

Location **22 Saddlescombe Way London N12 7LS**

Reference: **19/5026/HSE** Received: 13th September 2019
Accepted: 16th September 2019

Ward: Totteridge Expiry 11th November 2019

Applicant: Mr & Mrs Marc and Lauren Swan

Proposal: Part single, part two storey side/rear extension following demolition of the existing garage. Single storey rear extension. Removal of chimney breasts (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:

- SWA/SK/01
- SWA/SK/02
- SWA/SK/03
- SWA/SK/04
- SWA/SK/05B
- SWA/SK/06A
- SWA/SK/07C

-Email from agent, Mark Fage Architect, dated 25th October 2019

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 proposed window(s) in the proposed ground and first floor side elevation facing No.23 Saddlescombe Way shall be glazed with obscure glass only and non-openable 1.7m above the rooms to which they serve 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 (adopted October 2016).

- 5 The use of the extension hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building 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).

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 site comprises of a two storey semi detached dwelling house situated on the north side of Saddlescombe way. The road is a cul-de-sac which is residential in character and properties are primarily of a semi detached nature.

The site is not in within a Conservation area, nor is it subject to a listed building. There are no further planning restrictions associated with the site.

2. Site History

Reference: N07419

Address: 22 Saddlescombe Way London N12

Decision: Approved subject to conditions

Decision Date: 10.06.1983

Description: Single-storey rear extension

3. Proposal

Amendments have been received to the initial submitted plans with the following changes:
-Removal of the hip to gable and rear dormer elements of the proposal
-The side extension has now been reduced in width to be 1m from the boundary line at first floor level and 0.5m at ground floor level.

The application seeks planning permission part single, part two storey side/rear extension following demolition of the existing garage. Single storey rear extension. Removal of the two chimney breasts to the east flank of the property.

The proposed side extension would follow the demolition of the existing garage located rearwards of the property to the east flank. The proposed ground floor element of the side/rear extension would be setback 0.3m from the principal elevation (not factoring in the front bay projection) and would be set off the boundary with No.23 Saddlescombe Way by 0.5m. It would extend for a depth of 10.7m and would have a width of 1.75m.

The proposed first floor element would be setback from the principal elevation by 2.4m and set off the boundary line with No.23 by 1m. it would extend for a depth of 7.7m aligning with the rear wall of the property at first floor level. Its width would be approximately 1.2m. The part single, part two storey side/rear extension would stand with pitched roofs of maximum height 7.4m when measured from ground level.

The single storey rear extension would abut the existing single storey rear extension and would project for a depth of 1.25m and a width of 7.2m giving a total rearward projection of 4.5m from the original rear wall. Alterations to the roof over the existing extension would marry with the roof over the proposed extension providing an overall 'lean to' roof with an eaves height of 3.15m and maximum height of 4.3m. Included would be the insertion of 3no. rooflights.

4. Public Consultation

Consultation letters were sent to 7 neighbouring properties. 6 letters of objections have been received which can be summarised as follows:

- first floor extension detracts from the consistent architectural character of the street
- flank wall at first floor level should be minimum 2m from the boundary of the site to avoid terracing effect.
- appears to be a gate at the rear of the proposal which takes access off and over the adjoining owner's land.
- block of light, sunlight and view as a result of first floor side/rear extension
- overbearing and oversized first floor addition
- driveway is designed for the use of motor vehicles
- first floor out of character from the remainder of the street.
- no permission for the application site should prejudice similar construction in the future for 23 Saddlescombe Way.
- Request that conditions be attached to any permission that appropriately manage hours of construction, noise mitigation, dust and mud containment as well as vehicle and pedestrian access for neighbouring properties.
- loss of privacy via proposed loft conversion

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

Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality:

As noted in the proposal section, amendments have been received to the proposal to address concerns raised by officers, making this scheme now acceptable;

Policy DM01 of the Development Management Policies (Adopted) 2012 states "Development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets."

Residential Design Guidance SPD (adopted October 2016) states side extensions to existing buildings can be unacceptably prominent features in the street scene Where gaps between houses are a common feature of a street, then proposals which close such gaps or create a terracing effect by bringing buildings too close together are likely to be rejected. Side extensions should not be more than half the width of the original house.

