Location	**2 Grass Park London N3 1UB**		
Reference:	**19/1665/HSE**	Received:	20th March 2019
		Accepted:	28th March 2019
Ward:	Finchley Church End	Expiry	23rd May 2019
Applicant:	Mr Ebi Khani		
Proposal:	Single storey rear extension and first floor rear extension above existing ground floor. Conversion of the existing garage into habitable room, insertion of window to replace garage door. (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: Design & Access Statement, Drg.no.E101, Drg.no.E102, Drg.no.E103, Drg.no.E104, Drg.no.E105, Drg.no.E201, Drg.no.E202 and Drg.no.E301. Plans received on the 20/03/19.

Drg. A101, Drg. A102, Drg. A103 rev.1, Drg. A105 rev.1, Drg. A201 rev.1, Drg. A202 rev.1 and Drg. A301 rev.1. Plans received on the 22/05/19.

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 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).

5 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

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

The application was deferred from the July meeting for a site visit.

1. Site Description

The property is a two storey detached dwellinghouse located in Grass Park; a residential cul-de-sac which lies within the Finchley Church End ward of the borough.

The property is not listed and does not fall within a designated conservation area.

A group of trees to the rear of the site are included in a Tree Preservation Order.

2. Site History

Reference: C03693J/08
Address: 2 Grass Park, London, N3 1UB
Decision: Refused
Decision Date: 10 March 2008
Description: Rear conservatory.

Reference C03693E
Address: 2 Grass Park London N3
Decision: Approved subject to conditions
Decision Date: 06.06.1990
Description: First floor side extension

Reference C03693F
Address: 2 Grass Park London N3
Decision: Approved subject to conditions
Decision Date: 04.04.1995
Description: Renewal of planning permission reference No.C03693E dated 6.6.90. for first floor side extension.

Reference C03693G
Address: 2 Grass Park London N3
Decision: Approved subject to conditions
Decision Date: 16.07.1998
Description: First floor side extension and single storey rear extension.

Reference C03693H
Address: 2 Grass Park London N3
Decision: Approved
Decision Date: 14.06.1999
Description: First floor extension and single storey rear extension.

Reference C03693A
Address: 2 Grass Park London N3
Decision: Approved subject to conditions
Decision Date: 14.06.1972
Description: Erection of two-storey front extension and extension of garages.

Reference C03693D
Address: 2 Grass Park London N3
Decision: Approved subject to conditions
Decision Date: 06.11.1972
Description: Single-storey rear extension.

3. Proposal

The proposal has been amended and the roof extension has been omitted from the proposal. The amended proposal involves the following;

'Single storey rear extension and first floor rear extension above existing ground floor. Conversion of the existing garage into habitable room, insertion of window to replace garage door.'

The single storey rear extension will have a depth of 1.5m and a width of 5m. The extension will be set away by 1m from the flank wall of the host property, 2.3m to the boundary wall and approximately 8m from the flank wall of neighbouring property at no.3. The extension will be set away by approximately 6.5m from the flank wall of the host property, adjacent to neighbouring property at no.1. This property is set back from the rear wall of the host property.

It will have a flat roof measuring 2.6m in height.

The first floor extension has a rear projection. The extension will involve extending from this rear projection. It will be set away by 3.7m from the flank wall of the host property, adjacent to neighbouring property at no.3 and will extend 2m in depth and 4m in width. The extension will be set away by approximately 4.6m from the flank wall of the host property, adjacent to neighbouring property at no.1. It will extend approximately 3.7m from the flank wall of the host property, adjacent to no.3 and approximately 5m from the boundary wall with this neighbouring property.

It will have a pitched roof, measuring 4.9m to the eaves and 5.3m to its maximum height.

4. Public Consultation

Consultation letters were sent to 12 neighbouring properties.

9 responses have been received.

Objections have been summarised below;
- Overdevelopment
- Likely to block light
- Visually intrusive
- Roof pitch unattractive and not in keeping with the other homes
- Implies the house will be turned into an HMO
- Concerns with regards to sub letting
- Concerns re environmental issues
- Concerns regarding parking

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;
- Whether harm would be caused to TPO trees;

5.3 Assessment of proposals
- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;

Rear extension
The applicant has amended the plans and the roof extension will no longer form part of this proposal.

The proposed single storey and first floor rear extension is considered to be subordinate in scale and in keeping with the appearance and character of the application site.

Furthermore, it is noted that the properties on this part of the street have been extended extensively and therefore the proposed two storey extension is considered to be acceptable and in keeping with the immediate vicinity as well.

Conversion of garage into habitable space

The loss of the parking space in the garage is not considered detrimental to the free flow of traffic or highway and pedestrian safety as the house benefits from a hard-standing space which can be accessed from the existing crossover. In addition, on street parking in the area is limited as most of the surrounding properties have private parking spaces associated with their properties.

