

Location 60 Hervey Close London N3 2HJ

Reference: 21/6321/HSE Received: 2nd December 2021
Accepted: 2nd December 2021

Ward: West Finchley Expiry 27th January 2022

Case Officer: Tania Sa Cordeiro

Applicant: Build Aid LTD

Proposal: First floor side and part single, part two storey rear extensions with 1no skylight to flat roof of single storey rear extension. Associated alterations and extension to roof including 1no. front facing and 1no. rear facing rooflights and side, front and rear windows. New front porch. Reduction of first floor rear extension. (Amended plans - dormer)

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:

Drg.no. KK-09 rev. A-Rev1(Proposed Site Plan)
Drg.no. KK-06 rev. A (Location Plan and Site Plan)
The above plans were received on the 02/12/21.

Drg.no. KK-07B rev. B4 (Existing Plans & Elevations)
Drg.no. KK08-B5 rev. A-Rev. 5 (Proposed Plans & Elevations)
Drg.no. KK-07B rev. A (Permitted Development Calculations)
The above plans were received on the 31/01/22.

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).

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 premises shall be used as a single family dwelling house and for no other purpose (including any other purpose in any other Class of the Schedule to the Town and Country Planning (Use Classes) Order, 1987, or in any provision equivalent to any Class in any statutory instrument revoking and re-enacting that Order with or without modification).

OFFICER'S ASSESSMENT

This application has been "called in" by Councillor Rich who wishes the matter to be considered by the Planning Committee for the following reasons:

" over development of the site and the impact number of varying applications is having on local residents ".

1. Site Description

The application site is a two-storey end terrace dwellinghouse located at 60 Hervey Close. The property is located within the West Finchley ward of Barnet and benefits from off-street parking facilities to the front of the dwelling and amenity space to the rear.

The surrounding area is predominately residential and upon review, it is apparent that many of the properties within the street have benefitted from some form of extension over the years.

The application site is not located within a conservation area, nor is it a listed building.

2. Site History

Reference: 20/5614/192

Address: 60 Hervey Close, London, N3 2HJ

Decision: Lawful

Decision Date: 18 December 2020

Description: Roof extension involving hip to gable, rear dormer window and 2no front facing rooflights. Erection of a rear outbuilding including garage with 1no car parking space. New front hardstanding

Reference: 20/5620/PNH

Address: 60 Hervey Close, London, N3 2HJ

Decision: Prior Approval Required and Refused

Decision Date: 23 December 2020

Description: Single storey rear extension measuring 6.00 metres in depth from the original rear wall with an eaves height of 3.00 metres and a maximum height of 3.00 metres

Reference: 21/0149/PNH

Address: 60 Hervey Close, London, N3 2HJ

Decision: Prior Approval Required and Approved

Decision Date: 12 February 2021

Description: Single storey rear extension with a proposed depth of 6.00 metres from original rear wall, eaves height of 3.00 metres and maximum height of 3.00 metres.

Reference: 21/0789/192

Address: 60 Hervey Close, London, N3 2HJ

Decision: Lawful

Decision Date: 15 March 2021

Description: Single storey rear extension

Reference: 21/0835/HSE

Address: 60 Hervey Close, London, N3 2HJ

Decision: Refused

Decision Date: 16 April 2021

Description: Two storey side and rear extension. Roof extension involving hip to gable, rear dormer window and 4no rear and 4no front facing rooflights. New front porch

Reasons for refusal:

1. The proposed extensions would by reason of their size, siting, bulk and design, result in a disproportionate and incongruous form of development, resulting in an overdevelopment of the site, appearing bulky, prominent and out of scale with the host dwellinghouse, which would be detrimental to the character and appearance of the host property and the surrounding area contrary to policy D3 of the London Plan (2021), policy CS5 of the Barnet Local Plan (Core Strategy) DPD adopted 2012, policy DM01 of the Barnet Local Plan (Development Management Policies) DPD adopted 2012 and the Residential Design Guidance SPD adopted 2016.

2. The proposed development would, by reason of its cumulative size, depth, siting and design, be overbearing and visually obtrusive, detrimental to the residential and visual amenities of the occupiers of No. 62 Hervey Close contrary to policy D3 of the London Plan (2021), policy CS5 of the Barnet Local Plan (Core Strategy) DPD adopted 2012, policy DM01 of the Barnet Local Plan (Development Management Policies) DPD adopted 2012 and the Residential Design Guidance SPD adopted 2016.

