

Location **40 Broadhurst Avenue Edgware HA8 8TS**

Reference: **19/3865/HSE**

Received: 11th July 2019

Accepted: 19th July 2019

Ward: Edgware

Expiry 13th September 2019

Applicant: Mr & Mrs Godlewsky

Proposal: Part single, part two storey side and rear extension with new succa roof and additional terrace area. Single storey front extension with rooflight. Insertion of 1no rooflight to front, side and rear elevation

Recommendation: Refuse

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 proposed part single, part two storey side and rear extension and single storey front extension, by reason of its siting, design and excessive sideward projection would be incongruous, inappropriate and out of context with the prevailing character of the host building, streetscene and wider pattern of development and would introduce development detrimental to the established character, streetscene and wider locality contrary to policies CS1 and CS5 of Barnet's Adopted Core Strategy (2012), policy DM01 of the Adopted Development Management Policies DPD (2012) and the Adopted Residential Design Guidance SPD (2016).

Informative(s):

- 1 The plans accompanying this application are:

EX - EL00-PA

EX - SE00-PA

EX - PL00-PA

PR - EL00-PA D

PR - EL01-PA D

PR - PL05-PA D

Site Location Plan

- 2 In accordance with paragraphs 38-57 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority (LPA) has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

The applicant did not seek to engage with the LPA prior to the submission of this application through the established formal pre-application advice service. The LPA has discussed the proposal with the applicant/agent where necessary during the application process. Unfortunately the scheme is not considered to accord with the Development Plan. If the applicant wishes to submit a further application, the Council is willing to assist in identifying possible solutions through the pre-application advice service.

Officer's Assessment

1. Site Description

The application property is a semi-detached property situated on the northern side of Broadhurst Avenue at the junction between Broadhurst Avenue and Lynford Gardens.

Broadhurst Avenue experiences a slight elevation change, meaning that the paired semi-detached properties are situated at a lower level than the neighbouring semi-detached pair of No.34 and 36.

The site is not within a conservation area and does not contain any listed buildings.

The application property has already been extended by way of a single storey rear extension in common with many properties in Broadhurst Avenue. At present there is a space between the flank elevation and the boundary fence to the pavement. This is characteristic within the wider area where spaciousness to the side at junctions is inherent across the locality. Although a few properties have constructed a single storey side extension, a two storey side extension to the boundary is quite rare.

The adjoining property at 38 Broadhurst Avenue has been significantly extended at the roof level. To the rear of the site, 1 Lynford Gardens experiences a significant setback from the rear building line.

2. Site History

No planning history exists for the single storey rear extension at 40 Broadhurst Avenue. Neighbouring ground floor extensions at 38 Broadhurst Avenue were approved in 1976 and 1988.

3. Proposal

This amended application proposal includes a part single, part two storey side and rear extension with new succa roof and additional terrace area. Single storey front extension with rooflight. Insertion of 1no rooflight to front, side and rear elevation.

The proposal includes a single storey front extension, measuring a maximum depth of 1.5 metres, width of 5.7 metres and eave and maximum height measuring 3 metres and 3.8 metres respectively. The proposed front extension would be built away from and extend further than the front bay window.

The proposed part single side extension would extend approximately 12.5 metres along the extent of the property along the boundary line to connect to the existing rear extension. The part single element would measure an eave height of 3.6 metres and maximum height of 4 metres. The part two storey side extension would be built 1.7 metres from the front wall of the property, extend 7.2 metres along the depth of the dwelling and connect to the two storey rear extension. The two storey side extension element would be built 0.4 metres away from the boundary line of the property and measure an eave and maximum height of 5.3 metres and 7.9 metres respectively. The roof of the proposed two storey side extension would be 2.1 metres below the main ridge line of the dwellinghouse and connect to the rear eave of the original dwellinghouse. The two-storey rear element would extend 3.7 metres from the rear wall, of which the roof would slope from the main roofline on the dwellinghouse and be situated on the ground floor rear extension to accommodate for a fourth bedroom.

The existing ground floor rear extension measures (D x W x H) (4.1 x 7.1m x 3.5m) and without planning permission by previous owners of the property. The proposed ground floor rear extension would measure 3.9 metres, extend a width of 10.5 metres from the adjoining boundary line to the right-flank boundary line and measure an eave and maximum height of 3.4 metres and 4.1 metres. The proposed succa roof would measure a width of 3.4 metres and length of 2 metres.

Front and rear facing rooflights would measure a length of 1 metre and breadth of 1.2 metres.

The extensions will be constructed to match the existing property. The rear elevation of the extension will contain fenestration, which would match insitu materials on the rear elevation of the property.

It should be noted that as there is a downward gradient along the flank boundary in Lynford Gardens and also a slight splay along the side elevation of the property the extension is higher and wider at the rear.

4. Public Consultation

Consultation letters were sent to 7 neighbouring properties,

No objections were received in the lifetime of the application. However, four letters of support were received by the Council setting out the following comments:

- The extensions will enhance the appearance of the street.

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 19 February 2019. This is a key part of the Government's 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, is indivisible from good planning, and should contribute positively to making places better for people'. 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.

Existing policies in Barnet's Local Plan (2012) and the London Plan (2016) should not be considered out-of-date simply because they were adopted prior to the publication of the revised NPPF. Due weight should be given to them, according to their degree of consistency with the revised NPPF.

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 2031. 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.

