

Location **84 Millway London NW7 3JJ**

Reference: **20/3090/HSE**

Received: 9th July 2020

Accepted: 10th July 2020

Ward: Mill Hill

Expiry: 4th September 2020

Applicant: Mr Elad Rachevsky

Proposal: Single storey front porch extension, part single part two storey side and rear extension. Conversion of garage into study room

OFFICER'S RECOMMENDATION

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 their 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:

HD1230/1000

HD1230/1001

HD1230/1002

HD1230/1003

HD1230/1004

HD1230/1005

HD1230/1006

HD1230/4000

HD1230/4001

HD1230/4002

The Location Plan

Proposed Site 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 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).

- 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 side elevations of the extensions hereby approved, facing Nos 82 or 86 Millway

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.

OFFICER'S ASSESSMENT

1. Site Description

The application site comprises a detached single family dwellinghouse with front car parking space and rear ample garden. The local area is characterised by semi-detached and detached dwellinghouses of similar character, a number of which have been extended.

The site is not located in a conservation area, nor is a listed building.

2. Site History

Reference: 20/3008/192

Address: 84 Millway, London, NW7 3JJ

Decision: Lawful

Decision Date: 6 August 2020

Description: Roof extension involving 2no hip to gable, 2no side gable windows and 2no front facing rooflights. Erection of a rear garden single storey annexe outbuilding (amended description)

Reference: 20/3604/PNH

Address: 84 Millway, London, NW7 3JJ

Decision: Prior Approval Required and Approved

Decision Date: 9 September 2020

Description: 2no single storey rear extensions with a 500mm gap in between them. The first extension, has a proposed depth of 7.50 metres from the original rear wall with an eaves height of 3.00 metre and a maximum height of 3.00 metres. The second extension will have a proposed depth of 4.00 metres from the original rear wall, an eaves height of 3.00 metres and a maximum height of 3.00 metres

3. Proposal

This application seeks planning permission for a single storey front porch extension, part single part two storey side and rear extension and conversion of the existing integral garage into a study room

Ground Floor:

The proposed single storey front porch extension measures 0.9m in depth, 3m in width, with a maximum height of 3.6m and eaves height of 2.5m. The proposed single storey rear extension measures a maximum depth of 5m, a width of 10m, a maximum height of 3m with a flat roof. The conversion of garage into study room incorporates the replacement of the existing door in the front elevation with a new window and removal of the pitched tile roof

First Floor:

The proposed first floor rear extension measures a depth of 3m along the flank adjacent to

No 82 with a width of 5m - corresponding to half the width of the house. The proposed first floor side extension measures a depth of 5.7m, a width of 2.7m and a height of 2.6m. These two elements will be linked under a single extension to the main roof, set-down 0.5m from the ridge.

4. Public Consultation

Consultation letters were sent to 10 neighbouring properties.
5 objections were received in the lifetime of the application.

Grounds of objection:

- loss of sunlight to kitchen and morning room
- increased sense of enclosure
- out of character
- loss of amenity to the neighbours (including trees)
- diminished outlook and creating overshadowing
- overdevelopment in terms of excessive scale and size
- first floor extension would create diminished outlook and sense of enclosure

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 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.

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: 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 (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.

5.2 Main issues for consideration

Officers consider that the main planning considerations are as follows:

- o Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- o Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

It is noted that the site photographs that have been used to make an assessment of this application were provided by the applicant.

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 and 7.6 (both of the London Plan).

Policy DM01 requires that all proposals should preserve and enhance the local character of the area. Barnet's Residential Design Guidance SPD 2013 outlines that single storey rear extension with a maximum depth of 4 metres is normally considered acceptable for a detached house. In the same document it is also stated that front porches should normally be subordinate and respect the original building and should not be overly dominant. Front extensions should be modest in size, the design sympathetic to the style of the existing dwelling and not protrude beyond the front building line or architecturally significant features such as front bay windows of the dwelling.

As the proposed single storey rear extension measures a maximum depth of 5m, it is beyond the usual expectations of the guidance. However, taking into account the scale of the extension relative to the existing dwelling and the garden to which it relates, it is not

considered to appear overly bulky or dominant.