Reference: 21/6146/HSE

Address: 60 Hervey Close, London, N3 2HJ

Decision: Withdrawn

Decision Date: 2 December 2021

Description: First floor side and part single, part two storey rear extensions with 3no skylights to flat roof of single storey rear extension. Associated alterations and extension to roof including 1no. front facing and 1no. rear facing rooflights and side window. New front porch

3. Proposal

The application seeks approval for a first floor side and part single, part two storey rear extensions with 1no skylight to flat roof of single storey rear extension. Associated alterations and extension to roof including 1no. front facing and 1no. rear facing rooflights and side, front and rear windows. New front porch

At ground floor the proposed rear extension will measure approximately 3 metres in depth,

9.7 metres in width and 3.1 metres in height.

At first floor level, the proposed rear extension will measure approximately 3 metres in depth, 4.8 metres in width, with an eaves height of 5.8 metres and a maximum height of 7.8 metres.

The proposed first floor side extension will measure approximately 3.5 metres in width, 10.5 metres in depth (to include the first floor rear extension), with an eaves height of 5.9 metres and a maximum height of 9.3 metres when viewed in the front elevation.

The proposed front porch will measure approximately 1 metre in depth, 2.4 metres in width, with an eaves height of 3.3 metres and a maximum height of 4.2 metres.

4. Public Consultation

Prior to the number of objections received, Cllr Rich called this in to committee on the grounds of over development of the site and the impact of the number of applications on local residents.

Consultation letters were sent to 13 neighbouring properties. 13 responses were received from 10 neighbouring properties, comprising 10 separate letters of objection. The objections can be summarised as follows:

- The property was originally built as 3-4 bed family homes, this development will change it to 8 bedroom multiple occupancy
- It will be turned into flats
- My view will be a massive two-storey rear extension
- Side windows would cause overlooking and a loss of privacy
- A fence has been erected which is out of character with other fences
- Over developed outbuilding and reduced garden size
- This application will lead the way for other conversions
- Doubled square footage
- Kitchens are going to be installed
- Separate gas metres are being installed
- Flats will overwrite the character of the area which is family homes
- 7th application this year
- Overdevelopment of the property and excessive coverage of the site
- Development is out of keeping with local context and surrounding neighbourhood
- Extensions are too dominant and not subordinate to the original house
- The side extension retains the gable-faced roof overlooking Claigmar Gardens, previously judged by the Planning Officer to be 'harmful to the character of the surrounding area'
- The first floor extension at the rear would still cover more than half the width of the extended dwelling
- If the Council approves this application, on top of the various other extensions and new structures already under construction at the property, it would be granting permission for the construction of a mega-house, more than double the size of the original dwelling and the other homes in the locality
- Previous approvals are not shown on the plans
- Increase in bedrooms will raise the amount of car parking, refuse bins needed
- Increased pressure on parking
- Extensions will be detrimental to the character and appearance of the area.
- 7 applications is far too many

- No.64 did not receive a letter from the owner nor Barnet Council about the works
- Style and appearance no longer reflects surroundings
- Works have been disruptive and no notice given to neighbours
- The sequencing in the planning process has been strange (we are commenting on work that has already begun)
- There is significant difference in size, mass or obtrusive appearance between this application and Ref: 21/0835/HSE
- Outbuilding not being built in accordance with approved plans
- Planting has been removed
- Clear glass windows facing my property
- The 6m extension has been built
- If all extensions are built out, our garden will be enclosed by a concrete boarder
- Overlapping of applications is leading to confusion and uncertainty for neighbours

In addition a Planning Analysis was sent in by an objector, on the 19 January, setting out in detail the reasons for the objection. Reasons for the concerns/objections have been summarised below. In addition, calculation with regards to the loft conversion have been provided by a concerned neighbour. These have been fully taken into account and an assessment of these figures has been done by the LPA.

- The partial implementation of works consented under multiple previous applications must be represented in the 'existing' drawings submitted as part of the current application so that determination of the current proposals can be fully assessed.
- Investigate the CIL liability further with the appropriate officials at Barnet Council.
- Insufficient External Amenity Space
- Ensure that any further consent granted for works to the property does not inadvertently allow use of national and local plan policies granted to private dwellings in order to enable a future change of use.
- Condition should be imposed precluding subdivision or multiple occupation of the property in the future.
- Condition should also be placed on granting of any new consent precluding combination of its implementation together with the implemented consents for the outbuilding and the 6metre deep rear extension.
- Rear dormer not built to plans.
- Loft conversion exceeds the permitted allowance of 50cubic metres.
- Concerns with regards to overdevelopment of the site and design of the extensions.

