

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

Reference: **20/1143/FUL** Received: 2nd March 2020
Accepted: 3rd March 2020

Ward: High Barnet Expiry 28th April 2020

Applicant: Ms Marisol Borg

Proposal: Single storey rear extension

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 B
 - Drw No: SK02 - Proposed Roof Plan Rev B
 - Drw No: SK03 - Proposed Rear Elevation Rev B
 - 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.

Officer's Assessment

1. Site Description

The application site is a two-storey semi-detached dwelling house which shares a party wall with No 23. The subject site has been converted in to 3 self-contained flats back in the 1970's comprising Ground Floor flat known as N025; first-floor flat known as No. 25A and the second floor flat known as No. 25B.

This application relates to the ground floor flat N0.25

The subject ground floor unit benefits from a part single storey rear extension which is set considerable distance from the neighbouring boundary and the rear garden is sub-divided into three parts. Each of the three flats has an area of the garden which are all separated by a wall/fence.

The immediate vicinity of the area comprises a mixture of 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 no 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.

Reference: 19/5832/FUL

Address: 25 Ravenscroft Park, Barnet, EN5 4NH

Decision: Refused

Decision Date: 25 February 2020

Description: Erection of a rear infill conservatory

3. Proposal

The application seeks planning permission for a single storey rear (infill) extension.

Dimensions:

The proposal would measure 3.5 metres in depth, 6.7 metres in width, 3 metres to the top of the flat roof and 3.5m to top of parapet wall.

It should be noted that a previous application ref: 19/5832/FUL for similar single storey rear extension was overturned at the 12th February 2020 Chipping Barnet Area Planning committee for the following reason:

The proposed roof lantern would have a harmful impact on the immediate outlook of the occupiers of 25A (first floor flat above) and would result in a harmful loss of amenity and light to the side facing bay window of the neighbour at 23B. The proposal is therefore detrimental to the residential and visual amenities of neighbouring occupiers contrary to Policy DM01 of Barnet's Local Plan (Development Management Policies) DPD 2012, Residential Design Guidance SPD (Adopted October 2016) and Sustainable Design and Construction SPD (Adopted October 2016).

This current application has been revised making the following changes to the previously refused scheme.

- Setting the proposed extension 0.5m off the boundary with the neighbouring property at N0.23B
- Removing the large roof lantern and replacing it with roof lights that are flush with the flat roof level.

4. Public Consultation

Consultation letters were sent to 14 neighbouring properties.
6 responses have been received, comprising 6 letters of objection.

The objections received can be summarised as follows:

- Design modifications needed to take into account style and character of existing extensions on neighbouring properties.
- Overlooking and security issues
- Guttering system - a greater separation distance required from neighbouring dwellings
- Intrusive rooflight and glare
- Height which would be over 3 metres and width are intrusive
- Loss of light which is further of detriment given neighbours medical condition
- 3 proposed roof lights of 1.5m x 1.5m are a concern over privacy and the visual amenity of neighbouring property

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

The subject site relates to the ground floor unit. This unit benefits from a part single storey rear extension and proposes a single storey rear extension to infill the area between the existing addition and the boundary.

- 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 Council's SPD 'Residential Design Guidance' states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. The Residential Design Guidance states "The depth of a single storey rear extension, normally considered acceptable for terraced property is 3m; for semi-detached property is 3.5 metres and for detached property is 4m."

The surrounding area is primarily residential consisting of a mixture in housing types, The surrounding dwellings consists mainly of two-storey semi-detached detached houses. The neighbouring properties immediately adjoining the site both benefit from single storey additions to the rear.

It is noted that the host property benefits from an existing part rear extension measuring 3.5m deep x 3.7m in width to a flat roof that is used as a kitchen. It is the interpretation of the LPA that this was constructed between 1951-1971 and as there are no planning records it is assumed that this has become lawful either through the PD route or through passage of time.

The proposed rear extension would infill the side extending up to the attached neighbouring property with N0.23 which is also converted to flats. The proposed rear extension would line up and link in to the existing projection extending up to almost the entire width of the property bar maintaining a 0.5m set back from the neighbouring boundary with N023B.

