

**Location** 10 Manorside Barnet EN5 2LD

**Reference:** 22/3258/HSE Received: 21st June 2022  
Accepted: 21st June 2022

Ward: Underhill Expiry 16th August 2022

**Case Officer:** Rish Mehan

Applicant: Councillor Rohit Grover

Proposal: Single storey rear extension and replacement of double glazed windows

### **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:

2207/01-0

2207/01-1

2207/01-2

2207/01-3

2207/01-4

2207/02-1E Rev E

2207/02-2C Rev C

2207/02-3D Rev D

2207/02-4D Rev D

Arboricultural Impact Assessment and Method Statement - October 2022

Tree protection plan 22-1451-TTP - 21/10/2022

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 All works shall be carried out in accordance with the hereby approved method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations).

Reason: To safeguard the health of existing trees which represent an important amenity feature in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012), Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy 7.21 of the London Plan 2016.

## **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**

This application is referred to Planning Committee because it is submitted by Councillor Rohit Grover.

### **1. Site Description**

The application site contains a two storey, detached dwellinghouse at the end of a cul-de-sac off Manor Road. The surrounding area is residential in character, comprising of predominantly semi-detached and detached properties.

The subject site is not located within a Conservation Area, is not a listed building or subject to any other relevant planning restrictions.

### **2. Site History**

N/A

### **3. Proposal**

The proposal relates to the construction of a single storey extension to the rear (west) elevation and replacement of double-glazed windows. The proposal would feature materials that would match the existing property.

### **4. Public Consultation**

5 consultation letters were sent to neighbouring properties. One letter neither in support nor refusal of the proposal has been received.

The comment is summarised below:

The proposed footprint extends the house \*much\* closer to our exposed fence line and the proposed dining room and lounge sliding windows would overlook our garden and the rear of our property. It would also mean that we're able to see directly into the proposed dining room and lounge area from both our garden and house.

Previous screening plants along the fence line (within the 10 Manorside boundary) have been removed by the current owners (and not replaced), but most of the line of sight has been screened by the existing laurels on the 9 Pinecroft side. This would no longer be the case with the proposed extension.

I would suggest it would be to everyone's benefit if the flower garden area as noted on the plan is planted up at the boundary to provide some screening in both directions, e.g. with laurels and other hedging. There is not any scope to do this on the 9 Pinecroft side due to the existing landscaping and fence/shed installation) but based on the proposals it looks as though there ought to be adequate space to incorporate screening into the scheme. I would add that a condition of the Pinecroft development (and subsequent work) was the retention of laurels as screening, so it would seem appropriate for screening to be a condition here. A plan to provide some screening would move us from neutral to being more supportive of this proposal.

I would also add that care must be taken as the proposed build sits adjacent to a protected Horse Chestnut tree (TPO/CA/91/A1) which overhangs the proposed development, with roots likely sited under the proposed plot. The tree must not be harmed, and proposed work must account for this tree, its roots, and its protected status.

As per usual, any requirement to trim or maintain the Horse Chestnut tree, even if it overhangs 10 Manorside, must be consented separately and we will review any such proposal in its own

#### **4.1 Internal Consultation**

Barnet's trees team have been consulted on this application due to the trees on site. Upon initial consultation the trees team they requested the following information to be submitted prior to a decision being made:

'The tree stands in TPO/CA/91/A1.

- o An arboricultural impact assessment
- o Draft method statement to address any impacts identified
- o Draft tree protection plan

All of the above must comply with the guidance set out within BS5837:2012 Trees in relation to design, demolition and construction - Recommendations.

Additionally, in order to make a comprehensive assessment we would require a detailed plan showing the levels of the existing building, the location of the proposed extension and the level at which the TPO tree stands. The proposal will necessitate level changes and excavations in close proximity to the tree but none of this has been quantified as yet.

Details of foundation design are also an important consideration. Section 7.5 of BS5837 provides guidance on bespoke foundation design (in principle).'

The agent had provided the required information and the trees team confirmed they are

satisfied with the information provided.

## **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 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 for the next 20-25 years. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

#### Barnet's Local Plan (2012)

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

- Relevant Core Strategy Policies: CS NPPF, CS1, CS5.
- Relevant Development Management Policies: DM01, DM02.

The Council's approach to extensions as set out in Policy DM01 is to minimise their impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Barnet's 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**

Impact to Character:

Policy DM01 sets out that 'proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces

and streets'.

The Residential Design Guidance SPD states that single storey rear extensions should not look too bulky and prominent compared to the size of the main building and garden to which they relate and extensions to detached properties should not exceed more than 4m in depth.

The proposed extension would have a depth of 2.45 metres, a width of 10.00 meters and a maximum height of 4.45m at the lowest ground level, infilling the area to the north of the existing flat roof kitchen. It would appear subordinate and in keeping with the character of the host property as well as the surrounding area in respect of design, scale and finish, in compliance with Policy DM01.

Impact to Neighbouring Amenity:

Policy DM01 states that 'development proposals should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users'.

The Residential Design Guidance SPD states that proposals should be designed to ensure the provision of sufficient privacy, minimisation of overlooking between surrounding dwellings and orientation of buildings to maximise sunlight and daylight.

By virtue of the size and siting of the proposed extension it is not considered that it would cause adverse impact to neighbouring amenity at either no. 9 Manorside or no. 9 Pinecroft Crescent in terms of appearing overbearing or causing undue loss of light or outlook.

Moreover, it is not considered that the proposed windows to the rear would result in any unacceptable increase in overlooking relative to the existing relationship, in particular the kitchen window. Notwithstanding the increased proximity where the dining room is extended to the rear, the windows would be set at the same level and there remains scope to replace the existing trellis with close boarded fencing if desired. The higher ground level at the northern end would mitigate the impact from the side window to the lounge.

Taking all of the above into account it is considered that the proposal is in line with Policy DM01 in terms of its impact to neighbouring amenity.

## **5.4 Response to Public Consultation**

The existing fencing and boundary wall is considered to be acceptable in terms of mitigating privacy. The existing flower bed is being retained. Therefore there are no issues regarding amenity.

In regard to the protected Horse Chestnut tree (TPO/CA/91/A1) a tree protection plan, arboriculturally impact assessment and method statement has been submitted. The tree officers are satisfied that there will be no harm to the protection tree as per the information provided.

## **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 and would not have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for APPROVAL