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 20 July 2021. 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.

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. 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 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 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 22) 2021

Barnet's Draft Local Plan -Reg 22 - Submission was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission, the Local Plan will now undergo an Examination in Public. The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. It represents 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 and the stage that it has reached.

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

Preliminary Matters

It should be noted that the property already benefits from a number of approved permitted development extensions. As per lawful development certificates 20/5614/192 and 21/0789/192, the property can implement a roof extension involving a hip to gable and rear dormer window, a rear outbuilding and a 6m single storey rear extension. At the time of submission of this current application, the roof extension was substantially complete, and is therefore shown on the existing plans and elevations.

Site photos submitted with this application demonstrate that 1 no side wall of the 6m single storey rear extension has been erected. Given that this does not demonstrate substantial completion of the 6m single storey rear extension, nor does it show clear intent to build this extension, this extension is not taken into account in the assessment of this application. As it is not substantially complete, it cannot be deemed to be an existing structure therefore cannot be shown on the existing plans. It should be noted that the applicant would need to substantially complete the 6m extension for it to be considered as lawful. Building a 6m extension together with a first floor extension in one operation would deem the ground floor element unlawful.

It is also noted that works have commenced for the rear garden outbuilding. As this

element is not considered as substantially complete, it is not shown on the existing and proposed plans

Notwithstanding the above, subsequent to further concerns raised by neighbours, a sit visit was undertaken and it was noted that all previously consented works to the property were put on hold, that includes the loft conversion, the rear outbuilding and the rear extension.

Following concerns raised with regards to the lawful status of the roof extensions, 2no. officers, which included an enforcement officer and a senior planning officer visited the site on the 14 February 2022. With the help of measurements taken on site and by counting the number of tiles and breeze blocks on neighbouring properties from adjacent streets, a measurement of 50.2cubic meters was arrived at. Whilst, it is 0.2m over what is considered to be lawful, it is the opinion of the officers that this marginal increase should not impede the decision making process for the current proposal. The additional 0.2m is considered marginal and not considered to detract further from the character of the area than that which was deemed lawful.

- 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, CS05 (both of the Barnet Local Plan), D1 and D4 (both of the London Plan 2021).

First floor side extension

Barnet's Residential Design Guidance (2016) states that side extensions to existing buildings can be unacceptably prominent features in the street scene. Para 14.15 states that side extensions should not be more than half the width of the original house. In addition, the setting back of the front wall of side extensions from the front building line can help to reduce the visual impact on the street scene.

Paragraph 14.16 of Barnet's Residential Design Guidance also states that pitched roofs help extensions fit in with the street. Pitched roofs, following the same pitch as the existing roof, will normally be needed for two storey extensions and should be set down at least 0.5 metre from the ridge of the main roof

The proposed first floor side extension will sit on top of an existing ground floor side extension. The first floor side extension will be set behind the front wall of the property by approximately 1 metre and will be less than half the width of the main property. In addition, a gable roof is proposed to match the main roof form and will be set below the main roof by approx. 0.5 metres. It is considered that the first floor side extension has been designed in accordance with Barnet's Residential Design Guidance, to ensure a subordinate and proportionate addition to the property.

The first floor side extension is considered to be acceptable in terms of design and will not harm the character and appearance of the property or surrounding street scene.

Part single part two-storey rear extension

Barnet's Residential Design Guidance SPD (2016) stipulates that a depth of 3 metres is considered acceptable for a single storey rear extension on a terrace property. The ground floor rear extension proposes a depth of 3 metres and is therefore in keeping with these guidelines and is considered to be acceptable in terms of size and scale. It is noted that the property has the fall back position of the 6m single storey rear extension, therefore a 3m rear projection is considered to be acceptable.

Barnet's RDG states that two storey rear extensions which are closer than 2 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable. This is because they can be too bulky and dominant and have a detrimental effect on the amenities of neighbours.

The proposed first floor rear extension will join with the first floor side extension and will project 3m in depth. A pitch roof is proposed which will allow the first floor extension to relate well to the rest of the property. Furthermore, the first floor rear extension will be less than half the width of the rear elevation.

