

Location 40 Lovegrove Way London N20 0EU

Reference: 22/2324/HSE Received: 2nd May 2022
Accepted: 3rd May 2022

Ward: Whetstone Expiry 28th June 2022

Case Officer: Emily Palmer

Applicant: MS Rahila Hoq Amani

Proposal: Single storey rear extension

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 Chair (or in their absence the Vice-Chair) 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:

202183.P.001
202183.P.002 Rev A
202183.P.101
202183.P.102 Rev A
202183.P.301
202183.P.302 Rev A

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. The LPA has negotiated with the applicant/agent where necessary during the application process to ensure that the proposed development is in accordance with the Development Plan.

OFFICER'S ASSESSMENT

1. Site Description

The application site is located at 40 Lovegrove Way consisting of a two-storey end-terraced dwellinghouse with front and rear amenity space. The area surrounding proposed site is mainly residential consisting of similar two-storey terraced dwellinghouses with front and rear amenity spaces. The site is located within the Whetstone ward.

The site is not within a conservation area (designated as Article 2(3) land in The Town and Country Planning (General Permitted Development)(England) Order 2015 as amended) and is not within an area covered by an Article 4 direction. Furthermore, there are no conditions attached to the site which remove permitted development rights.

2. Site History

Reference: 22/0774/PNH

Address: 40 Lovegrove Way, London, N20 0EU

Decision: Prior Approval Required and Refused

Decision Date: 4 April 2022

Description: Single storey rear extension with a proposed depth of 4.00 metres, a maximum height of 2.90 metres and an eaves height of 2.82 metres.

3. Proposal

The application seeks approval for a single storey rear extension measuring approximately 3 metres in depth, 4.2 metres in width with a maximum height of 2.9 metres.

Amendments were sought to reduce the depth of the proposed extension from 3.5 metres to 3 metres.

4. Public Consultation

Consultation letters were sent to 4 neighbouring properties. 7 responses have been received.

The objections can be summarised below:

- Loss of light
- Overdevelopment
- Character
- Sense of enclosure
- Small Gardens

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 20th 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 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.

The draft New London Plan is at an advanced stage. In December 2019, the Mayor issued the "Intend to Publish" version of the emerging New London Plan. After considering that Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor making a series of eleven Directions to the Plan. The Mayor cannot publish the New London Plan until the Directions have been incorporated, or until alternative changes to policy to address identified concerns have been agreed. Those policies affected by the Directions carry moderate weight, whilst those with no modifications can carry significant weight.

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 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

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 Plans)

The Council's adopted SPD 'Residential Design Guidance' states that the depth of a single storey rear extension, normally considered acceptable for terraced properties is 3 metres, for semi-detached properties it is 3.5 metres, and detached property is 4 metres. Single storey rear extensions to the original house, need to ensure that:

- o the depth and/or height of the extension does not cause a significant sense of enclosure,

or loss of outlook from, or light to, principal windows of habitable rooms of neighbouring properties

- o they do not look too bulky and prominent compared to the size of the main building and garden to which they relate
- o if the garden space is in breach of amenity standards then application will normally be refused
- o in addition, if the adjoining house is at a lower level or has a rear building line set back from your rear building line, the depth of the proposed extension may need to be reduced in order to protect amenity of your neighbour.

This proposal relates to a single storey rear extension. Officers note that the proposal would not be viewable from the front of the host dwelling, thus it is considered that the rear extension would not impact adversely on the existing street scene of Lovegrove Way. Furthermore, upon examination of aerial photography it should be noted that single storey rear extensions are not considered unique to Lovegrove Way. Other properties also benefit from rear extensions and therefore the principle of a single storey rear extension would not be considered detrimental to the character of the surrounding area.

Barnet's Residential Design Guidance outlines that a depth of 3 metres is normally considered acceptable for a single storey rear extension to a terraced house. The proposed depth of the extension at 3 metres from the original rear wall which complies with the guidance.

