

Location **29 East End Road London N3 2TA**

Reference: **19/6616/HSE** Received: 16th December 2019
Accepted: 17th December 2019

Ward: Finchley Church End Expiry 11th February 2020

Applicant: Mrs D Stein

Proposal: Single storey rear extension following demolition of the existing greenhouse

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:

10509-01
10509-RP
10509-02C
10509-LP
10509-BP

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 Before the building hereby permitted is first occupied the proposed window(s) in the north west flank elevation facing no 27 East End Road shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the flank elevation facing nos 27 and 31 East End Road.

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).

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.
- 2 Applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

Officer's Assessment

1. Site Description

The application site is a two-storey semi-detached single-family dwelling on the north-east side of East End Road in Finchley Church End. The property is not listed and is not located within a conservation area.

2. Site History

Ref: 19/6693/192

Address: 29 East End Road N3 2TA

Decision: Lawful

Decision date: 13 January 2020

Description: Roof extension involving hip to gable, rear dormer window, 4no front facing rooflights and new side gable window

3. Proposal

Single storey rear extension across the full width of the original rear wall approx 2.30 metres depth x 7.450 metres width x 3.50 metres height, 2.50 metres high to the eaves for the purpose of an extended kitchen/dining area.

4. Public Consultation

Consultation letters were sent to 3no. neighbouring properties.

7no. objections received on the following grounds:

Potential to use the property as a HMO

Impact on established pattern of development on the street

Loss of light and outlook to the adjoining owner

Loss of visual amenity

Inadequate parking provision

Potential strain on local resources and general overdevelopment within the Finchley area

Impact upon very old (1900s) drains and sewers that extend to 2-8 Manor View

Impact upon neighbours as a result of noise disturbance and dust during construction works

An objection was received from Councillor Daniel Thomas on the following grounds: "Having seen the drawings I believe it will amount to an imposing overdevelopment of the property. Its height and depth will have a negative impact on the visual amenity and privacy of residents in the 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 National Planning Policy Framework (NPPF) was amended on 24th July 2018 updated 19. 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.

Barnet's Local Plan (Reg 18) 2020

Barnet's Local Plan -Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's emerging Local Plan. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined

in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

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

Impact on 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, 7.6 (both of the London Plan).

Para 14.21 of the Council RDG 2016 states that the depth of a single storey rear extension, normally considered acceptable for terraced properties is 3 metres, for semi-detached properties it is 3.5 metres, and detached property is 4 metres.

No 27 (the unattached neighbour) to the north west of the property is in use as flats and benefits from a rear dormer, centrally positioned two-storey rear outrigger and single storey

rear infill with terrace above on the common boundary with no 25. There is a habitable window (bedroom) opening at ground level in the recessed rear wall, positioned nearest to the south easternmost rear corner of the property, in close proximity to the common boundary with the application site and a kitchen/living room window opening at ground level in the south-eastern flank wall. The application property benefits from a projecting rear bay window (positioned on the south easternmost rear corner of the property) and a single storey rear outrigger with mono pitch roof (positioned on the north westernmost rear corner of the property). At ground floor level at present, the north-west flank wall of the host property extends approx 3.75 metres rear of the principle (recessed) rear wall of no 27.

No 31 (the attached neighbour) is not extended at the rear. There is a staggered relationship vis-a-vis semi adjoining no 31, whereby the application property is positioned approx. 1.8 metres rear of this neighbouring property. Given this relationship, amended plans were requested to reduce the depth of the extension so that it projects no more than 3.5 metres from the main rear wall of no. 31. This would result in an increase in depth on the north westernmost rear corner nearest no. 27 by approx 0.35 metres when compared to the existing single storey outrigger. A reduced finished height and eaves height was requested to offset any undue harm of development on the common boundary, particularly in respect of adjoining 31. Following officer advice, revised plans were received accordingly in line with the above Council RDG 2016. The development would be carried out in line with the above council guidance and the proposal is considered to be a sympathetic and proportionate rear addition to the host property.

A resulting garden depth in excess of 15 metres would ensure that the development does not appear visually cramped at the rear within the site.

Subject to conditions, the scheme is considered acceptable on the grounds of character and appearance.

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 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 development has been reduced in depth and height in line with the Council RDG 2016 and therefore is not considered to unduly harm the residential amenities of nos 27 and 31 in terms of loss of light and outlook.

The marginal increase in finished and eaves height by 500mm and rear depth (from the north westernmost rear corner of the host property) by 350mm compared to the depth of the existing single storey rear outrigger is not considered to unduly impact the residential amenities of no 27.

In relation to no. 31, the extension would project 3.5 metres taken from the main rear wall of that property. It is considered that there would be no significant overshadowing of that property (which lies to the south) or increased sense of enclosure.

A condition has been imposed to ensure that flank facing window openings are obscurely glazed and non-opening to offset any potential for overlooking into no. 27. A further condition has been attached to ensure no further openings are introduced in the flank walls without the prior consent of the LPA.

Taking into account the above-mentioned site circumstances, the scheme is considered acceptable on residential amenity grounds.

5.4 Response to Public Consultation

Potential to use the property as a HMO

The merits of this application cannot be determined on the basis of possible future use of the property. Any proposal to use as an HMO would require a further permission.

Impact on established pattern of development on the street

This issue has been generally addressed within the main body of the report. The revised scheme adheres to the Council RDG 2016 in respect of domestic extensions and therefore no adverse impact on character is likely.

Loss of light and outlook to the adjoining owner

This issue has been generally addressed within the main body of the report. The revised scheme adheres to the Council RDG 2016 in respect of domestic extensions and therefore no adverse impact on residential amenity is likely.

Loss of visual amenity

This issue has been generally addressed within the main body of the report. The revised scheme adheres to the Council RDG 2016 in respect of domestic extensions and therefore no adverse impact on residential amenity is likely.

Inadequate parking provision

Given the retention of use as a single-family dwelling and proportionate rear addition in respect of the host property, no impact on parking provision is likely.

Potential strain on local resources and general overdevelopment within the Finchley area

This is not a material planning consideration relevant to the decision.

Impact upon very old (1900s) drains and sewers that extend to 2-8 Manor View

This is not a material planning consideration relevant to the decision.

Impact upon neighbours as a result of noise disturbance and dust during construction works

This is not a material planning consideration relevant to the decision. However, applicants and agents are encouraged to sign up to the Considerate Contractors Scheme (www.ccscheme.org.uk) whereby general standards of work are raised and the condition and safety of the Borough's streets and pavements are improved.

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

This application is therefore recommended for APPROVAL.



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