The application site is located on a corner plot on the junction of Hervey Close and Claigmar Gardens, and, as such, is located more prominently within the streetscene. It is considered that the modest depth of the first floor, which is consistent in terms of depth with the ground floor extension, ensures the impact of the extension on the appearance of the street scene is minimal. Further, the extension has been designed so that it is set down from the main roof of the house. The extension would be very similar in terms of design to that of the two-storey side/rear extension in place at no.1 Cadogan Gardens, which also sits prominently within the street scene of Claigmar Gardens as the other corner property. Given this example, it is not considered that the proposed development would be out of character with the surrounding area, and such extensions on corner plots are evident.

Whilst the first floor side/rear extension would be visible, it is not considered to be harmful to the street scene or character of the area.

New front porch

Front porches should be designed to ensure that the character and appearance of the property and street scene is not harmed.

The front porch extension will join with the front wall of the existing side extension, creating a pitched roof to join these two elements.

Due to the porches design, size, height and sitting it is considered that the development would not cause harm to the character and appearance of the existing building, the street scene and the wider locality. The porch will be subordinate in scale when compared with the main dwelling and doesn't appear as a bulky or prominent feature. Properties along Hervey Close also benefit from porch extensions, with each being a different design and size. Therefore, this development is not found to harm the appearance of the street scene and local area. Furthermore, the side extension would then benefit from a pitched roof, which is considered to be an improvement in terms of design.

- 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) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

First floor side extension

As this property is a corner property, due to its sitting, the proposed side extension will not harm the amenities of neighbouring properties. The front wall of no.2 and no.4 Claigmar Gardens, which sits on the opposite side of the road, is located approximately 21 metres from the flank wall of the proposed first floor side extension. Due to the distance between the properties, this element will not harm the visual amenities or lead to a loss of light for neighbouring occupiers. Further, due to this distance, it is not necessary for the first floor side window or roof level window to be obscure glazed. Table 2.4 of Barnet's Sustainable Design and Construction SPD states that a minimum distance of 21m is required between residential properties with facing windows to habitable rooms to avoid overlooking.

The side extension will not be visible from the adjoining neighbour at no.62 Hervey Close. As such, this element will not harm their residential amenities.

Part single part two-storey rear extension

Barnet's Residential Design Guidance outlines that a depth of 3 metres is normally considered acceptable for a single storey rear extension on a terrace dwelling to ensure the proposal would not unduly harm the amenity of adjoining properties by way loss of light, outlook or increased sense of enclosure. The proposed ground floor extension will extend 3 metres past the rear wall of no.62 Hervey Close which adjoins the application site. Given that the proposal complies with the SPD guidance, it is not found that the proposal would result in an unacceptable level of harm to the amenity of neighbouring occupiers at no.62. In addition, as stated above the property has the fallback position of the 6m single storey rear extension, therefore a 3m rear projection is considered to be acceptable.

The proposed first floor rear extension will project 3m in depth and will be located approx. 4.5 metres from the boundary with no.62 Hervey Close. It is considered that there is sufficient distance between the first floor extension and the neighbouring property to ensure this element of the development will not lead to a detrimental loss of light or outlook for neighbouring occupiers of no.62.

New front porch

Due to the size, sitting and design of the proposed porch, it is not considered that this element will harm the amenities of neighbouring sites.

5.4 Response to Public Consultation

'The property was originally built as 3-4 bed family homes, this development will change it to 8 bedroom multiple occupancy,' 'It will be turned into flats.'

- This application is solely for extensions to the single family dwellinghouse. A conversion into flats or use as a HMO would require planning permission.

'My view will be a massive two-storey rear extension'

- It is not considered that the extensions, when viewed side on, will detrimentally harm the visual amenities of neighbouring sites.

'Side windows would cause overlooking and a loss of privacy'

- There will be a distance of at least 21m between the side extension windows and the front windows of no.2 and no.4 Claigmar Gardens. Due to this distance, it is not necessary for the first floor side window to be obscure glazed. Table 2.4 of Barnet's Sustainable Design and Construction SPD states that a minimum distance of 21m is required between residential properties with facing windows to habitable rooms to avoid overlooking.

'A fence has been erected which is out of character with other fences'

- Permitted development allows households to erect 2m side boundary fences without planning permission.
- This application does not include the erection of a fence.

