

<b>Location</b>	<b>1 Manor Close Barnet EN5 4BP</b>	
<b>Reference:</b>	<b>21/1597/FUL</b>	Received: 23rd March 2021 Accepted: 23rd March 2021
Ward:	Underhill	Expiry 18th May 2021
<b>Case Officer:</b>	<b>Will Collier</b>	
Applicant:	Alex Seymour	
Proposal:	Single storey rear extension with 1no rooflight. Alterations to the front entrance door with new front window, and a new door to 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:

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Planning Statement

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 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).

- 4 Before the building hereby permitted is first occupied the proposed window(s) in the rear elevation of the extension facing the garden 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 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 and the Applicant engaged with this prior to the submissions of this application. 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 The applicant is advised that the provisions of The Party Wall etc. Act 1996 may be applicable to this scheme. This relates to work on an existing wall shared with another property; building on the boundary with a neighbouring property; or excavating near a neighbouring building. Further information can be found at <https://www.gov.uk/party-wall-etc-act-1996-guidance>.

## **OFFICER'S ASSESSMENT**

### **1. Site Description**

The application site comprises of a two-storey semi-detached dwelling house, which is located on Manor Close, Barnet, within the Underhill Ward. The application site, no.1 Manor Close, has a two-storey rear projecting gable, and the building is divided into two flats and this proposal relates to the ground floor flat.

Manor Close is residential in character comprising of 2 no. pairs of semi-detached properties located within a cul-de-sac. The properties are identical in design and form. The site can be accessed from Wood Street. The flat has an existing front and side entrance. The application site is not a listed building and does not lie within a Conservation Area.

### **2. Site History**

No relevant Planning History.

### **3. Proposal**

This application seeks permission for a proposal to erect:

- o A single storey rear extension with 1 no rooflights.
- o Alterations to the front entrance door with new front window, and a new door to the rear.

The alterations to the front consist of a new front entrance with curved glass canopy above. This canopy is about 1.5 metres in width, 0.6 metres in depth, with a maximum of 2.8 metres in height above ground level. A new en-suite window is proposed to the left of the front entrance.

The alterations at the side involve infilling the existing side entrance door, such that the only access would be via the front. Flat 1A's (flat above) entrance door on the side would remain in place unchanged.

The front driveway would remain as hardstanding with space for two parking spaces and refuse storage area.

The proposed rear extension is sited on the rear of the existing rear projecting element of the building. It would measure 3 metres in depth, 4.92 metres in width, with a flat roof about 3.15 metres in height. The proposed rear extension would also include 1 square rooflight (1 metre by 1 metre) positioned centrally in the roof space.

The proposal has been amended during the course of the application to have a flat roof with one rooflight, instead of a previously proposed lean-to pitched roof with two rooflights. The windows on the rear elevation of the extension have been amended to two windows at conventional height instead of one single high-level window.

## 4. Public Consultation

Consultation letters were sent to 13 neighbouring properties.

7 objections were received. The issues and concerns raised are summarised below:

- o Property has limited parking
- o Rear extension is too large for the space and there is nothing similar in size nearby.
- o Lack of remaining amenity space.
- o A large, rendered wall with a high strip of window will not suit the look of the property. The siting of the amenity area close to the rear wall and adjacent to the common boundary would raise noise pollution issues.
- o The proposed height of the rear extension would be above the floor line for the flat above and it would be considered as an encroachment of neighbouring property; pitched roof is too high and should be a flat roof.
- o Loss of outlook from first floor flat above (No. 1A) and from its garden - overbearing to this garden.
- o Concerns regarding the structural stability of internal works.
- o Manor Close is too narrow for large vehicles and skips associated with the construction.
- o Front alterations detract from the uniformity of the frontages of Nos 1 - 4 Manor Close, which were built together in the 1930s and visible to passers-by.
- o The proposed extension bringing the back wall so much closer to the neighbouring garden, would still cause the feeling of privacy being lost. This causes overlooking of the garden area.
- o This property is in a small community with small gardens and an extension could encroach on the neighbouring residents' privacy and space in an oppressive way.
- o Noise and air and odour pollution resulting from kitchen opening onto amenity area on the common boundary, especially in summer with possible outdoor barbecues and given more people are working from home.
- o The roof lights will when open allow the general commotion of a kitchen to permeate to the neighbour's upper bedroom.
- o The floodlights are going to produce commotion to the neighbours above and adjacent.
- o Noise and odour issues could be mitigated by re-locating the extension on the common boundary with No. 2 Manor Close and ensuring the rooflights are non-openable.
- o Correction to wording - 1 - 4 Manor Close were designed as 8 maisonettes originally.
- o The rear extension would restrict access to guttering
- o Loss of property values.
- o Infilled doorway on side - would be difficult to find matching brickwork.
- o Side window of rear extension should be obscure glazed.
- o With COVID having changed how everyone is working from home, the building progress cause a distraction and a potential loss of business.
- o The layout design is deemed poor with scope for improvement.

## 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 20th July 2021. 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 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.

### 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 19) 2021

Barnet's Draft Local Plan - 19 - Publication was approved for consultation on 16th June 2021. The Reg 19 document sets out the Council's draft planning framework together with draft development proposals for 65 sites. It is Barnet's draft 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 the policies and site proposals in the draft Local Plan.

## 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.
- Whether harm would be caused to the conditions for future occupiers of the flat.

## **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;

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 which states that all proposals should preserve and enhance the local character of the area, as well as policies CS05 (both of the Barnet Local Plan), D1, D3 and D6 (of the London Plan).