The proposed extension is to be significantly less than half the width of the original property. In addition, whilst this may close some of the visual gap between the host property and the non-adjointing neighbour no.23, considering that it would be set off the boundary at first floor level by 1m and its positioning is adjacent to the paved driveway of no.23, a sufficient gap would be maintained between the two properties that would not result in a terracing effect. Furthermore, a gap of at least 2 metres would be maintained between the flank walls of the subject property and no.23 at first floor level as per that stipulated by guidance.

Residential Design Guidance SPD (2016) stipulates "First floor side extensions should normally be set back 1 metre from the front main wall of the existing house".

The proposed first floor side extension would be set back significantly from the front elevation (2.4m) reducing its prominence and visual impact from the street scene and considering its modest depth along with the set down from the main ridgeline of the dwelling affords subordination and further reduces any adverse impact as would be perceived from the street scene.

Comments raised objections to the first floor element of the proposal being out of character with the street scene and properties along Saddlescombe Way, however, it should be noted that properties located westward, at the end of the cul de sac feature sizeable two storey rear extensions and whilst it may be argued that these are situated on larger plots, they still form part and parcel of the character of the area. In addition, property no. 26 and no.3 (allowed on appeal) also feature two storey side extensions and therefore form part of the character of the area. As such, factoring in the amendments received for this proposal in conjunction with the existing enlargements along the road, it is not considered that the proposal would be out of keeping with the character of the area and would have an acceptable impact on the appearance of the host property and neighbouring properties when viewed from the street scene.

The proposed single storey rear extension would have a resultant depth of 4.5m from the original rear wall of the dwellinghouse, whilst this is larger than what guidance stipulates given the form of other rear extensions along Saddlescombe Way, it is not considered to detract from the character of the area and deemed to be of an appropriate size and scale in relation to the host dwelling house. In addition, this element of the proposal would not be visible from the street scene.

The removal of the two chimney breasts to the east flank of the property are deemed acceptable.

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

Development Management Policies (Adopted 2012) in section 2.7.1 states: "It is important to ensure that developments do not significantly overshadow neighbouring buildings, block daylight, reduce sunlight, or result in a loss of privacy or outlook."

Due to the location of the proposed side extension there would be no affect or harm to the amenity of the adjoining neighbour no.21.

To the side facing no.23, a distance of more than 2 metres would be maintained between the respective flank walls and therefore it is not considered to result in a detrimental impact to this neighbour. The present windows on the flank wall of no.23 that would face the proposed extension do not serve habitable rooms and whilst this may reduce some natural light/sunlight to these windows, it would be to an acceptable level considering the above. In addition, no.23 is situated to the east of the application site and therefore any loss of sunlight would be limited to the afternoon hours and to an acceptable degree.

Windows proposed on the side elevation at both ground and first floor levels facing No.23 would be conditioned to be obscure glazed and non-openable 1.7m above the floor to which it serves in an effort to ensure privacy is maintained. This too has been confirmed as such in an email from the Agent.

Whilst the extension may impede the full use of the no.23's side driveway for vehicle parking, the proposal would be built within the curtilage of the application site and therefore acceptable in this respect.

In relation to construction hours and the like due to the smaller scale nature of the scheme, a condition will not be necessary to restrict construction hours, however, the applicant is advised the construction works would need to comply with the standards set out by the Environmental Health Department.

The side extension would not harmfully impact neighbouring residents on the adjacent side of the road due to distance at hand.

The proposed single storey rear extension would project approximately 1.25m past the rear building line of no.21 and therefore is not considered to result in a harmful impact to this neighbour.

A distance of 2.5m between the single storey rear extension and boundary line with no.23 would be maintained and the extension would also be largely buffered by the existing garage at no.23 and as such not considered to harm the residential amenities of this neighbour.

5.4 Response to Public Consultation

Mainly addressed in the body of the report.

-Appears to be a gate at the rear of the proposal which takes access off and over the adjoining owner's land.

Matters relating to ownership of land are not planning related matters

-No permission for the application site should prejudice similar construction in the future for 23 Saddlescombe Way.

Each application would be judged on its own individual merits.

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.