The proposal would measure 3m high to a flat roof and 3.5m to the top of the parapet wall. The proposal is considered to be a reasonable and proportionate addition to the host property and is considered to be sympathetic and in keeping with the general appearance of the area.

Both neighbouring properties although not extended across the full width benefit from single storey rear additions as well as other properties within the immediate area. The proposed extension at 3.5m deep complies with the councils design guidance and is considered acceptable without detracting from the character and appearance of the host site nor from the character and appearance of the area.

The roof extension would benefit from 3 rooflights and unlike the previously refused scheme the proposed roof lights are flush with the flat roof approximately set 1m below the first floor flat window cills as opposed to the refused scheme which proposed a larger lantern extending up to the first floor window cills.

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.

This approach is echoed under Policies CS5, DM01, DM02 DM04 of the Barnet Council Development Plan Document. These policies seek to manage the impact of new developments and ensure that there is not an excessive loss of amenity in terms daylight/sunlight, outlook and privacy for existing residential occupiers or gardens.

The Council's SPD 'Residential Design Guidance' states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant. This is in accordance with paragraph 14.21 of the Residential Design Guidance SPD which stipulates a maximum depth of 3.5m is normally considered acceptable for a semi-detached property to ensure the addition is subservient to the existing dwelling.

Whilst the proposed extension would be extended almost entire width of the property the proposal would maintain a 0.5m set back from the neighbouring boundary at No. 23. There are no side windows proposed towards this neighbour therefore no impact in terms of overlooking or loss of privacy. The proposed extension measures 3.5m deep, 3m to flat roof and 3.5m to top of the parapet wall with rooflights positioned at 3m flush within the flat roof level.

Previously refused scheme proposed a lantern roof light above the parapet wall which proposed to be positioned just underneath the first floor window cills. This element has now been replaced with flat roof lights that sits approximately 1m below the first floor window

cills flush with the 3m high flat roof level contained within the parameters of the 3.5m parapet wall.

Officers consider that the proposed amendments are considered to sufficiently address the reasons of previous refusal with regards to harmful outlook and loss of amenity and light to the neighbouring occupiers at No's 25A first floor flat at the subject site and 23B ground floor flat at the neighbouring site.

No. 27 which is the detached side, would not be impacted by the proposed extension as the proposal would be buffered by the existing single storey extension in situ and there would be no detrimental harm to amenity value of this neighbour.

In summary, the proposal as revised is not considered to have any impact on the neighbours residential amenities and considered acceptable subject to conditions.

5.4 Response to Public Consultation

Mainly addressed in the body of the report however further comments are made as follows:

- Design modifications needed to take into account style and character of existing extensions on neighbouring properties.

The previously refused application was considered acceptable on character grounds and this is the same for this application.

- Overlooking and security issues

The proposed rooflights are flush with the 3m high flat roof level therefore it not considered there would be any overlooking of Flat 23B and 25A resulting from these rooflights. In addition there are no windows proposed in the side elevation facing no 23B.

- Security issues is not a material planning consideration.

- Guttering system - a greater separation distance required from neighbouring dwellings

There is a 0.5 metre separation distance to the shared boundary although concerns in terms of guttering is not a planning consideration.

- Intrusive rooflight and glare

As discussed in the body of the report given the rooflight is flush with the flat roof level this would not be intrusive. Furthermore any light glare from these roof lights would be minimal and contained within the parameters of the parapet wall.

- Height which would be over 3 metres and width are intrusive

It is not unusual for an extension to have a 3m high flat roof design with a 3.5m high parapet wall. Whilst the extension has only marginally been set off the neighbouring boundary at N023 it is not unusual for an extension to extend up to the boundary. The size, scale, height of the proposed extension is modest in size and considered subordinate addition.

- Loss of light which is further of detriment given neighbours medical condition

Addressed in the body of the report.

- 3 proposed roof lights of 1.5m x 1.5m are a concern over privacy and the visual amenity of neighbouring property addressed in the report.

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.

