

Location **18 Burnbrae Close London N12 8PH**

Reference: **20/6013/FUL** Received: 14th December 2020
Accepted: 22nd December 2020

Ward: West Finchley Expiry 16th February 2021

Case Officer: **Helen McGuinness**

Applicant: Mr Ronni&Yonatan Livnat&Raveh

Proposal: Installation of a sliding door following the removal of a window in the external wall located in the rear

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:

Existing and proposed floor plan and elevation
Site plan
Block plan
Site location 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).

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 relates to a ground floor flat within a three-storey block of flats, located at Burnbrae Close. The site is located within the West Finchley Ward. There is a large communal amenity space surrounding the flat block.

The property is not listed, it does not lie within a conservation area, and there are no specific restrictions on site.

The surrounding area consists of a mix of residential properties including a large 3-storey block of flats, two storey semi-detached and terraced dwellings.

2. Site History

No relevant history.

3. Proposal

The applicant seeks planning permission for:

Installation of a sliding door following the removal of a window in the external wall located in the rear.

4. Public Consultation

Consultation letters were sent to 17 neighbouring properties.

5 letters of objection have been received. The objections are summarised as follows;

- The work today is highly disruptive as all have young children at home at the moment and most parents are working from home like myself. The noise from the work is currently unbearable. The entire building is shaking from the heavy machinery knocking out the walls.
- Having seen the Barnet planning permission site I can see there is a pending application in place for the rear wall to be smashed out and doors fitted. We strongly object to this as it will not only ruin the look and feel of the entire block but this work will be majorly disruptive.
- The ground floor flat supports the whole building and removal of this would cause the rest of the building to become unstable. it will also alter the look and feel of the block.
- There are currently 3 identical blocks of flats. Changing this one particular flat will significantly change the character of the building.
- It will also mean they will have direct access to the garden space from their flat which other flats don't have this privilege.
- The garden space in front of the proposed direct access also means they will indirectly have their own garden space and no longer classed as communal gardens directly outside their doors.
- The noise pollution is unbearable with the work currently being carried out. We have had to work from a family members house so we can concentrate. My children were also told off by their teacher for having so much background noise. This will only get worse with the proposed works.
- Mess and dust left by current building work this property is carrying out is a total disgrace for all fellow neighbours.
- The large skip and builder vans are occupying the limited parking we have on this block.

- The work is majorly disruptive and has been taking place all through the week and over the weekend. Having checked the council site, I believe construction work is not permitted after 1pm and at any time Sunday. However, they have total disregard for this and have continued to work all weekend with heavy drilling machinery and banging. I live in the next block and this work is vibrating through my entire flat.
- This work will significantly alter the look of these blocks and change the style and character.
- There is also a risk to building foundation by this work taking place.

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 Government's 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 2021

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous 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 and alterations 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. Development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

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 windows should normally match those on the existing house, in terms of their design, material and proportions. Where necessary, they should also be recessed to match the original windows. If there is a consistent and coherent architectural character, the extension or alterations should not detract from it.

- In respect of amenity, states that extensions and alterations 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

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

Policy DM01 states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The proposed development consists of the installation of a sliding door following the removal of a window to the external wall located to the rear of the ground floor flat. The building in situ consists of 3 storeys and 4 main blocks housing multiple flats, the host site is centrally located within this block.

Using site images submitted with the application and aerial imagery, it is apparent that there are no examples of similar works in the immediate vicinity of Burnbrae Close. However, on balance it is found that the proposed alterations are acceptable. The potential harm created to the character of the building would not warrant refusal of the development due to the rearward facing aspect of the proposal. Additionally, the proposed works would not be visible from a public street and they are centrally located in the block which would better assimilate within the façade of the building.

Officers note the proposed opening would allow access from the flat into a communal amenity space to the rear of the block, however site images and aerial imagery would also indicate other ground floor flats utilising this space for their own benefit through various landscaping and planting.

Overall, due to the scale, placement and rearward projection of the proposed alterations, it is found that the proposed development would have an acceptable impact on the character and appearance of the street scene, site property and general locality of the area.

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

Development Management Policies (Adopted 2012) in section 2.7.1 states: "It is important to ensure that developments do not significantly overshadow neighbouring buildings, block daylight, reduce sunlight, or result in a loss of privacy or outlook."

The proposed works would not compromise neighbouring amenity in regard to limiting sunlight, outlook or loss or privacy.

The amenity space is communal and the provision of doors would not compromise the ability of other residents to use the space.

5.4 Response to Public Consultation

Comments regarding the noise and air pollution from the ongoing construction work;

- This is not a planning related issue and it advised to contact Environmental Health regarding any nuisance from noise and air pollution related to construction.

Comments regarding the stability of the building and the proposed works;

- This is not a planning related issue

Comments regarding traffic and road safety;

This is not a planning related issue in terms of the proposed development

Other objection comments have been addressed in the assessment of the proposal as above.

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 the proposed development would have an acceptable impact on the character and appearance of the application site, the street scene, general locality and neighbouring amenity. This application is therefore recommended for APPROVAL.

