

**Location**                            **25 Ravenscroft Park Barnet EN5 4NH**

**Reference:**                        **19/5832/FUL**                            Received: 30th October 2019  
Accepted: 14th November 2019

Ward:                                    High Barnet                                    Expiry 9th January 2020

Applicant:                            Marisol Borg

Proposal:                              Erection of a rear infill conservatory

**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:
  - Drw No: SK07 - Existing & Proposed Side Elevations
  - Drw No: SK01 - Proposed Ground Floor Rev A
  - Drw No: SK02 - Proposed Roof Plan Rev A
  - Drw No: SK03 - Proposed Elevation Rev A
  - Drw No: SK04 - Existing Ground Floor
  - Drw No: SK05 - Existing Roof Plan
  - Drw No: SK06 - Existing Rear Elevation
  - Location Plan dated 12/11/2019

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 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).

#### **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. A pre-application advice service is also offered. 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 applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.

## **Officer's Assessment**

### **1. Site Description**

The application site comprises a Ground Floor flat. The first-floor flat relates to No. 25A and the second floor flat relates to No. 25B.

The original building was a two-storey semi-detached dwelling house along Ravenscroft Park which shares a party wall with No 23. The house has been converted in to 3 self contained flats back in the 1970's.

The subject ground floor unit benefits from a part single storey rear extension and also has the sole use of the rear garden.

The immediate vicinity of the area comprises residential dwelling houses and Flats.

The site is not within a conservation area (designated as Article 2(3) land in The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended) and is not within an area covered by an Article 4 direction.

Furthermore, the application site is not subject to a listed building. There are not further planning restrictions associated with the host dwelling.

### **2. Site History**

Reference: N04264

Address: 25 Ravenscroft Park Barnet Herts

Decision: Approved subject to conditions

Decision Date: 16 October 1973

Description: Conversion of 3 self-contained flats, single storey extension, external staircase and provision of 2 car parking spaces.

### **3. Proposal**

The application seeks planning permission for the erection of a rear infill conservatory.

Dimensions:

The proposal would measure 3.5 metres in depth, 7.2 metres in width and 3.5 metres to the top of the parapet wall with a rooflight above.

### **4. Public Consultation**

Consultation letters were sent to 10 neighbouring properties.

6 responses have been received, comprising 5 letters of objection.

The objections received can be summarised as follows:

- Detrimental impact to amenity of Flat 23a and 25a in terms of height and width. Glare coming from rooflights.
- Security issues regarding gaining access to Flat 23a and 25a.
- Change from living room to a Kitchen in terms of the noise from extraction methods from the cooker.

- Tree roots being impacted at the rear of Flat 23B.
- Loss of outlook and light into Flat 23B and decrease of value of Flat 23B.
- Objection as the proposal does not relate to a Conservatory but for a large brick extension.
- Size of the extension relative to the house/garden.

## **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**

It is noted that the house benefits from the Conversion of 3 self-contained flats, single storey extension, external staircase and provision of 2 car parking spaces.

It is also noted that the proposed extension would encroach onto the neighbours land at No. 23 which is also subdivided into 3 separate units. since the submission of the application officers requested that appropriate certificate needs to be served on the owner occupiers of the subject site on upper flats and also on all the units at N023. The officers are happy that

appropriate certificate has been signed and served on the neighbouring occupiers as required.

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

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01, CS05 (both of the Barnet Local Plan), 7.4 and 7.6 (both of the London Plan).

The adopted Residential Design Guidance SPD (2016) states that extensions should normally be subordinate to the original dwelling 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 addition, the Council's Residential Design Guidance Paragraph 14.21 of the aforementioned guidance states that single storey rear extensions for the proposal considered acceptable should be proportionate and subordinate to the existing dwelling and circa of 3.5 metres in depth.

It is noted that the host property benefits from an existing rear extension used as a kitchen with a 3.5 metre depth and a 3.7 metre in width. It is the interpretation of the LPA that this was constructed between 1951-1971 and as there are no planning records it is considered to have been constructed under permitted development.

The proposed rear extension would adjoin the existing and therefore would be an infill extension extending up to the full width of the property. As such, the depth, width and height of the proposal is in line with Council guidance.

In addition, though not extended across the full width of the dwelling it is noted that there are other single storey rear extensions within the immediate vicinity of the area particularly neighbouring No. 23 and No. 27. It is noted that there has been other single storey rear extensions on the other side of road such as No. 26 and No. 28. The proposal would therefore be in keeping with the character of the immediate vicinity of the area and cause no harm to the immediate vicinity of the area or the wider locality.

The extension is considered not to detract from the established character of the host site and the wider locality and therefore is considered acceptable in this regard.

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

It will be important that any scheme addresses the relevant development plan policies (for example policy 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.

Towards neighbouring No. 23, the proposal would be built over the shared boundary however notice has been served on all the occupiers of this property. In addition, as no side windows are proposed towards this neighbour there would be no harm in terms of

overlooking. The proposals depth is in line the Councils guidelines (SPD 2016) and the proposed height is modest at 3.5 metres to the top of the parapet wall. There would be no loss of sunlight given the east-west sunlight orientation and the existing building orientation. Overall, there would be no detrimental harm to amenity value of this neighbour.

Towards the other side facing No. 27 which is the detached side, the proposed extension would be buffered by the existing single storey addition. Given the proposal would be built adjoining the existing kitchen extension there would be no change to the outlook of this neighbour and no sense of enclosure would be created as a result of the proposed extension. Overall, there would be no detrimental harm to amenity value of this neighbour.

The upper flats namely 25A & 25B the ground floor rear conservatory would have no harm in terms of overlooking, overbearing impacts or loss of sunlight. In addition, the height is considered acceptable. There would be no adverse impact to the amenity value of the occupiers of the upper floor flats.

The outdoor amenity space is in full use by the occupiers of No.25 the ground floor flat Therefore, no impact in terms of compromising the garden space.

Overall, there would be no appreciable harm to the living conditions of neighbouring residents and therefore the proposal is considered acceptable and is in compliance with the Council guidelines.

#### **5.4 Response to Public Consultation**

- Detrimental impact to amenity of Flat 23a and 25a in terms of height and width. Glare coming from rooflights.

The height at 3.5 metres would cause no appreciable harm to Flat 23a and 25a. It is noted that the proposed rooflight would be located on top of the proposed rear extension and would contribute to the height. This is considered acceptable and it is not unusual to have roof light in the roof of the extensions.

- Security issues regarding gaining access to Flat 23a and 25a.  
This is not planning consideration.

- Change from living room to a Kitchen in terms of the noise from extraction methods from the cooker.

Given the application is for a single storey rear extension the proposed use would be no different to the existing use therefore there would be no undue concerns regarding noise.

- Tree roots being impacted at the rear of Flat 23B.

The Tree of the neighbouring occupier is not protected and therefore not a planning consideration.

- Loss of outlook and light into Flat 23B and decrease of value of Flat 23B.

There would be no loss of light as discussed within the report. Value of properties is not a planning consideration.

- Proposal does not relate to a Conservatory but for a large brick extension.

Under planning terms both are structures and both are assessed in the same way.

- Size of the extension relative to the house/garden.

There would be no impact on the outdoor amenity space or the appearance of the existing dwelling house as a result of the proposal. Sufficient garden space is still maintained for the use of the ground floor unit.

## 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.

