

Location **8 Ranelagh Close Edgware HA8 8HL**

Reference: **22/0816/HSE** Received: 17th February 2022
Accepted: 17th February 2022

Ward: Edgware Expiry: 14th April 2022

Case Officer: **Mansoor Cohen**

Applicant: Mr Eric and S Jasmin Owusu - Afriyie and Rahman

Proposal: Part single part two storey side and rear extension with associated alterations and extensions to roof including 1no. rear rooflight, following demolition of existing garage. Erection of new replacement garage

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:

Site Location Plan

Drg No P005A - Existing and Proposed Block Plan, Proposed Garage Elevations

Drg No S001 - Existing Floor Plans

Drg No S002 - Existing Elevations

Drg No S003 - Existing Section A_A

Drg No P001A - Proposed Floor Plans

Drg No P002A - Proposed Loft and Roof Plan

Drg No P003A - Proposed Elevations

Drg No P004A - Proposed Section A_A

Flood Risk Assessment, dated February 2022

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).

- 5 Notwithstanding the provisions of any development order made under Section 59 of the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order) no windows or doors, other than those expressly authorised by this permission, shall be placed at any time in the side elevations, of the extension(s) hereby approved, facing No. 7 Ranelagh Close.

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).

- 6 a) No development or site works shall take place on site until a 'Demolition and Construction Management and Logistics Plan' has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management and Logistics Plan submitted shall include, but not be limited to, the following:

- i. details of the routing of construction vehicles to the site, hours of access, access and egress arrangements within the site and security procedures;
- ii. site preparation and construction stages of the development;
- iii. details of provisions for recycling of materials, the provision on site of a storage/delivery area for all plant, site huts, site facilities and materials;
- iv. details showing how all vehicles associated with the construction works are properly washed and cleaned to prevent the passage to mud and dirt onto the adjoining highway;
- v. the methods to be used and the measures to be undertaken to control the

emission of dust, noise and vibration arising from construction works;

- vi. a suitable and efficient means of suppressing dust, including the adequate containment of stored or accumulated material so as to prevent it becoming airborne at any time and giving rise to nuisance;
- vii. noise mitigation measures for all plant and processors;
- viii. details of contractors compound and car parking arrangements;
- ix. details of interim car parking management arrangements for the duration of construction;
- x. details of a community liaison contact for the duration of all works associated with the development.

b) The development shall thereafter be implemented in accordance with the measures detailed within the statement.

Reason: In the interests of highway safety, noise and good air quality in accordance with Policies DM04 and DM17 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 1, SI 7, D14 and T7 of the London Plan 2021.

- 7 The flood resilience measures as set out in Section 10 of the approved 'Flood Risk Assessment' by Meridian, dated February 2022 shall be carried out in full accordance with the details recommended

Reason: To ensure that the development provides appropriate measure against flood risk and to comply with Policy DM04 of the Local Plan Development Management Policies (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and Policies SI 12 of the London Plan 2021.

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.
- 2 The submitted Construction Method Statement shall include as a minimum details of:
- o Site hoarding
 - o Wheel washing
 - o Dust suppression methods and kit to be used
 - o Site plan identifying location of site entrance, exit, wheel washing, hoarding, dust suppression, location of water supplies and location of nearest neighbouring receptors. Explain reasoning if not applicable.

- o Confirmation whether a mobile crusher will be used on site and if so, a copy of the permit and indented dates of operation.
 - o Confirmation of the following: log book on site for complaints, work in accordance with British Standards BS 5228-1:2009+A1:2014 and best practicable means are employed; clear contact details on hoarding. Standard construction site hours are 8am-6pm Monday - Friday, 8am-1pm Saturday and not at all on Sundays and Bank Holidays. Bonfires are not permitted on site.
 - o Confirmation that all Non Road Mobile Machinery (NRMM) comply with the Non Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999.
 - o For major developments only: provide a copy of an asbestos survey; For smaller developments -confirmation that an asbestos survey has been carried out.
- 3 All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.
- Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority.

The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>

OFFICER'S ASSESSMENT

1. Site Description

The application property is a semi-detached dwellinghouse located at 8 Ranelagh Close. The application property is not listed nor located on land designated as a Conservation Area. There are no protected Trees on or adjacent to the application site. The site benefits from a front hardstanding of a generous scale as well as rear amenity space. The host site is located in a high flood risk area, Flood Zone 3.

2. Site History

Reference: 21/5488/HSE

Address: 8 Ranelagh Close, Edgware, HA8 8HL

Decision: Refused

Decision Date: 10 December 2021

Description: Two storey side and rear extension with associated alterations and extensions to roof including side and rear rooflights, following demolition of existing garage (AMENDED DESCRIPTION)

Reason 1: The proposed extensions, by reason of their siting, size and excessive projection would individually and cumulatively result in an unduly bulky, disproportionate and incongruous addition, as well as overdevelopment of the host site, to the detriment of the character and appearance of the host property, street scene and the wider pattern of development in the area, contrary to Policies CS1 and CS5 of the LB Barnet Local Plan: Core Strategy (2012), DM01 of the LB Barnet Local Plan: Development Management Policies DPD (2012) and Residential Design Guidance SPD (2016).