'Over developed outbuilding and reduced garden size'

- The property can use their permitted development rights to erect a rear outbuilding. This element does not require planning permission. A lawful development certificate has been granted for a rear outbuilding at this site.

'This application will lead the way for other conversions'

- This application is not for a conversion

'Doubled square footage,' ' Separate gas metres are being installed,' 'Flats will overwrite the character of the area which is family homes'

- The extensions within this application do not double the square footage of the property.

'Kitchens are going to be installed'

- This application is for extensions to a single family dwelling. Conversion into flats would require planning permission.

'7th application this year,' '7 applications is far too many'

- Previous applications have been for lawful development certificates and prior approval. 2no householder applications have been submitted, one refused, and one withdrawn. The applicant is entitled to submit planning applications and applications for lawful development. The LPA cannot refuse to accept these application.

'Overdevelopment of the property and excessive coverage of the site'

- The extensions proposed within this application are considered to be subordinate additions and would not represent an over development of the property.

'Development is out of keeping with local context and surrounding neighbourhood,' 'Extensions are too dominant and not subordinate to the original house'

- The roof extension, already erected, is permitted development and a number of other properties in the vicinity have completed similar works
- The first floor side extension and part single part two storey rear extension are considered to be subordinate additions to the main property, complying with Barnet's Residential Design Guidance.

'The side extension retains the gable-faced roof overlooking Claigmar Gardens, previously judged by the Planning Officer to be 'harmful to the character of the surrounding area'

- The previous application included works to the roof as these had not been erected through permitted development prior to application 21/0835/HSE. In this current application, the roof extension involving a hip to gable has already been erected and is lawful. Given its presence as an existing structure, and therefore now part of the character

of the property, the gable ended roof of the first floor side extension is considered to be acceptable in terms of appearance and design.

'The first floor extension at the rear would still cover more than half the width of the extended dwelling.'

- The first floor extension was amended during the process to be less than half the width of the rear elevation.

'If the Council approves this application, on top of the various other extensions and new structures already under construction at the property, it would be granting permission for the construction of a mega-house, more than double the size of the original dwelling and the other homes in the locality'

- The current application is for extensions to a single family dwelling. Other extensions at the property have been approved through permitted development. The applicant would need to build in accordance with an approved set of plans in full, failing which the applicant will need to provide evidence that the extensions adhere to permitted development.

'Previous approvals are not shown on the plans'

- Discussed in 'Preliminary Matters' section

'Increase in bedrooms will raise the amount of car parking, refuse bins needed,' 'Increased pressure on parking'

- No changes to the parking and refuse situation are proposed within this application.

'Extensions will be detrimental to the character and appearance of the area.'

- The proposed extensions within this application are considered to be in keeping with Barnet's Residential Design Guidance and are therefore considered acceptable in terms of character and appearance. A full assessment of these elements can be found in the main body of the report.

No.64 did not receive a letter from the owner nor Barnet Council about the works

- It is required for the LPA to consult immediate adjoining neighbours or adjacent properties.

'Style and appearance no longer reflects surroundings'

- Works have been carried out under permitted development.

'Works have been disruptive and no notice given to neighbours'

- Works already undertaken have been for permitted development. It is not a requirement for the LPA to consult neighbours for lawful development certificates.

'The sequencing in the planning process has been strange (we are commenting on work that has already begun)'

- Works already undertaken have been for permitted development. It is not a requirement for the LPA to consult neighbours for lawful development certificates.

'There is no significant difference in size, mass or obtrusive appearance between this application and Ref: 21/0835/HSE'

- This application does not include a 6m rear extension or the roof extensions. Further, the first floor extension has been significantly reduced.

'Outbuilding not being built in accordance with approved plans'

- The outbuilding does not form part of this application

'Planting has been removed'

- Planning permission is not required to remove planting

'The 6m extension has been built'

- The 6m rear extension has not been substantially complete to be deemed as a lawful structure

'If all extensions are built out, our garden will be enclosed by a concrete boarder'

- The applicant would need to build in accordance with one set of approved plans. This application is for a 3m ground floor extension which is not considered to have a harmful impact on neighbouring amenity. The outbuilding is subject to permitted development.

'Overlapping of applications is leading to confusion and uncertainty for neighbours'

- The applicant has used permitted development to undertake some works which do not require planning consent. The applicant would need to build in accordance with approved plans within this application if they choose to implement it.

