

**Location** 21 Haslemere Avenue London NW4 2PU

**Reference:** 21/1112/HSE Received: 2nd March 2021  
Accepted: 2nd March 2021

Ward: West Hendon Expiry: 27th April 2021

**Case Officer:** Radhika Bedi

Applicant: Braude

Proposal: Single storey rear extension with rear patio

### **OFFICER'S RECOMMENDATION**

Refuse

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 proposed single storey rear extension by reason of its siting and excessive rearward projection would result in an incongruous and discordant addition, out of context with the established rear building line and wider pattern of development and would introduce development detrimental to the character and appearance of the host property and surrounding area, contrary to Policy D3 of the London Plan (2021), Policies CS1 and CS5 of the LB Barnet: Local Plan (Core Strategy) DPD (2012), Policy DM01 of the LB Barnet: Local Plan (Development Management Policies) DPD (2012) and the Residential Design Guidance SPD (2016)

### **Informative(s):**

- 1 In accordance with paragraphs 38-57 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority (LPA) has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

The applicant did not seek to engage with the LPA prior to the submission of this application through the established formal pre-application advice service. In accordance with paragraph 189 of the NPPF, the applicant is encouraged to utilise this service prior to the submission of any future formal planning applications, in order to engage pro-actively with the LPA to discuss possible solutions to the reasons for refusal.

2 The plans accompanying this application are:

Drg No GA 01 02-Rev A - Block Plan  
Drg No GA 01 01-Rev A - Site Location Plan  
Drg No GA 03 100-Rev B - Existing Ground Floor Plan  
Drg No GA 03 101-Rev B - Existing First Floor Plan  
Drg No GA 03 102-Rev B - Existing Roof Plan  
Drg No GA 05 01-Rev A - Existing North Elevation  
Drg No GA 05 02-Rev A - Existing South Elevation  
Drg No GA 05 03-Rev A - Existing West Elevation  
Drg No GA 05 04-Rev A - Existing East Elevation  
Drg No GA 03 100-Rev A - Proposed Ground Floor Plan  
Drg No GA 03 101-Rev A - Proposed First Floor Plan  
Drg No GA 03 102-Rev A - Proposed Roof Plan  
Drg No GA 05 05-Rev A - Proposed North Elevation  
Drg No GA 05 06-Rev A - Proposed South Elevation  
Drg No GA 05 07-Rev A - Proposed West Elevation  
Drg No GA 05 08-Rev A - Proposed East Elevation

## **OFFICER'S ASSESSMENT**

This application has been brought before the Committee at the request of Cllr Prager for the following reason:

*I do not believe that the proposal would be incongruous or disproportionate in character terms - which is the proposed reason for refusal*

### **1. Site Description**

The application property is a detached dwellinghouse located at 21 Haslemere Avenue, in the West Hendon ward. The application property is not listed nor located on land designated as a Conservation Area. There are no protected Trees on or adjacent to the application site.

### **2. Site History**

Reference: 20/5999/HSE  
Address: 21 Haslemere Avenue, London, NW4 2PU  
Decision: Approved subject to conditions  
Decision Date: 8 February 2021

Description: Part single, part two storey rear extension including removal of chimneys. Single storey side and front extension incorporating new front porch and bay window. Conversion of the existing garage into habitable room, insertion of window to replace the existing garage door. New side windows [AMENDED DESCRIPTION]

### **3. Proposal**

This application proposes a single storey rear extension with rear patio.

The proposed single storey rear extension would measure 4.9 metres in depth, 10.1 metres in width, with a maximum and eaves height of 3.3 metres due to the flat roof.

The patio measures as 3 metres in depth at the left-hand boundary, 1 metre at the right-hand boundary, 10.2 metres in width and 0.26 metres in height.

### **4. Public Consultation**

Consultation letters were sent to 7 neighbouring properties;  
No objections were raised throughout the consultation period.

### **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 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, CS4, CS5,

Relevant Development Management Policies: DM01.

## 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

Officers consider that the main planning considerations are as follows:

- 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

### Preliminary Matters

It is noted that the previous grant of planning permission, 20/5999/HSE comprises an approved rear extension with a depth of 3.6 metres - consistent with the adjoining properties. The previous application originally proposed a rear extension of 4.9m in depth however, this was amended in response to concerns from the LPA regarding the impact to the character of the host property and surrounding area.

### Potential impacts upon 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 DM01, CS05 (both of the Barnet Local Plan) and D3 (of the 2021 London Plan) - including the advice pursuant to Policy DM01 as set out within the Residential Design Guidance SPD (2016).

The Development Plan requires that all proposals should preserve and enhance the local character of the area. The Residential Design Guidance SPD stipulates that a depth of 4 metres is normally considered acceptable for a single storey rear extension on a detached dwellinghouse, but that in any event, they should respect the proportions of the existing house, remain subordinate and should not be overly-dominant. The cumulative effect of extensions and their impact on the appearance of an area should also be taken into account.

The single storey element of this proposal would be of a maximum depth of 4.9m and thus, the proposal would not be compliant with the ordinary expectations of the guidance pursuant to Policy DM01 - resulting in a disproportionate addition of excessive depth.

With regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Although there are some properties set around the curve in the road toward the southern end of Haslemere Avenue with larger ground floor rear extensions, they compliment each other and do not form the immediate context for the host dwelling - which is otherwise consistent and forms an established rear building line.

As such, the additional depth of this proposal relative to the neighbouring properties, is considered to be of harm with regard to the character and appearance of the host property and surrounding area.

The patio, although not being set in from either boundary, is not considered to be out of character of the local area, with many neighbouring properties benefitting from an existing patio of a generous size. In addition to this, the height of the proposed patio at 0.26m would result in a limited profile and therefore would be of negligible impact in the way of character.

Both the single storey rear extension and patio would not be visible from the front, consequently resulting in no impact on the street scene.

Notwithstanding that fact, officers consider that the proposed ground floor rear extension would remain of intrinsic detriment to the established character and appearance of the host property and surrounding area for the reasons outlined.

#### Potential impacts upon the amenities of neighbouring residents

It will be important that any scheme addresses the relevant development plan policies (DM01 of the Barnet Local Plan and policies D3 and D6 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. Any application should include plans demonstrating how this has been achieved. Specific areas which will need to be addressed in this regard include the impact of the proposal on daylight and sunlight.

The ground floor rear extension and patio are not considered to be of detrimental impact regarding either neighbouring property due to the existing single storey rear extensions on each property. As a result, the rear building line extends a maximum of 2.3 metres further than the neighbouring property's rear building line and as such, is not considered to be of unacceptable harm in the way of a loss of sunlight and outlook - being consistent with the expectations of the Residential Design Guidance SPD.

In terms of privacy, the patio is of a small nature and low height at 0.26m and therefore, adequate privacy is considered to be retained between the residents. No windows are proposed to the side elevations of the extension.

Therefore, it is considered that the extension would have an acceptable impact on the residential amenity of neighbouring occupiers.

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

N/A

#### **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 the proposed development does not comply with the guidance and would have an unacceptable impact on the character and appearance of the application site, and locality. As such, this application is recommended for REFUSAL.



BLOCK PLAN

