

Location **10 Sunnydale Gardens London NW7 3PG**

Reference: **19/5519/HSE**

Received: 11th October 2019

Accepted: 15th October 2019

Ward: Hale

Expiry 10th December 2019

Applicant: Mr & Mrs J Abrams

Proposal: Single storey side extension, part single part two storey front extension. Roof extension including new front dormer window.

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 proposal, by virtue of the scale and siting of the proposed front dormer window, is considered to cause material harm to the character and appearance of the host dwelling and surrounding area, contrary to the expectations of Policy DM01(b) of the London Borough of Barnet: Local Plan (Development Management Policies) DPD (2012) and LB Barnet: Residential Design Guidance SPD (2016)

Informative(s):

- 1 The plans accompanying this application are:
 - 2019-1301/1 (dated 08 May 2019)
 - 2019-1301/2 (dated 10 Oct 2019)
 - 2019-1302/3 (dated 10 Oct 2019)
- 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. In accordance with paragraph 189 of the NPPF, the applicant is encouraged to utilise this service prior to the submission of any future formal planning applications, in order to engage pro-actively with the LPA to discuss possible solutions to the reasons for refusal.

Reason for Committee decision: The application has been called in by Councillor Simberg

Officer's Assessment

1. Site Description

The host dwelling is a detached property situated on 10 Sunnysdale Gardens. It is located at the junction with Beech Walk and therefore addresses two different streets. In relation to Beech Walk, the property has a two storey gable end as its 'front' elevation and therefore is characteristic of much of the street.

In relation to Sunnysdale Gardens, the existing dwelling has a smaller two storey projecting gable end off a ridged roof. Sunnysdale Gardens is of mixed character but generally contains an emphasis towards newer dwelling houses.

It does not lie within a conservation area and is not a locally or statutory listed building.

2. Site History

Reference: 19/2893/HSE

Address: 10 Sunnysdale Gardens, London, NW7 3PG

Decision: Refused

Decision Date: 17 July 2019

Description: Single storey side extension, part single part two storey front extension. Roof extension including new front dormer window.

Reference: 19/1484/HSE

Address: 10 Sunnysdale Gardens, London, NW7 3PG

Decision: Approved subject to conditions

Decision Date: 8 May 2019

Description: Single storey side extension and part single, part two storey front extension

Reference: 19/2894/192

Address: 10 Sunnysdale Gardens, London, NW7 3PG

Decision: Lawful

Decision Date: 26 June 2019

Description: Roof extension, including, hip to gable, rear dormer window and two front facing rooflights

3. Proposal

This application seeks planning permission for a single storey side extension; part single part two storey front extension; and roof extension including new front dormer window. The scheme is a resubmission of the previously refused under 19/2893/HSE with an amendment to the proposed front dormer window.

The previous scheme measured 2.15m in width and 1.65m in height, with a flat mono-pitch roof rising to a total height of 2.1m - set down 0.36m from the main ridge.

The scheme as revised measures a similar width and height to the underside of the eaves, with the flat mono-pitch roof replaced with a hipped tile roof, producing a more regular profile of 2.25m in height, rising to just 0.2m from the main ridge.

The proposed dormer rests on the top of the two storey front extension and terminates a short distance below the ridge.

4. Public Consultation

Consultation letters were sent to 7no neighbouring properties.
No representations were received.

The application has been called in by Councillor Simberg.

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 in 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, 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.

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.

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.

Relevant Supplementary Planning Documents

Residential design Guidance SPD (2016)

Sustainable Design and Construction SPD (2016)

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

The surrounding area is predominantly residential in character, with a mixture of detached and semi-detached family dwellings. The application site is a corner property on the intersection between Sunnydale Gardens and Beech Walk and takes the form of an L-shaped building with a prominent two storey front bay. Given the wide plot, the main outdoor amenity space is located to the side of the dwelling house.

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

Paragraph 131 of the NPPF states that 'in determining applications, local planning authorities should take account of the desirability of new development making positive contribution to local character and distinctiveness.' Thus, any proposal should respect the local character and either preserve or enhance it. This is compliant with policies DM01 and CS05 of the Local Plan DPD.

