

Location **4 Rundell Crescent London NW4 3BP**

Reference: **19/4628/S73** Received: 20th August 2019
Accepted: 21st August 2019

Ward: West Hendon Expiry 16th October 2019

Applicant: Rundell Partnership Limited

Proposal: Variation of condition 1 (Plan Numbers) pursuant to planning permission 17/2288/FUL dated 20/06/17 for `Conversion of existing dwelling into 2no semi detached houses including part single, part two-storey side and rear extension following partial demolition of main building and demolition of existing garage. Formation of front bay windows and new entrances. Roof extension involving new side and rear dormer windows, 2no rooflights to front elevation. Provision of 4no off street parking spaces, refuse/recycling stores associated hard and soft landscaping and amenity space.` Amendments include installation of a secondary external door on the northern flank of the property and porch canopy above [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 This development must be begun within three years from the date of the original planning consent 17/2288/FUL dated 20 June 2017

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan

Drawing no. 4RC 10-004 Rev 1 (Location Plan)

Drawing no. 4RC 10-001 (Existing ground and first floor plan)

Drawing no. 4RC 10-002 (Existing second floor; loft floor and sections)

Drawing no. 4RC 10-003 (Existing elevations)

Drawing no. 4RC 11-001 (Proposed ground floor) [As revised and uploaded 03 October 2019]

Drawing no. 4RC 11-002 Rev 2 (Proposed first floor and loft plan)

Drawing no. 4RC 11-003 Rev 2 (Proposed sections)

Drawing no. 4RC 11-004 (Proposed elevations) [As revised and uploaded 03 October 2019]

Planning, Design and Access Statement by Urban Planning Practice dated March 2017

Sustainability Statement by Urban Planning Practice dated April 2017.

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).

- 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 Before the building hereby permitted is first occupied the proposed windows in the side elevations facing No. 2 Rundell Crescent and No. 6 Rundell Crescent shall be glazed with obscure glass only and shall be permanently fixed shut or provided with only a fanlight opening and shall be permanently retained as such thereafter.

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 (October 2016).

- 6 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. 2 Rundell Crescent and No. 6 Rundell Crescent.

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).

- 7 The layout of the residential units as indicated on the hereby approved plans shall be implemented and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policy DM01 of the Development Management Policies DPD (adopted September 2012), and the Residential Design Guidance SPD (adopted October 2016).

- 8 The development shall be implemented in full accordance with the details of the enclosures and screened facilities for the storage of recycling containers and wheeler refuse bins as approved under 17/4957/CON, dated 24 August 2017 prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance for the development and satisfactory accessibility; and to protect the amenities of the area in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS14 of the Adopted Barnet Core Strategy DPD (2012).

- 9 The development shall be implemented in full accordance with the details of the landscaping scheme to the front forecourt area as approved under 17/4957/CON, dated 24 August 2017 prior to the first occupation and retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted April 2013) and 7.21 of the London Plan 2015.

- 10 The amenity space shall be implemented and subdivided in accordance with the details indicated on the hereby approved drawing no. 4RC 11-001 (Proposed ground floor) [As revised and uploaded 03 October 2019] before first occupation or the use is commenced and retained as such thereafter.

Reason: To ensure that the development does not prejudice the amenity of future occupiers or the character of the area in accordance with policies DM01 and DM02 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (adopted October 2016).

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development otherwise permitted by any of Classes A, B, C, D, E, F and G of Part 1 of Schedule 2 of that Order shall be carried out within the site area or building hereby approved.

Reason: To safeguard the amenities of neighbouring occupiers and the general locality in accordance with policies DM01 of the Development Management Policies DPD (adopted September 2012).

- 12 Prior to the first occupation of the units, copies of Pre-completion Sound Insulation Test Certificates shall be submitted to the Local Planning Authority, confirming compliance with Requirement E of the Building Regulations 2010 (or any subsequent amendment in force at the time of implementation of the permission).

Reason: To protect the amenities of future and neighbouring residential occupiers in accordance with Policies DM02 and DM04 of the Development Management Policies DPD (adopted September 2012) and the Sustainable Design and Construction SPD (October 2016).

- 13 The use of the outbuilding labelled as storage hereby permitted shall at all times be ancillary to and occupied in conjunction with the main buildings for the purposes of storage 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).