Reason 2: The proposed two-storey rear extension, by virtue of its depth, height, size and siting, would create an overbearing impact resulting in an unacceptable loss of outlook and sunlight, overshadowing and increased sense of enclosure to the rear habitable rooms and garden of No 7 Ranelagh Close, to the detriment of the residential amenities of neighbouring occupiers, contrary to Policies CS1 and CS5 of the Barnet Core Strategy 2012, Policy DM01 of the Development Management Policies DPD 2012 and the Barnet Residential Design Guidance SPD 2016.

Reason 3: The proposed site is located within Flood Zone 3 and no Flood Risk Assessment has been submitted with the application and therefore insufficient information has been submitted for the Local Planning Authority to determine the impact on flood risk. The application is therefore considered unacceptable and contrary to Policy DM04 of Barnet's Development Management Policies Document DPD (2012); Policy SI.12 of the London Plan (2021) and the requirements of the National Planning Policy Framework (2021)

3. Proposal

This application proposes a part single part two storey side and rear extension with associated alterations and extensions to roof including 1no. rear rooflight, following demolition of existing garage. Erection of new replacement garage.

The two storey side element would be recessed 1.3m from the front elevation and extend for a depth of 9.7m at ground floor level and 9.2m at first floor level at a width of 3.1m.

The single storey rear element would measure a depth of 3.5m and a width of 9.3m, whilst the first floor rear element would measure a depth of 3m and a width of 6.6m being recessed some 2.8m from the boundary with the adjoining neighbour.

The single storey element would measure 3.2m to the top of its flat roof and the two storey element would measure 5.6m to its eaves and 7.7m to its ridge being set 0.5m down from the ridge of the main roof.

The replacement garage would measure 6m in depth and 3m in width with a height of 2.4m to its flat roof.

It is worth noting that the aim of the proposal is to increase the living space for the residents with special needs.

Amendments were received during the course of the application reducing the depth of the first floor rear element from 3.5m to 3m and incorporating a 0.5m set down from the ridge of the main roof. The amended plans are the subject of this assessment.

4. Public Consultation

Consultation letters were sent to 18 neighbouring properties, 8 objections have been received throughout the consultation period. The main points for consideration are:

Character and appearance - Overdevelopment of the site

Concern regarding the large scale proposed two-storey addition to the property

The footprint equating to the original scale of the property

Proposed additional occupancy at the site due to the additional bedrooms.

Concern regarding local character, the street scene and the scale of the proposal as well as the unbalancing nature of the proposal sited at a property which is semi-detached.

Noise pollution the site being close to the A41, as well as limited sunlight and outlook for the bedrooms.

Concerns have also been raised regarding the use of the property as an HMO, in this regard concern has also been raised in terms of safety.

Parking

The additional habitable rooms requiring additional parking at the site, the extensions removing much of this availability. Ranelagh Close is also discussed as a narrow road with existing parking and manoeuvring issues.

Flooding and water damage.

Loss of trees.

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 Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities...being clear about design expectations, and how these will be tested, is essential for achieving this'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan 2021

The new London Plan which sets out the Mayor's overarching strategic planning framework for the next 20 to 25 years was adopted on the 2nd March 2021 and supersedes the previous Plan.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

Relevant Core Strategy Policies: CS NPPF, CS1, CS4, CS5,

Relevant Development Management Policies: DM01, DM04, DM17.

Barnet's Local Plan (Reg 22) 2021

Barnet's Draft Local Plan on 26th November 2021 was submitted to the Planning Inspectorate for independent examination which will be carried out on behalf of the Secretary of State for the Department of Levelling Up, Housing and Communities. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2021 (as amended).

The Regulation 22 Local Plan sets out the Council's draft planning policy framework together with draft development proposals for 65 sites. 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

Officers consider that the main planning considerations are as follows:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality.
- Whether harm would be caused to the living conditions of neighbouring residents.
- Whether harm would be caused in relation to public highways, local flooding and environmental health considerations.

5.3 Assessment of proposals

Potential impacts upon the character and appearance of the existing building, the street scene and the wider locality

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies 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 proposal follows a previously refused scheme, 21/5488/HSE, which this application seeks to overcome. The primary differences between the refused scheme and the current proposal are as follows:

- A reduced width side extension along with a setback from the principal elevation
- A reduced ground floor rear projection
- A reduced width of the first floor rear element
- A set down from the main ridge
- The introduction of a replacement garage.

