

Location **121 Friern Park London N12 9LH**

Reference: **21/6306/HSE** Received: 1st December 2021
Accepted: 1st December 2021

Ward: Woodhouse Expiry 26th January 2022

Case Officer: **Emily Bell**

Applicant: Mr Peter Apicella

Proposal: Single storey side extensions

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:
202006.P.5301 REV 0
202006.P.5101 REV 0
202006.P.5011 REV C
202006.P.5302 REV C
202006.P.5111 REV C
202006.P.5001 REV 0

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. 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 site is located on the north-eastern side of Friern Park, within the Woodhouse ward. It contains a two-storey semi-detached dwellinghouse at 121 Friern Park, N12 9LH . The host property benefits from front hardstanding and rear amenity space. The dwelling has a two-storey rear outrigger. It also benefits from extensions including a hip to gable extension, rear dormer window and a single storey rear extension. It also benefits from an existing outbuilding at the rear of the garden.

The site does not lie within a conservation area. The host property is locally listed. The local listing states;

"Built 1903, the two pairs of prominent semi-detached houses at 115, 117, 119 & 121 Friern Park have unifying features that include their Queen Anne Revival-style red and white facades, their four large two-storey bays, and their vernacular vs. classical variations at roof level. 115, 117, 119 & 121 Friern Park are four of the 32 surviving houses built on the 256 long, narrow plots of the 1851 Middlesex Freehold Land Association's plots in Friern Park, N12 and side-roads. The common history of these 32 survivors derives from a significant mid-Victorian venture: to enable more people, and particularly "the working man", to buy land cheaply and, through their ownership of land, to have the right to vote in Parliamentary elections. Established in 1851 to pursue these "political" and "commercial" aims, the Association was one of the very earliest freehold land societies to be set up in the south after the virtual collapse in 1848 of the national Chartist movement."

2. Site History

Reference: 20/4519/FUL

Address: 121 Friern Park, London, N12 9LH

Decision: Withdrawn

Decision Date: 18 February 2021

Description: Conversion of the existing dwelling into 2no self-contained flats including single storey side and rear extension. Associated parking, recycling and refuse storage, bicycle storage and amenity space [amended]

Reference: 21/1086/PNH

Address: 121 Friern Park, London, N12 9LH

Decision: Prior Approval Not Required

Decision Date: 1 April 2021

Description: A 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 4.00 metres

Reference: 21/1288/192

Address: 121 Friern Park, London, N12 9LH

Decision: Lawful

Decision Date: 23 April 2021

Description: Roof extension involving hip to gable, rear dormer, side dormer to outrigger and 1no front facing rooflight

Reference: 21/5679/192

Address: 121 Friern Park, London, N12 9LH

Decision: Unlawful

Decision Date: 11 November 2021

Description: Single storey side extension. Insertion of new side and rear windows at ground floor level. Internal alterations

3. Proposal

Single storey side extensions.

The proposal has been amended throughout the lifetime of the application. A first floor side extension has been removed.

4. Public Consultation

Consultation letters were sent to 26 neighbouring properties. 6 letters of objection have been received, summarised below:

- o Locally listed building
- o Several of the distinctive features of this house have been damaged by alterations allowed as permitted development
- o Side extension ruins symmetry of the group and unbalances the group
- o Multiple applications have been submitted
- o Building works causing chaos, noise and pollution
- o The extensions would have a severe effect on amenity of 121a Friern Park
- o Side of the application site faces front door and rear garden of 121a Friern Park
- o Together with gabled end roof and rear dormer would be dominant and overbearing
- o Increase shadowing of neighbouring garden reinforced by raised level of application site
- o Side windows should be obscure glazed
- o Cumulative impact on light
- o Loss of the open area to the side which frames the group of buildings would be detrimental to setting of locally listed buildings
- o Removal of trees will allow for neighbours to be overlooked
- o Would convert into a self-contained unit at a future date

Following the receipt of amended plans, a further re-consultation was undertaken. The following objections were received:

- o Note the application has been revised to single storey but this still unbalances the façade
- o Windows to side elevation will impinge on neighbours privacy
- o Original stain glass window to be lost
- o Property already extended and further extensions is step too far
- o Trees to be removed which will lead to overlooking
- o Local heritage list refers to group's unity as part of its special character

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 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, DM06

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

- 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 property is locally listed and forms part of two pairs of prominent semi-detached houses at 115, 117, 119 & 121 Friern Park. The host site has been altered by way of a hip

to gable and rear dormer roof extension. The adjoining semi-detached property at no. 119 Friern Park has also previously been altered to include a hip to gable extension, rear dormer window and a single storey rear extension.