- 14 Before the development hereby permitted is first occupied or the use first commences the parking spaces/garages shown on drawing no. 4RC 11-001 (Proposed ground floor) [As revised and uploaded 03 October 2019] shall be provided and shall not be used for any purpose other than the parking of vehicles in connection with the approved development.

Reason: To ensure that parking is provided in accordance with the council's standards in the interests of pedestrian and highway safety, the free flow of traffic and in order to protect the amenities of the area in accordance with Policy DM17 of the Development Management Policies DPD (adopted September 2012) and Policies 6.1, 6.2 and 6.3 of the London Plan 2015.

- 15 Before the development hereby permitted is occupied, cycle parking spaces shall be provided in accordance with London Plan cycle parking standards and that area shall not thereafter be used for any purpose other than for the parking of cycles associated with the development.

Reason: To ensure and promote easier access for disabled persons to the approved building in accordance with London Borough of Barnet's Local Plan Policy CS9 of Core Strategy (Adopted) September 2012 and Policy DM17 of Development Management Policies (Adopted) September 2012 which in turn refers to London Plan Parking Standards.

- 16 The development shall be implemented in accordance with the measures detailed within the Demolition and Construction Method Statement and Logistics Plan as approved under reference 17/4957/CON, dated 24 August 2017.

Reason: In the interests of highway safety and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (October 2016) and Policies 5.3, 5.18, 7.14 and 7.15 of the London Plan (2016).

- 17 Prior to the first occupation of the development hereby approved it shall be constructed incorporating carbon dioxide emission reduction measures which achieve an improvement of not less than 20% in carbon dioxide emissions when compared to a building constructed to comply with the minimum Target Emission Rate requirements of the 2010 Building Regulations. The development shall be maintained as such in perpetuity thereafter.

Reason: To ensure that the development is sustainable and minimises carbon dioxide emissions and to comply with the requirements of policies DM01 and DM02 of the Barnet Development Management Policies document (2012), Policies 5.2 and 5.3 of the London Plan (2015) and the 2016 Mayors Housing SPG.

- 18 Prior to the first occupation of the new dwellinghouse(s) (Use Class C3) hereby approved they shall all have been constructed to have 100% of the water supplied to them by the mains water infrastructure provided through a water meter or water meters and each new dwelling shall be constructed to include water saving and efficiency measures that comply with Regulation 36(2)(b) of Part G 2 of the Building Regulations to ensure that a maximum of 105 litres of water is consumed per person per day with a fittings based approach should be used to determine the water consumption of the proposed development. The development shall be maintained as such in perpetuity thereafter.

Reason: To encourage the efficient use of water in accordance with policy CS13 of the Barnet Core Strategy (2012) and Policy 5.15 of the March 2016 Minor Alterations to the London Plan and the 2016 Mayors Housing SPG.

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.
- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at www.planningportal.gov.uk/cil.

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £60 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 setting a rate of £135 per sq m on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge.

Please note that Indexation will be added in line with Regulation 40 of Community Infrastructure Levy.

Liability for CIL will be recorded to the register of Local Land Charges as a legal charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The CIL becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: cil@barnet.gov.uk.

Relief or Exemption from CIL:

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: www.planningportal.gov.uk/cil.

You can apply for relief or exemption under the following categories:

1. Charity: If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf

2. Residential Annexes or Extensions: You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

3. Self Build: Application can be made to the collecting authority provided you comply with the regulation as detailed in the legislation.gov.uk

Please visit
<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>
for further details on exemption and relief.

- 3 The applicant is advised that any development or conversion which necessitates the removal, changing, or creation of an address or addresses must be officially registered by the Council through the formal 'Street Naming and Numbering' process.

The London Borough of Barnet is the Street Naming and Numbering Authority and is the only organisation that can create or change addresses within its boundaries. Applications are the responsibility of the developer or householder who wish to have an address created or amended.

Occupiers of properties which have not been formally registered can face a multitude of issues such as problems with deliveries, rejection of banking / insurance applications, problems accessing key council services and most importantly delays in an emergency situation.

Further details and the application form can be downloaded from:
<http://www.barnet.gov.uk/naming-and-numbering-applic-form.pdf> or requested from the Street Naming and Numbering Team via street.naming@barnet.gov.uk or by telephoning 0208 359 4500.

