

Location **11 Holders Hill Avenue London NW4 1EN**

Reference: **22/5634/HSE** Received: 23rd November 2022
Accepted: 23rd November 2022

Ward: Finchley Church End Expiry 18th January 2023

Case Officer: **Thomas Wong**

Applicant: Mrs. A Prager

Proposal: Single storey rear infill extension with rooflight.

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:
Existing Ground Floor Plan: HHA/11/03 Rev. E
Existing Elevations: HHA/11/05 Rev. E
Proposed Ground Floor Plan: HHA/11/02 Rev. E
Proposed Elevations: HHA/11/04 Rev. E
Site Location Plan: HHA/11/01 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

This application has been brought to the planning committee as the applicant's partner is a Councillor

1. Site Description

The application site is located at 11 Holders Hill Avenue, consisting of a semi-detached dwellinghouse within the Finchley Church End ward.

The dwellinghouse features a two-storey rear outrigger with flat roof form, which is a characteristic feature of the host property.

The site is not located within a conservation area and is not a listed building. There are no onsite TPOs.

2. Site History

Reference: W02548B

Address: 11 Holders Hill Avenue NW4

Decision: Lawful

Decision Date: 4 January 1977

Description: Porch.

Reference: W02548A

Address: 11 Holders Hill Avenue NW4

Decision: Refused

Decision Date: 22 January 1975

Description: First floor rear extension.

Reference: W02548

Address: 11 Holders Hill Avenue NW4

Decision: Approved subject to conditions

Decision Date: 22 July 1970

Description: single-storey rear extension.

3. Proposal

The planning application seeks permission for: Single storey rear infill extension with rooflight.

The proposed single storey rear infill extension would have a depth of 3.98 metres, width of 3.13 metres, maximum height of 3.26 metres and eaves height of 3.00 metres.

The proposed single storey rear infill extension would protrude alongside the existing outrigger, with a total depth of 3.98 metres from the inset rear wall and a width of 3.13 metres, to finish flush with the rear building line and adjoin to the common boundary with 9 Holders Hill Avenue.

The proposed single storey rear infill extension would have a flat roof with 1no. rooflight. The rooflight would have a width of 2.00 metres, depth of 2.50 metres and height of 0.30 metres.

4. Public Consultation

Consultation letters were sent to 5 neighbouring properties.

No comments received.

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

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).

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 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.

The proposed rear extension would not be viewable from the front of the host property. Therefore, it is considered that the rear extension would not impact adversely on the existing street scene of Holders Hill Avenue. Furthermore, it should be noted that single storey rear infill extensions are not considered unique within Holders Hill Avenue, as they are seen at neighbouring properties during site visit and examination of aerial photography. Other properties also benefit from rear extensions and therefore the principle of a single storey rear extension would not be considered detrimental in principle to the character of the surrounding area.

The proposed extension would protrude alongside the flank wall of the outrigger and extension and infill the gap to the common boundary with 9 Holders Hill Avenue. This form of development, comprising a side/rear infill does exist and has been approved at various properties in the locality, to varying scales and depths. As such, the principle of extending alongside the original outrigger as a 'side' extension, and then further beyond as a rear extension is accepted in principle.

The Residential Design Guidance SPD states that the depth of a single storey rear extension, normally considered acceptable for semi-detached properties is 3.5 metres. The single storey rear infill extension would project between the flank wall of the existing rear outrigger and common boundary with adjoining property 9 Holders Hill Avenue at a depth of 3.98 metres. This has exceeded the acceptable measurement stated in the Residential Design Guidance SPD. However, as the neighbouring property 9 Holders Hill Avenue has currently benefitted from a similar single storey rear infill extension, therefore the size and scale of the proposed single storey rear infill extension at 11 Holders Hill Avenue is considered to be acceptable.

As such, it is found that the established character and appearance of the existing dwelling would not be affected, should this proposal receive approval.

- 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.

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. Regarding 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.

Regarding 9 Holders Hill Avenue, there is an existing single storey infill rear extension that is similar to the one proposed at the applicant site. The measurements of the height and eaves height of the proposed single storey rear infill extension is similar to the existing single storey infill rear extension at neighbouring 9 Holders Hill Avenue. Therefore, it is considered that overshadowing, loss of outlook and loss of light would not occur as a result of the proposed development. In the aspect of overlooking to 9 Holders Hill Avenue, as there is an existing privacy screen installed as part of the previous planning application at 9 Holders Hill Avenue (20/6102/HSE) for their single storey infill rear extension, therefore it is considered that it would not result in overlooking from the applicant site to 9 Holders Hill Avenue.

Regarding 13 Holders Hill Avenue, the existing two storey outrigger at the applicant site shields them from any impact resulting from the proposed single storey rear infill extension. Therefore, this would result in no additional amenity impact towards 13 Holders Hill Avenue.

Regarding 25, 26 and 27 Robin Lane, situated at the rear of the applicant site, a significant distance of 24.74 metres separates between the proposed single storey rear infill extension and their properties. Therefore, there will be no amenity loss towards 25, 26 and 27 Robin Lane resulting from the proposed single storey rear infill extension.

5.4 Response to Public Consultation

N/A

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.