The properties on Manor Close (Nos 1-4) are identical in form and design. The proposal involves minor alterations to the front door and window with a glass canopy over the new door. It is considered that moving the entrance of the property to the front elevation is acceptable and the glass canopy will not detract the original appearance of this series of properties. The glass canopy on the front entrance is of small scale and assessed to have no significant impact on the uniformity of the frontages.

The proposed single storey rear extension of 3 metres in depth is considered to be subordinate to the existing house which would not be detrimental to the character and appearance of the house and the surrounding properties in the area.

With regards to the proposed materials, the applicant has indicated on the plans that the extension would be of white render to match rear elevation of the main dwelling house. This is considered acceptable.

The rear elevation of the extension has been amended such that two windows of standard ground floor level height are proposed instead of one single high-level strip window. In terms of design and appearance this is considered an improvement and acceptable in terms of visual amenity.

Given the size of the property and the site in which it sits, the proposal is not considered to result in overdevelopment or a cramped form of development. The proposal would be simple in design and would respect the appearance of the host property. The proposed extensions are not considered to be a dominant addition to the dwelling and are in keeping with the principles of good design.

As such the proposal is considered to be subservient to the host dwelling and would comply with Policy DM01 of Barnet's Development Management Policies DPD and would have an acceptable impact on the character of the original property, street scene and wider locality.

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

It is important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan policy 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.

The application site is a ground floor flat and therefore there are the nearest neighbouring properties are: Flat 1 A above, and flats in the adjoining semi (Nos 2 and 2A Manor Close).

Light and outlook:

The proposed rear extension is about 3 metres deep and set 3 metres away from the common boundary with No 2 Manor Close. It is thus considered this distance away from the boundary is sufficient to ensure no detrimental impact on light or outlook at the flats at No. 2 Manor Close.

It is noted a number of objections have highlighted the extension would have an overbearing impact on the garden of Flat 1 A, located south of the extension. However, it should also be noted that the extension is set nearly 1 metre away from the boundary of this garden.

Taking this into account, together with the depth and amended roof design of the extension and that it does not span the full width of the property, it is considered not to cause an adverse overbearing impact on this garden.

The proposed alterations at the front raise no concerns in respect of outlook or light at neighbouring properties.

#### Privacy:

The proposed windows in the southern elevation of the extension are considered to result in overlooking to the neighbouring garden of Flat No. 1A. However, it is considered this would be sufficiently mitigated by a condition for these two windows to be obscure glazed. The side window in the west elevation of the extension is sufficient far from neighbouring properties: there is a highway (Manor Close) and substantial boundary treatment acting as sufficient separation and screening between properties.

The proposed French doors on the east elevation open out into an amenity area adjacent to the common boundary. A number of objections have raised concern that this would cause a loss of privacy to No. 2 Manor Close. However, taking into account these doors are set 3 metres away from the common boundary together with the existing boundary timber fence (at least 1.5 metres in height) and that there are no opposite facing windows at No. 2 Manor Close, it is assessed that there would be no adverse overlooking.

#### Noise, odour, and light pollution:

With respect to concerns about noise and odour emanating from the kitchen extension and amenity area on the common boundary, it is not considered these are sufficient concerns given the proposal is domestic and residential in character.

With regard to light, the amended roof design for a flat roof with single rooflight is considered to mitigate this concern sufficiently: the roof is set sufficiently low in height and the roof glazing sufficiently limited to ensure no adverse light pollution to neighbouring properties. The French doors (2 meters wide) are also considered not to cause adverse light pollution taking into account they are set back from the common boundary by 3 metres and the residential character of the development.

#### - Whether harm would be caused to the residential amenities for existing/ future occupiers of the flat:.

Sustainable Design and Construction SPD (adopted October 2016) states that, "Outdoor amenity space is highly valued and suitable provision will help to protect and improve the living standards of residents as well as contribute to maintaining and enhancing the wider character of the borough." It further mentions that, "Residential units with insufficient garden or amenity space are unlikely to provide good living conditions for future occupiers."

Table 2.3 within the Sustainable Design and Construction SPD indicates that for flats, outdoor amenity space should be 5 sqm per habitable room. In this case the new layout will see 3 habitable rooms (2 bedrooms and living room), as the new kitchen/dining room does not exceed 13sqm, it will not be counted as a habitable room. Therefore, the unit will need to provide an amenity space of 15sqm. The property benefits from a very modest rear garden located mostly to the side of the extension, and the extension will occupy a significant area of this garden.



Having measured the rear garden, it appears that although the garden retained would be 19.6sqm, only 15sqm can be counted as useable space, and therefore meets the required space requirements for outdoor amenity space.

Concerns have been raised about the level of outlook enjoyed by the new extension. This is not accepted given the French doors and fenestration on the rear and side elevations of the amended design.

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

Objections have been largely addressed in the body of the report. Some further responses are set out below.

- o The proposal would reduce the amenity space for the 2-bedroom flat, The 19.6 SQM courtyard designed accessible by two double doors is questionable, let alone enjoy the modern lifestyle of BBQs, which in addition bring the nuisance of smell and smoke.

This has been assessed above, two habitable room units requires 15sqm private amenity space and the proposal would have 19.6sqm space.

- o a large, rendered wall with a high strip of window will not suit the look of the property.

The proposed rendered wall would fit within the existing rear wall of the property. Furthermore, the amended design no longer has high-level windows.

- o The proposed height would be above the floor line for the flat above and it would be considered as an encroachment of neighbouring property.  
This has been overcome by the amendments to the roof design from pitched to flat roof.

Other objections are not considered to be planning materials consideration.

#### **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.