A couple of properties on this street have undertaken similar conversions and therefore this element of the proposal is considered to be acceptable and in keeping with the character and appearance of the application site and the immediate vicinity.

- Whether harm would be caused to the living conditions of neighbouring residents

Rear extension
From examination of historic overlays, the original footprint is estimated to be in line with the first floor elevation. From the first floor elevation, the ground floor measures 5.8 metres in depth stepping out to 7.5 metres in depth. The single storey element of this proposal will have an additional depth of 1.5 metres, part width and therefore will be contrary to Barnet's Residential Design Guidance, which states that the depth of 4 metres for a single storey extension is normally considered acceptable for a detached property. However,the extension is sufficiently set away from both adjacent neighbouring properties to have any detrimental impact on the amenities of both neighbouring properties.

Paragraph 14.23 of the Residential Design Guidance SPD (2013) states that two storey rear extensions which are closer than 2 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable. Considering the depth of this extension at second storey level is less than 3 metres, it is deemed acceptable.

There are no window proposed on the flank walls and therefore there are no concerns with regards to privacy and overlooking. Therefore, it is deemed there will be no detrimental impact to the privacy of neighbouring occupiers.

The application site is considered large enough to accommodate this size and scale of development. Taking into consideration the generous plot size of neighbouring properties, it is deemed that no sense of enclosure or overbearing impact will occur from this development. Furthermore, due to the siting of the extension and its relationship with the neighbouring properties, it is not considered that the proposal will give rise to loss of light or overshadowing.

Conversion of garage into habitable space

Given that the front extension already exists at the same depth and height as previously approved, the only change involves replacing the existing window with a new one. No harm is unlikely to result to the neighbouring residents. Moreover, the replacement window is proportionate in size and matches the style of the host dwelling. The use of matching brick retains the appearance of the main property to ensure the changes do not detract from the street scene.

Furthermore, the conversion of the garage into a habitable room could be done under 'permitted development'. It is therefore considered that planning permission could not be refused for this part of the scheme as it could be done without planning permission. It is not considered to have an impact on the character of the wider area as well.

-Whether harm would be caused to TPO trees;

There is a Tree Preservation Order to the rear of the site. The extensions to the dwelling are not likely to result in harm to the trees due to the siting of the extension and its distance to the TPO trees.

A condition will be attached that an Arboricultural Report assessing the impacts of construction and details of tree protection measures.

5.4 Response to Public Consultation

- Overdevelopment
- Likely to block light
- Visually intrusive
- Concerns regarding parking

The above concerns have been discussed in the body of the report

- Roof pitch unattractive and not in keeping with the other homes

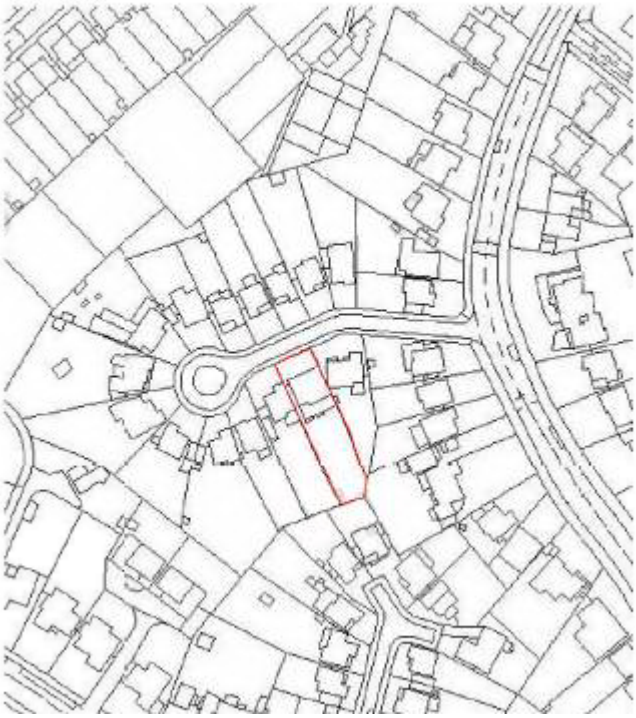
The element of the proposal to increase the roof has been omitted from the proposal and therefore does not form part of this application.

- Implies the house will be turned into an HMO
- Concerns with regards to sub letting

The application is only for the conversion of the garage into a habitable room and a two-storey rear extension. It does not include the conversion of the property into an HMO for sub-letting. For the conversion of the property into any other use, other than a single-family dwelling will require a separate application.

- Concerns re environmental issues

It is not considered, that the proposal will involve any further environmental issues than what exist, as the property will remain as a single-family dwelling and will not include a subdivision of the property.

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.