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, 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 (2016)

- Sets out information for applicants to help them design developments which would receive favourable consideration by the Local Planning Authority. 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 developments 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 it states that developments 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 2016)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted 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 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

Officers consider that the main planning considerations are as follows:

- 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

Potential impacts upon the character and appearance of the existing building, the street scene and the wider locality

- Front porch

The Council's Residential Design Guidance (2016) sets clear and detailed guidance for front porches. Paragraph 14.53 states that the proposed roof form should reflect the roof style of the existing house by reason of material, shape and style.

The proposed porch would be incorporated into a front extension that wraps around both the front and side of the property rather than form an enclosure around an external door to the property. As such, the front projection is unduly wide and would imbalance the pair of semi detached properties and would be visually dominant to the front elevation of the property thereby harming the character and appearance of the street scene.

- Side extensions

Regarding side extensions, paragraph 14.15 of the Council's Residential Design Guidance (2016) states that side extensions should not be more than half the width of the original house. In addition, first floor side extensions should normally be set back 1 metre from the front main wall of the existing house. The proposed double storey side extension is noted to be less than half the width of the dwellinghouse but is not set sufficiently back from the front wall at the front elevation at the first floor level.

As a result, the side extension would not appear to be a subordinate addition to the dwellinghouse, and with the front porch, creates an inappropriate addition within the context of the dwellinghouse and not characteristic within the streetscene and the wider area. Further, due to the proposed side extension being built up the boundary line and accounting for the cumulative height of the development on the side elevation, which would be a notable 7.9 metres would constitute as an overly dominant addition that would front onto the nearby highway and thus harm the character of the streetscene from the junction of Broadhurst Avenue and Lynford Gardens.

Of greatest concern is the fact that in proposing this development, the flank wall projects up to the street edge. Taking account of the fact that there is a downward gradient along Lynford Gardens the proposed flank elevation appears incongruous and visually dominant, eliminating the open character and spaciousness that is present here at present and in general in the wider estate. The development would subsequently appear dominant in this location.

In regard to the proposed first floor side extension, paragraph 14.19 of Barnet's SPD states that first floor extensions on corner sites should not project beyond the building line of the adjoining road. During the lifetime of the application, the applicant was advised that the side extensions would upset the relationship with the building line with the adjoining road to the extent where the side extension elements should be removed from the proposal in its entirety.

It was considered that the policy is pertinent in this case and given the application site already protrudes beyond the building line of properties along Lynford Gardens supports the officers' view to avoid any further development beyond the building line of the adjoining road. As such, it is considered that the first floor side extension would project beyond the building line of the adjoining road to an extent where it would be particularly open to public view and result in detrimental harm to the character of the streetscene and wider area.

It is noted that the ridge line of the two storey side extension would be 2.1 metres lower than the main ridge line of the main dwelling, thus suggesting the dimensions of the side extension are subordinate. However, given the corner-plot location of the site and the slight elevation change from the ground floor of the property and the streetscene would mean the total height of the two storey side extension would exceed 8 metres in height. Therefore, it is considered the proposed side extension is of a demonstrable scale that would be detrimental to the character of the dwellinghouse, the streetscene and the wider area.

- Rear extension

The Councils Residential Design Guidance SPD 2016 advises that rear extension should be subordinate additions constructed with materials which are in keeping with the rest of the house. For a semi-detached dwelling a depth of up to 3.5 metres would normally be considered acceptable but it also advises that care should be taken in the design and location of extensions to minimize impacts upon neighbouring properties. Given the proposed extension measures a maximum depth of 4.1 metres the proposed rear extension would not comply with the above policies under Barnet's Design Guidance.

However, given the proposed rear extension is an exact scale and design as the insitu rear extension it is broadly considered acceptable.

Further, given the neighbouring property benefits from a rear extension measuring an approximate maximum depth of 5 metres and a number of policy-compliant rear extension along northern side of Broadhurst Avenue, the proposed rear extension wouldn't appear overly disrespectful in the context of the wider area.

As such, it is considered the proposed front porch and two storey side extension would heavily conflict with the established character of the existing dwellinghouse, the streetscene and the wider area to an extent that would be detrimental under Policy DM01 under Barnet's Residential Design Guidance.

Potential impacts upon the amenities of neighbouring residents

It will be important that any scheme addresses the relevant development plan policies (DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites. Any application should include plans demonstrating how this has

been achieved. Specific areas which will need to be addressed in this regard include the proposals impacts on daylight and sunlight.

Due to the location, siting and layout of the proposed development and its relationship with neighbouring properties, it is considered that there would not be any impact on the amenity of neighbouring properties in either Broadhurst Avenue or Lynford Gardens.

Therefore, it is considered that the amended proposal would not harm the amenity of the neighbouring occupiers to a detrimental level as according to Policy DM01.

5.4 Response to Public Consultation

Key planning considerations have been addressed in the above section. Other points made are not material planning considerations.

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 the proposed development would have an unacceptable harm to the character and appearance of the existing dwellinghouse and the prevailing character of the streetscene and the wider area. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for refusal.

8. List of Conditions in Case of an Appeal - Without Prejudice

1. Approved Plans

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

EX - EL00-PA
EX - SE00-PA
EX - PL00-PA
PR - EL00-PA B
PR - PL00-PA B
Site Location Plan

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. Standard Time Limit

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. Materials to match

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 20



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