'The partial implementation of works consented under multiple previous applications must be represented in the 'existing' drawings submitted as part of the current application so that determination of the current proposals can be fully assessed'

- Given that the rear extension and the outbuilding are not substantially complete, it cannot be deemed to be an existing structure therefore cannot be shown on the existing plans. This concern has been addressed in detail within the body of the report (preliminary matters) above.

'Investigate the CIL liability further with the appropriate officials at Barnet Council'

- The Authority has its own CIL team that will pick up any inaccuracies with the CIL payments. Notwithstanding this, this concern is not a planning consideration.

'Insufficient External Amenity Space'

- The proposal is for extension to an existing dwelling which has the benefit of permitted development rights. Therefore, the applicant is allowed to erect an outbuilding, a single storey side extension and a 6m single storey extension under class A of permitted development without the need to take into consideration amenity space for the occupiers. In this case the applicant is seeking consent for a 3m rear extension and it is considered that the property will have sufficient amenity space retained post construction.

'Condition should be imposed precluding subdivision or multiple occupation of the property in the future. Condition should also be placed on granting of any new consent precluding combination of its implementation together with the implemented consents for the outbuilding and the 6metre deep rear extension'

- A planning application would be required to subdivide the property or to use it as multiple occupation. Therefore, it is not necessary to attach conditions based on assumptions. Furthermore, as stated in the body of the report above the property benefits from permitted development rights and therefore entitled to carry out works to the property as long as it adheres to the conditions set out within the 'Permitted Development' legislation. Any other elements that falls outside the scope of Permitted Development will require planning permission.

'Rear dormer not built to plan'

- Concerns were taken onboard and amended plans were secured which reflects what is on site, subsequently a neighbour consultation was carried out.

'Loft conversion exceeds the permitted allowance of 50cubic metres'

-Following concerns raised with regards to the lawful status of the roof extensions, 2no. officers, which included an enforcement officer and a senior planning officer visited the site on the 14 February 2022. With the help of measurements taken on site and by counting the number of tiles and breeze blocks on neighbouring properties from adjacent streets, a measurement of 50.2cubic meters was arrived at. Whilst, it is 0.2m over what is considered to be acceptable, it is the opinion of the officers that this marginal increase should not impede the decision making process for the current proposal.

'Concerns with regards to overdevelopment of the site and design of the extensions'

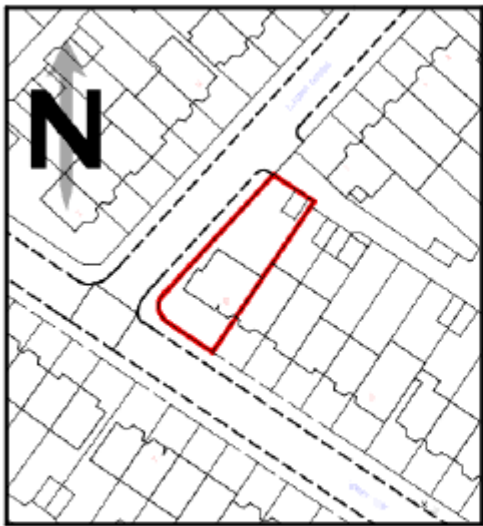
-These concerns have been mainly addressed in the body of the report. It is common practice to ensure uniformity in character and therefore precedence forms an important element in an officers report. However, ultimately every application is assessed on its own merits and could vary in appearance and character providing it does not impact the character and appearance of the property and street to an unacceptable level.

6. Equality and Diversity Issues

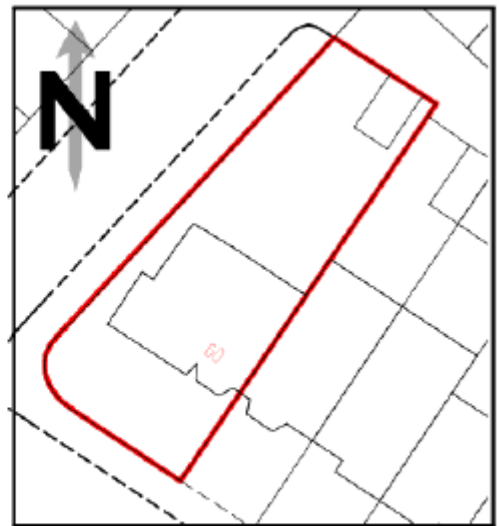
The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

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.



LOCATION PLAN 1.1250



SITE PLAN 1.1500