- 4 Any alteration if required to the existing crossovers or provision of new crossovers will be subject to detailed survey by the Crossover Team in Development and Regulatory Services as part of the application for crossover under Highways Act 1980. Reinstatement of any redundant crossovers, removal or relocation of any existing street furniture or alteration to road markings would be done at the applicant's expense, under a rechargeable works agreement, by the Council's term contractor for Highway Works. You may obtain an estimate for this work from the Crossover Team in Development and Regulatory Services, Barnet House, 1255 High Road, Whetstone N20 0EJ.
- 5 The applicant is advised that no wall or gate should encroach onto the public highway, all gates must open inwards towards the inside of the site.

Officer's Assessment

1. Site Description

The application site is located on the eastern side of Rundell Crescent, close to the junction of Alderton Way and Vivian Avenue.

It is within the ward of West Hendon.

This street is predominately characterised by large detached and link-detached two storey single family dwellings. However, it is noted that this character varies to the north of the application site close to the junction with Watford Way where examples of larger flatted development buildings, and to the south with Vivian Mansions.

It is within Flood Zone 1 (low probability).

It does not contain any statutory or locally listed building.

It does not include any Tree Preservation Order.

It is not within a designated conservation area.

2. Site History

Reference: 18/6854/S73

Address: Land Rear of 2 and 4 Rundell Crescent, London, NW4 3BP

Decision: Approved subject to conditions

Decision Date: 9 January 2019

Description: Variation of condition 1 (Plan Numbers) pursuant to planning permission 17/7858/FUL dated 07/09/2018 for `Erection of 2no. single storey semi-detached dwellinghouses with rooms in the roofspace and associated amenity space, refuse storage, cycle store and off-street parking. Access to new dwellinghouses provided from Alderton Way.` Amendments include replacement of the approved 8no rooflights to 7no dormer windows

Reference: 17/7858/FUL

Address: Land rear of 2 and 4 Rundell Crescent, London, NW4 3BP

Decision: Approved subject to conditions

Decision Date: 7 September 2018

Description: Erection of 2no. single storey semi-detached dwellinghouses with rooms in the roofspace and associated amenity space, refuse storage, cycle store and off-street parking. Access to new dwellinghouses provided from Alderton Way.

Reference: 17/4957/CON

Address: Antian House, 4 Rundell Crescent, London, NW4 3BP

Decision: Approved

Decision Date: 24 August 2017

Description: Submission of details of condition 8 (Refuse), 9 (Landscaping), 16 (Demolition and Construction Method Statement) pursuant to planning permission 17/2288/FUL dated 20/06/17

Reference: 17/2288/FUL

Address: Antian House, 4 Rundell Crescent, London, NW4 3BP

Decision: Approved subject to conditions

Decision Date: 20 June 2017

Description: Conversion of existing dwelling into 2no semi detached houses including part single, part two-storey side and rear extension following partial demolition of main building and demolition of existing garage. Formation of front bay windows and new entrances. Roof extension involving new side and rear dormer windows, 2no rooflights to front elevation. Provision of 4no off street parking spaces, refuse/recycling stores associated hard and soft landscaping and amenity space

Reference: 17/1167/191

Address: Antian House, 4 Rundell Crescent, London, NW4 3BP

Decision: Lawful

Decision Date: 20 April 2017

Description: Use for storage of scaffolding and building materials

Reference: 17/0906/192

Address: Antian House, 4 Rundell Crescent, London, NW4 3BP

Decision: Lawful

Decision Date: 2 March 2017

Description: Single storey side and rear extension following demolition of existing garage. Extension to roof including 1no wraparound side/rear dormer window to replace existing side and rear dormer windows to extended existing loft conversion. Erection of a new front porch

Reference: 16/8209/PNH

Address: Antian House, 4 Rundell Crescent, London, NW4 3BP

Decision: Prior Approval Required and Refused

Decision Date: 16 February 2017

Description: Single storey rear extension with a proposed depth of 6 metres from original rear wall, eaves height of 2.8 metres and maximum height of 2.8 metres

Reference: 16/7787/192

Address: Antian House, 4 Rundell Crescent, London, NW4 3BP

Decision: Unlawful

Decision Date: 1 February 2017

Description: Extension to roof including no 1 wraparound side/rear dormer following removal of existing side and rear dormer windows. Part single, part two storey rear extension. Single storey side extension following demolition of existing garage. Erection of a new front porch

Reference: 16/7605/PNH

Address: Antian House, 4 Rundell Crescent, London, NW4 3BP

Decision: Prior Approval Required and Refused

Decision Date: 13 December 2016

Description: Single storey rear extension with a proposed depth of 6 metres from original rear wall, eaves height of 2.8 metres and maximum height of 2.8 metres

Reference: H/00824/12

Address: Antian House, 4 Rundell Crescent, London, NW4 3BP

Decision: Lawful

Decision Date: 19 July 2012

Description: Single storey building in rear garden.