With regard to the proposal, the single storey side extension and part single, part two storey front extension formed part of the previous application (19/2893/HSE) and were not considered to form grounds for refusal. In respect of those extensions, the Delegated Report accompanying the previous application stated the following:

"The proposed extension has a width of 4.5 metres, which is less than half the width of the existing building. Given the shape of the plot, including a large garden to the side of the dwelling, the proposed single storey side extension would read as a proportionate addition.

The proposed part single storey, part two storey front extension is well set down from the main roof and at first floor, it is set in from the front elevation. As such, it would appear as subordinate to the main dwelling house. At ground floor, the proposed extension does not project forward of the front elevation. Given its design, siting and scale, it is considered that the proposed front extension would not harm the appearance of the host dwelling nor the local character or street-scene".

With regard to the proposed front dormer, notwithstanding that the amendments result in a more sympathetic design, the width remains the same whilst the revised height has been increased and bulk/profile augmented. As such, it would remain contrary to the expectations of Para 14.33 of the Residential Design Guidance SPD. Consistent with the previous decision, given that scale and its prominent siting, the proposed dormer is considered to appear as an overly large and dominant feature of the roof-slope, exacting a harmful impact on the appearance of the host dwelling and the street-scene.

Notwithstanding that there is no moratorium on front dormers on detached houses imposed by Para 14.32, with regard to Policy DM01(b), development proposals should be based on an understanding of local characteristics, preserve or enhance local character and respect the appearance of surrounding buildings and streets. The Applicant has provided 5 no examples as part of the accompanying Planning Statement. Of those, the Flower Lane and Hale Lane sites appear to have been approved prior to the contemporary policy framework, whilst those on Bunns Lane are new-build developments which - to a greater degree - forge their own character within an overall response to their particular context. None of the sites referred to are considered to be proximate enough to materially affect the proposal - wherein

front dormers are not characteristic of Sunnysdale Gardens or Beech Walk. However, fundamentally, each development is in any event determined on its own merits.

The need for any roof extension in order to enable a particular Internal configuration is not a material planning consideration.

Taking all considerations into account, the proposed front dormer window is considered to remain unacceptable with regard to its impact on the character and appearance of the host dwelling and the street-scene, contrary to Policy DM01(b) of the LB Barnet: Local Plan (Development Management Policies) DPD (2012)

- Whether harm would be caused to the amenity of neighbouring occupiers.

Policy DM01 of the Local Plan states that any schemes must protect the amenity of neighbouring residents. It is necessary to assess the impact of all new development on neighbouring amenity, including impact on light, outlook, privacy and causing a feeling of overbearing.

Notwithstanding the concerns noted above - consistent with the previous decision - the proposal is not considered to result in harm to the residential amenities of neighbouring occupiers. In that respect, the previous Delegated Report noted the following:

"Due to the corner location of the site and the shape of the plot, there is a large distance separating the host dwelling and the neighbouring property on Sunnysdale Gardens, at No. 12. As such, given the scale and siting of the proposed development, there would be no harm to the amenity of the neighbouring occupiers at No. 12.

To the rear, the host dwelling shares a boundary with the neighbouring property at 16 Beech Walk. The neighbouring property is set behind the host dwelling by approximately 2 metres. As such, the proposed side extension would protrude approximately 2.5 metres beyond the rear wall of the neighbouring property. Given this rearward protrusion and the separation between the two dwellings, it is not considered that this would result in harm to the amenity of the neighbouring occupiers at 16 Beech Walk.

Given their size and siting, the proposed front extensions and roof extension would not impact on the amenity of any neighbouring occupiers".

5.4 Response to Public Consultation

None received

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

The proposal, by virtue of the scale and siting of the proposed front dormer window, is considered to cause material harm to the character and appearance of the host dwelling and surrounding area. As such it would conflict with the expectations of Policy DM01(b) of the Development Management Policies DPD and Residential Design Guidance SPD. It is therefore recommended for REFUSAL

8. Recommended Conditions

In the event an appeal is lodged and allowed, the following conditions are recommended to be attached:

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

- 2019-1301/1 (dated 08 May 2019)
- 2019-1301/2 (dated 10 Oct 2019)
- 2019-1302/3 (dated 10 Oct 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.

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).



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