The Councils Residential Design Guidance SPD 2016 advises that rear extension should be subordinate additions constructed with materials which are in keeping with the rest of the house. For a semi-detached dwelling a depth of up to 3.5 metres would normally be considered acceptable but it also advises that care should be taken in the design and location of extensions to minimize impacts upon neighbouring properties. In this respect, the single storey rear element of the proposal is in compliance with the guidance, measuring as 3.5 metres depth. Whilst the adjacent neighbouring properties do not benefit from similar ground floor extensions of this scale, the minor scale of this proposal is considered to mitigate the impact in terms of local character.

Paragraph 14.15 of the adopted Residential Design Guidance SPD states that side extensions should not be more than half the width of the original house and should be setback to reduce its visual impact. The dwelling as existing has a cat slide roof which this proposal would see removed, however, numerous dwellings including the adjoining pair have seen this element removed by way of enlargements.

The side extension would be setback 1.3m at ground and first floor level and would not measure more than half the width of the original dwelling and therefore in compliance with guidance. Furthermore, its siting at a head of a cul de sac would mean that only in close

range views would this element have any visibility thereby acceptably reducing its impact from the streetscene. It is also noted that the neighbouring properties nos. 9 and 10 benefit from similar sized side extensions. Moreover, the side extension would be set down 0.5m from the main ridge in accordance with guidance and would therefore feature as a subordinate addition.

The first floor rear element of the extension has been reduced in depth during the course of the application to accord with guidance and when combined with its reduced width would feature as a proportionate addition.

The proposed replacement garage would be of a similar scale, size and siting to the existing garage and therefore acceptable.

The proposed rear rooflight is not considered to be of harm due to its small scale and siting.

There are no Tree Preservation Orders on site and no trees of any significance were witnessed by officers during the site visit.

It is therefore considered that proposed development has overcome the previous relating reason for refusal (21/5488/HSE) and would have an acceptable impact on the host property, streetscene and locality.

Potential impacts upon the surrounding public highway

Previously the application was refused on highway grounds due to insufficient information on access to the existing garage and the resultant displacement of vehicle parking. During the course of the application, highway officers conducted a site visit to assess the existing access and crossover. Highway officers concluded the existing access was adequate and access to the proposed replacement garage would be sufficient and would not conflict with the adjacent pedestrian footpath.

The proposal therefore re-provides the existing off street parking space. Whilst it is noted the extension would likely increase the level of occupants and therefore the demand for parking spaces. The requirement in accordance with policy DM17 would be two spaces and therefore a shortfall of 1 space is proposed. Highways officers have noted the site does not lie in a CPZ zone and the quiet nature of the cul de sac along with relatively extensive sections of upstand would mean any potential displacement of 1 space could be comfortably accommodated on street. Officers site visit also re-confirms sufficient on street parking spaces.

The proposal is thus considered acceptable on highway grounds.

Potential impacts upon the amenities of neighbouring residents

It will be important that any scheme addresses the relevant development plan policies (DM01 of the Barnet Local Plan and policy D6 of the London Plan 2021) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites. Any application should include plans demonstrating how this has been achieved. Specific areas which will need to be addressed in this regard include the proposals impacts on daylight and sunlight.

With regards to No. 9 Ranelagh Close, this property maintains a significant distance from the host dwelling alongside facing a different direction and therefore not being directly adjacent and therefore there will be no harmful impact. As such, the proposal is not considered to result in a loss of sunlight, outlook or privacy.

As for No. 7 Ranelagh Close, the attached property to the host dwelling, the ground floor element of the rear extension is not considered to result in a harmful loss of sunlight and outlook, the depth being 3.5 metres on a semi-detached property. The first floor element would be set some 2.7m from the common boundary and would not extend more than 3m in depth (previously 3.5m), this is in accordance with Residential Design Guidance which states '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'. It is therefore considered that given the significant separation distance and relatively moderate depth, that this element would not lead to unacceptable overshadowing, loss of light/sunlight nor appear overbearing.

There are not windows in the side elevation of the extension which would raise concerns of overlooking or loss of privacy.

Flooding

The host site is also located within Flood Risk Zone 3, the agent/applicant has now provided a flood risk assessment as a part of the proposal, as such, this is no longer considered to be a reason for refusal. The FRA is considered to be acceptable, detailing the minimal likelihood of flooding within the local area.

Environmental Health

Environmental Health Officers have recommended the conditions, a demolition and construction management plan, alongside NRMM registration in order to reduce the noise from the development in the event of an approval. This can be imposed accordingly to any approval.

5.4 Response to Public Consultation

Key planning considerations have been addressed within the 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. Whilst it is noted that the occupants of the property require extra spacing for their needs, this does not outweigh the planning concerns regarding the proposal. In addition, no letter was provided from the occupational therapists of the applicants.

7. Conclusion

Having taken all material considerations into account, the proposed development would have an acceptable impact on the character and appearance of the application site and the wider locality. The proposal is also considered to have an acceptable impact with regard to residential amenities. The application is therefore recommended for approval.