Reference: H/04720/08

Address: 4 Rundell Crescent, London, NW4 3BP

Decision: Approved subject to conditions

Decision date: 03 February 2009

Description: Alterations and amendments to existing brick piers, new metal railings and gates to front boundary.

Reference: H/03220/08

Address: Antian House, 4 Rundell Crescent, London, NW4 3BP

Decision: Refused

Decision Date: 22 October 2008

Description: New brick piers, metal railings and gates to front boundary.

Reference: W12797D/03

Address: Antian House, 4 Rundell Crescent, London, NW4 3BP

Decision: Approved subject to conditions

Decision Date: 22 October 2003

Description: Demolition of existing fire-damaged garages and erection of new garage block.

Reference: W12797C/03

Address: Antian House, 4 Rundell Crescent, London, NW4 3BP

Decision: Refused

Decision Date: 23 July 2003

Description: Demolition of existing fire-damaged garages and erection of new garage block.

Reference: W12797B/03

Address: Antian House, 4 Rundell Crescent, London, NW4 3BP

Decision: Refused

Decision Date: 18 July 2003

Description: New side dormer window.

Reference: W12797A/03

Address: Antian House, 4 Rundell Crescent, London, NW4 3BP

Decision: Refused

Decision Date: 2 June 2003

Description: Demolition of existing fire-damaged garages and erection of new garage block.

Reference: W12797/02

Address: Antian House, 4 Rundell Crescent, London, NW4 3BP

Decision: Refused

Decision Date: 21 November 2002

Description: Demolition of four existing garages and rebuilding of four garages in line with the boundary.

3. Proposal

The applicant seeks to vary Condition 1 (Plan Numbers) pursuant to planning permission 17/2288/FUL, dated 20/06/17 for 'Conversion of existing dwelling into 2no semi detached houses including part single, part two-storey side and rear extension following partial demolition of main building and demolition of existing garage. Formation of front bay windows and new entrances. Roof extension involving new side and rear dormer windows, 2no rooflights to front elevation. Provision of 4no off street parking spaces, refuse/recycling stores associated hard and soft landscaping and amenity space.'

The amendments include the installation of a secondary external door on the northern flank of the property and a porch canopy above.

4. Public Consultation

A site notice was erected 29 August 2019.

Consultation letters were sent to 124 neighbouring properties.
10 responses have been received, comprising 10 letters of objection.

The objections received can be summarised as follows:

- The planning application was approved on the basis that both semi detached dwelling houses constructed would share a common entrance. This was, amongst other things, to retain the external feature of a single common entrance common to all properties on the road. An additional side door entrance were to be permitted if would destroy the one entrance semi-detached character of the property because the additional side door entrance can/will be used as the main entrance for this property, obviating the role of the single common entrance. Impact on character of the road. Change the nature and use of the properties.
- The decision to have a single, shared common entrance was upheld in the decision at No. 14 and 16 Rundell Crescent
- Security risk of side door
- As this door will be used as a main entrance it will cause noise, nuisance and impact privacy and peace and quiet, particularly to neighbouring directly adjacent to the proposed side door
- The original permission included landscaping the front of the houses which never materialised.
- Questioning motivation of why the extra door is required - perhaps this would be then a way to change the dwelling into a house of multiple occupation.
- Description isn't clear with the wording "Amendments include". Should include all the amendments proposed in the wording.
- Impact on traffic

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

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.

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 the proposed changes are considered 'minor material amendments' in accordance with Section 73 of the Town and Country Planning Act 1990.
- Whether the proposals are in accordance with development plan policy

5.3 Assessment of proposals

Planning Practice Guidance states that new issues may arise after planning permission has been granted, which require modification of the approved proposals

The applicant has sought to amend the conditions attached to the planning permission by seeking to make a minor material amendment.