Other properties also benefit from substantial rear extensions and the scale and positioning of the detached garage building at No 86 - adjacent to the common boundary and to the rear of the main dwelling - also serves to accommodate the additional depth. On the other side - adjacent to No 84 - the depth beyond the existing kitchen projection would be only 4m.

The overall footprint of the proposed new porch (2.7 sqm) is considered to be appropriately subordinate to the existing dwelling. It is noted that the proposed front porch would not extend beyond the front bay windows and it is similar in terms of height and design to other examples in the streetscene of the surrounding area.

Regarding the conversion of existing garage into habitable room, whilst the proposal does not require any alterations or lead to a change to the footprint of the main dwellinghouse, it is considered that the visual effect of the alterations to the front elevation would not be unique and would remain commensurate with the character and appearance of the host site and surrounding area.

Paragraph 14.24 of Barnet's Residential Design Guidance (2016) states that proposed two storey rear extension must not lead to a harmful impact to the character or appearance of the property and the area. Paragraph 14.23 of Barnet's Residential Design Guidance (2016) states that two storey rear extensions which are closer than 2 metres to the neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable. It also states side extensions to existing buildings can be unacceptably prominent features in the street scene. Side extensions should not be more than half the width of the original house. First floor side extensions should normally be set back 1 metre from the front main wall of the existing house and maintain a gap of 2m between flank elevations. Paragraph 14.16 states Pitched roofs, following the same pitch as the existing roof, will normally be needed for two storey extensions and be set down at least 0.5 metre from the ridge of the main roof.

As the proposed first floor rear extension would not protrude more than 3 metres from the rear wall of the existing dwelling, it is considered to be in line with Barnet SPD Guidance, and not unacceptably bulky and dominant in the context of the host property and character of the area.

With the proposed first floor side extension measuring a width of 2.7 metres and the main dwelling 5.4 metres the proposal is compliant with the above. It is noted that there is no setback from the front elevation and the gap between flank elevations would fall below 2m. However, this is not considered to result in an unacceptable impact on character by virtue of similar examples being established within the streetscene - notably at No 82 Millway and on properties opposite the application site. In addition, the proposed extensions are noted to be subordinated 0.5 metres from the main ridge level which is acceptable within the character of the dwelling.

Given the abovementioned matters, it is considered that the proposed development would not cause harm to the character and appearance of the application site, the street scene and the wider locality and would be consistent with the expectations of Policy DM01

- Impact on 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.

With regard to Paragraph 14.4 of the Residential Design Guidance SPD (2016), extensions to properties should not be overbearing or unduly obtrusive and care should be taken to ensure they do not result in harmful loss of light or overshadowing of adjoining properties (particularly loss of light to main windows serving principal rooms such as living or dining rooms), loss of outlook, or sense of enclosure or overbearing impact on adjoining properties.

The neighbouring property at No 86 Millway, benefits from a single storey garage building which extends 7.48m beyond the flank elevation on the ground floor - and would largely obscure the proposed ground floor extension where it would be proximate to the common boundary. The proposed first floor extension would be off-set some way from the boundary and as such, any impact on the amenity of neighbouring occupiers is considered to be minimal.

As for No 82 Millway, this property currently benefits from a c2m deep extension at ground floor level closest to the boundary with the application site. As such, the proposed ground floor rear extension would project only c3m - within the usual expectations as set out in the SPD. The proposed first floor rear extension stands at a distance of 1.7m from the first floor of No. 82. Having considered the extension is not more than 3m projection in depth, it is considered that the rear extension would not create an unduly diminished outlook or increased sense of enclosure. Again, it would be consistent with the expectations of the SPD

Officers consider that the proposed front porch would not cause any potential impact on the amenity of neighbouring occupiers.

On the basis of the above, it is considered that the extension would have an acceptable impact on the residential amenity of neighbouring occupiers and would be consistent with the expectations of Policy DM01

5.4 Response to Public Consultation

As addressed in the main body of the report.

6. Equality and Diversity Issues

The existing development 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

