliant with Policy DM01 of Barnet's Local Plan 2012.

Impact on neighbouring Amenity

It will be important that any scheme addresses the relevant development plan policies including DM01 (of the Barnet Local Plan), 3.5 (of the London Plan) and the guidance contained in the Barnet Supplementary Planning Documents 'Sustainable Design and Construction' and 'Residential Design Guidance.' In respect of the protection of the amenities of neighbouring occupiers, this will include taking a full account of all neighbouring sites.

No.23 is adjacent to No.21 Florence Street, whilst no.25 is adjoining no.27 Florence Street. The Residential Design Guidance stipulates the depth of 3m is usually considered acceptable to ensure the privacy and amenity of neighbouring occupiers is maintained. Although at their deepest the extensions will be 4 metres at the point along the boundary this will be 3 metres is considered that given along the boundaries the protrusion will be 3 metres with a maximum height of 2.95m, the proposed extensions would not result in any unacceptable levels of harm to the residential amenity of either neighbouring occupiers. To the rear of the site is an existing two storeys block residential block. The proposed

extensions are not considered to result in any unacceptable harm to occupiers of this property given the maintained separation distances and single storey nature of the proposal.

To ensure that there is no amenity impact on the property within the application, a condition will be attached to ensure that neither extensions are occupied until both have been fully completed.

In assessment, it is considered the proposed developments do not demonstrate significant amenity concerns regarding loss of light, privacy or outlook and is therefore compliant with policy DM01 of Barnet's Local Plan 2012.

5.4 Response to Public Consultation

- Concerns regarding the two-storey element and impact on already small amenity area; the first storey element has been removed from the application, the single storey element is considered acceptable on amenity grounds.
- Concerns regarding proportionality of extensions; after removing the first-floor element, officers are satisfied that the ground floor elements would be proportionate and subservient to the existing dwellings.
- Concerns regarding potential overbearing impact on neighbouring occupiers from first floor extension; the first-floor element has been removed from the application, the single storey element is considered acceptable on amenity grounds.
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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.