Planning Practice Guidance advises that there is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended

The applicant proposes to amend the planning permission with the addition of a side door to 'House 1', with an associated canopy. The side door would lead into the living/dining room. 'House 1' would continue to have a shared common entrance with 'House 2', as previously approved.

Many dwellings within the Borough benefit from side doors and in this respect it would not be out of character.

Other than the canopy, the side door would not be immediately visible from the street scene, unlike, having two front doors adjacent to one another.

This was the case at 14 Rundell Crescent, Hendon, London NW4 3BP under planning reference 18/7239/S73, decision date 25 January 2019 and later dismissed at appeal (appeal reference APP/N5090/W/19/3224743, dated 27 June 2019). The applicant proposed to vary the approved permission to have two doors next to one another, which would result in the appearance of this property being evident as two semi-detached dwellings, rather than a single family dwellinghouse.

This is not proposed under this application. The building would still appear as a single family dwellinghouse from the front as 'House 1' would continue to have a shared common entrance with 'House 2', as approved. It is also noted that the internal layout would remain the same as approved i.e. the shared common entrance would lead to the hallway and

stairway and so forth. Planning Officers therefore see no reason why a side door would necessarily result in becoming the 'main entrance', if a main (common) entrance remains.

Even if one accepts the argument that use of this side door would, to some degree, increase activity and comings and goings from occupiers of 'House 1' as objectors state, it is noted that No. 6 Rundell Crescent has no windows on the side elevation facing this side door, therefore limiting the impact of potential noise and disturbance.

In conclusion, the proposed changes are considered 'minor material amendments' in accordance with Section 73 of the Town and Country Planning Act 1990. Furthermore, it is considered that the addition of the side door and canopy would not detrimentally harm the character and appearance of the area or the amenity of neighbouring occupiers. It is therefore considered acceptable and recommended for approval.

In regards to conditions, to assist with clarity, decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. Conditions have been attached accordingly.

5.4 Response to Public Consultation

- The planning application was approved on the basis that both semi detached dwelling houses constructed would share a common entrance. This was, amongst other things, to retain the external feature of a single common entrance common to all properties on the road. An additional side door entrance were to be permitted if would destroy the one entrance semi-detached character of the property because the additional side door entrance can/will be used as the main entrance for this property, obviating the role of the single common entrance. Impact on character of the road. Change the nature and use of the properties.

This matter has been discussed in the assessment above.

- The decision to have a single, shared common entrance was upheld in the decision at No. 14 and 16 Rundell Crescent

This matter has been discussed in the assessment above. It is considered that the decision at No. 14 Rundell Crescent is materially different, as it proposed two separate entrance doors adjacent to one another, whereas under this application, the single common entrance would remain.

- Security risk of side door

Officers see no immediate reason why the insertion of a side door, which any dwellinghouse benefiting from permitted development could do, would increase security risk.

- As this door will be used as a main entrance it will cause noise, nuisance and impact privacy and peace and quiet, particularly to neighbouring directly adjacent to the proposed side door

As discussed in the assessment above even if one accepts the argument that a side door would, to some degree, increase activity and comings and goings from occupiers of 'House 1' using this side door, it is noted that No. 6 Rundell Crescent, of which this side door will

face, has no windows on the side elevation, therefore limiting the impact of potential noise and disturbance.

- The original permission included landscaping the front of the houses which never materialised.

Application reference 17/4957/CON, dated 24 August 2017, granted consent for a landscaping scheme. The local planning authority would expect this to be implemented on site accordingly.

- Questioning motivation of why the extra door is required - perhaps this would be then a way to change the dwelling into a house of multiple occupation.

This is not a matter for consideration under this application.

- Description isn't clear with the wording "Amendments include". Should include all the amendments proposed in the wording.

The description was amended during the life cycle of this application and neighbours were re-consulted via letter accordingly.

- Impact on traffic

Officers see no reason why the addition of a side door would increase (vehicular) traffic.

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

In conclusion, the proposed changes are considered 'minor material amendments' in accordance with Section 73 of the Town and Country Planning Act 1990. Furthermore, it is considered that the addition of the side door and canopy would not detrimentally harm the character and appearance of the street scene and area, or detrimentally impact the amenity of neighbouring occupiers. It is therefore considered acceptable and recommended for approval.