The application seeks approval for a single storey side extension which would not protrude beyond the rear of the existing rear extension. It would infill a part of the rear elevation. Given the relatively minimal width of 2.5 metres, it is not considered to add unduly to the bulk or footprint of the existing building. The adjoining property at no. 119 Friern Park has also extended in a similar way to the rear. Whilst it is noted that the side extension to the host site would be wider than at no. 119, given the site circumstances, there would still be a gap of 3.5 metres retained between the side extension and common boundary with 121A Friern Park. Further, this element of the proposal would not be visible from the front elevation as it would be obscured from view behind the proposed side extension towards the front of the site.

A side extension is also proposed to the main part of the dwelling which would measure approximately 2.6 metres in width, 9.1 metres in depth with an eaves height of 2.9 metres and a maximum height of 3.8 metres. Throughout the lifetime of the application, this element has been amended from a part single part two storey side extension to a single storey extension. The side extension has also been reduced in width to conform with the Residential Design Guidance which states that side extensions should not be more than half the width of the original dwelling. The Residential Design Guidance further states that where gaps between houses are a common feature of a street, then proposals which close such gaps by bringing buildings too close together are likely to be rejected. Given the setting of the building within the site, there is a wide gap between the existing dwelling and neighbouring property at no. 121A Friern Park. At its closest point, a gap of 3.5 metres would be retained between the common boundary. This is considered to be consistent with spacing along the street.

The proposed side extension as amended is considered to have an acceptable impact on the character and appearance of the dwelling. The scheme as amended is considered to be a more subordinate addition which would not detract from the locally listed grouping of which it forms a part.

- 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 proposed side extensions would be obscured from view behind the existing main dwelling and existing rear extension and as such would not be visible from no. 119 Friern Park. Therefore, there is considered to be no detrimental impact to the occupiers of this neighbouring property.

The proposed side extension would project closer towards the neighbouring property at no. 121A Friern Park by approximately 2.6 metres. A minimum gap of 3.5 metres would be retained between the flank wall of the extension and the common boundary. The proposal has been amended throughout the lifetime of the application so as to reduce the bulk when viewed from this neighbouring property. The reduction to a single storey extension is considered to result in a subordinate extension which would not be overbearing to neighbouring occupiers, in particular due to the retained gap between properties.

The proposed side extension would include windows within the flank wall facing towards no.121A Friern Park. The side extension to the main dwelling would include 2no windows which would replace 3no windows and a door which currently face this neighbouring property. The proposed windows are not considered to result in any greater degree of overlooking which would warrant refusal of the application. Within the side extension to the existing rear outrigger, 4no windows and 1no door are proposed. Given the ground floor nature of these windows and the gap between the properties, it is not considered that the windows would result in a detrimental level of overlooking and loss of privacy to neighbouring occupiers.

5.4 Response to Public Consultation

- o Locally listed building
- o Several of the distinctive features of this house have been damaged by alterations allowed as permitted development
- o Side extension ruins symmetry of the group and unbalances the group
- o Single storey still unbalances the group of houses

As discussed within the main body of the report, the property has been extended previously by utilising permitted development rights. The proposal has been amended throughout the lifetime of the application to include the removal of first floor side extension and reduction in width of the extension. The resulting extension is considered to be a subordinate addition which would have an acceptable impact on the appearance of the host site and wider group.

- o Multiple applications have been submitted
- o Would convert into a self-contained unit at a future date

Any proposal to convert the property into self-contained units would required a separate planning application which would be assessed on its own merits.

- o Building works causing chaos, noise and pollution
- The impact of construction work is not a material planning consideration.
- o The extensions would have a severe effect on amenity of 121a Friern Park
 - o Side of the application site faces front door and rear garden of 121a Friern Park
 - o Together with gabled end roof and rear dormer would be dominant and overbearing
 - o Cumulative impact on light
 - o Increase shadowing of neighbouring garden reinforced by raised level of application site

The comments above are noted. The application has been amended throughout the lifetime of the application and the amended extensions are considered to have an acceptable impact on amenity of neighbouring occupiers given their reduced scale and gap retained between common boundary.

- o Side windows should be obscure glazed
- It is not considered that the windows at ground floor level within the revised proposal would result in an unacceptable level of overlooking.
- o Loss of the open area to the side which frames the group of buildings would be detrimental to setting of locally listed buildings
- The side extension has been reduced in width and a sufficient gap is retained which is not considered to be detrimental to the setting of the group of listed buildings.

- o Removal of trees will allow for neighbours to be overlooked

The application forms states that no trees are to be removed.

- o Original stain glass window to be lost

The agent has submitted photographs of the window and confirmed that this is not an original feature. The window will be replaced, retaining the original opening. This is considered acceptable.

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 proposal would have an acceptable impact on the character and appearance of the site and would have an acceptable impact on the amenities of neighbouring occupiers. The application is therefore recommended for approval.