In terms of the neighbouring properties, both no. 38 and 42 Lovegrove Way do not benefit from any rear extensions. However, as amended due to its modest scale and height officers are satisfied that the proposal would be in keeping with the existing character of its immediate surroundings, and not result in any harm to the existing pattern of development.

The applicant site does not benefit from a large rear garden, however, it is within the standards of Barnet's Sustainable Design and Construction Guidance. The property benefits from 4 habitable bedrooms and has an outdoor amenity space of 50.61 m². The guidance states for houses with four habitable rooms, the outdoor space requirement is 40m².

As such, it is found that the established character and appearance of the existing dwelling would not be affected, therefore, in this regard, it is in compliance with Policy DM01 of Barnet's Development Management Policies DPD.

Residential Amenity

Barnet's Residential Design SPD provides clear guidance with regard to what is expected from new developments to ensure that the amenity of neighbouring occupants is not harmfully impacted. With regard to this application, the key concern is whether the proposal would result in any degree of overlooking to neighbouring sites and if overshadowing, loss of outlook and loss of light would occur as a result of the development.

No 38 Lovegrove Way:

Adjoining No. 40, which is structurally connected to the applicant site, is no.38 which does not benefit from a rear extension. As the proposed rear extension extends 3 metres in depth, officers are satisfied that it is within the guidance of that is normally considered acceptable and will not give rise to an overly deleterious amenity impact on the occupiers of No.38. The plans have been amended which reduces the depth of the extension to 3 metres.

No. 42 Lovegrove Way:

The extension at no. 40 would be sited 0.8m away from the shared boundary with no.42 Lovegrove Way. Due to the depth of the proposed extension and distance between the extension and neighbouring boundary, there would not be any amenity impact on no. 42 Lovegrove Way.

In assessment, and taking in to consideration of the east and west orientation of the sun officers are satisfied that the development is not considered to prejudice the residential amenities of neighbouring properties in terms of loss of light, outlook and privacy; therefore, in this regard, it is in compliance with Policy DM01 of Barnet's Development Management Policies DPD.

5.4 Response to Public Consultation

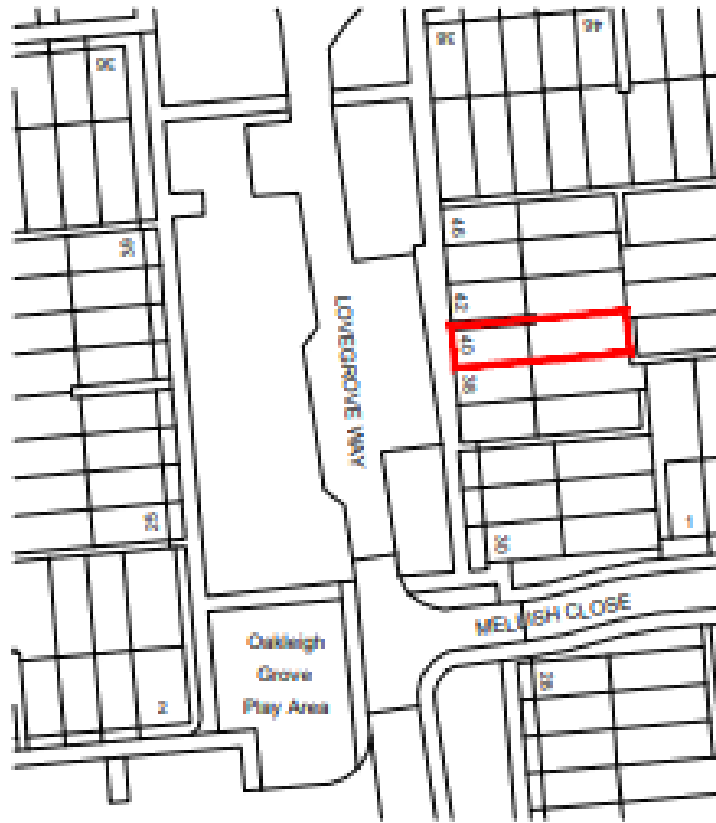
Addressed in report

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.



OS MAP

SCALE 1:1250

