

Location **8 Parkside Gardens Barnet EN4 8JP**

Reference: **22/5139/HSE** Received: 19th October 2022
Accepted: 20th October 2022

Ward: Brunswick Park Expiry: 15th December 2022

Case Officer: **Asha Chhabhaiya**

Applicant: Mr Rasul Nasser

Proposal: Two storey side and single storey rear extension and front porch

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:

Plans: 01A
Elevations: 02B

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 Before the building hereby permitted is first occupied the proposed windows in the side elevation facing No 9 Parkside Gardens shall be glazed with obscure glass only and shall be permanently retained as such thereafter and shall be permanently fixed shut with only a fanlight opening.

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) and the Residential Design Guidance SPD (adopted October 2016).

- 6 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 elevation of the extensions hereby approved, facing No 9 Parkside Gardens

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).

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 application site is a two storey semi-detached property located to the south of Parkside Gardens, facing Oak Hill Park. Adjacent to the site is a gated communal accessway. The application site is not within a conservation area and is not a listed building.

2. Site History

N/A

3. Proposal

The applicant seeks permission for a two storey side and single storey rear extension following demolition of the existing outbuilding.

The single storey rear extension spans the width of the dwelling with a pitched roof and is proposed to be 3.4m (depth) x 8.7m (width) x 2.6m (eaves) and 3.5m (maximum height).

The two-storey side extension is proposed to be: 11m (depth at ground floor level) when added to the proposed rear extension x 2.8m (width) x 5.2m (eaves) - 8.0m (maximum height). It is 3.7m from the boundary with no.9 due to the intervening access road. The footprint of the proposed first-floor measures 6.4m (depth) - being set back 1.1m from the front and not extending beyond the rear elevation.

The front porch would measure 1.1m in depth, 2m in width, 2.3m to eaves height and 3.1m in maximum height.

4. Public Consultation

Consultation letters were sent to 8no neighbouring properties.

5no responses were received which were in objection to the proposal. The comments can be summarised as:

- Loft extension, presumably as a "permitted development".
- Two-storey side extension with a gable-end roof would result in an overbearing mass,
- Out of character
- The roof ridge line would be double that of the original house.
- A single-storey side extension would be more in keeping
- Compromise could perhaps be for the proposed two-storey extension's roof to have a hipend instead
- Overly large and overbearing
- Size of the porch is also not consistent
- Negative impact on neighbouring amenity
- The proposed addition of a 2-storey side extension is simply not necessary
- Destroying the openness

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 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. 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 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, 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) 2022

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 (2016)

- Sets out information for applicants to help them design developments which would receive favourable consideration by the Local Planning Authority. 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 developments 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 it states that developments 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 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 of the proposal on the character and appearance of the building, the street scene and the wider area

Policy DM01 of Barnet's Development Management Policies Document DPD (2012) states that development proposals should be based on an understanding of local characteristics. Proposals should preserve or enhance local character and respect the appearance, scale, mass, height and pattern of surrounding buildings, spaces and streets.

The property benefits from an existing side garage which is flush with the front building line and extends back 5.1m in depth. This side element would be re-developed to form a wrap-around extension across the width of the site to the rear.

The single storey rear extension element proposes a maximum depth of 3.5m. The Residential Design Guidance stipulates that a depth of 3.5 metres is considered acceptable for a single storey rear extension on a semi-detached dwellinghouse, thus, it is noted that the proposal is in compliance with this Guidance. In addition to this, the extension would match the depth of the existing outrigger to the host property and the attached neighbouring property, therefore remaining within the preserve of the local character. The side extension, being less than half the width of the house and therefore being considered to be a sympathetic addition to the host dwelling, is also consistent with the expectation of the SPD.

The first floor side extension is to be built on top of this structure to the same depth as the existing house. The neighbouring property is set away for the boundary due to the intervening access road, thus maintaining the visual separation between the host site and the neighbouring dwelling in the street scene - which is in line with Barnet's Residential Design Guidance.

The two-storey side has a gable roof (to match the existing gable roof) and is set down from the main ridge of the roof and set back by 1m from the front building line. This design is considered to achieve the required element of subordination for a two-storey side extension.

The proposed porch will extend a further 0.6m than what is in situ. This is considered to be negligible in depth and together with its siting, design and modest height, would not result in an adverse impact on the character and appearance of the host property or the street scene.

In addition to this, the extensions would be of materials to match and proposed windows to the front and rear elevations would have a similar outlook and appearance as the existing windows. As such, it is considered that the side and rear extension would be commensurate in scale and design with the host property, the surrounding area and the expectations of Policy DM01.

Impact of the proposal on the amenities of neighbours

Following the assessment of the wider character and amenity of the area, any potential adverse effects on neighbouring properties must be assessed. Policy DM01 notes that any proposed development must protect the amenity of neighbouring properties including any potential impact on light, outlook and privacy.

No.7 Parkside gardens is the attached property. The single-storey rear extension is proposed to run along the shared boundary for 3.5m in depth. This is in accordance with the expectation of the SPD and there is a corresponding extension straddling the boundary. The lean-to roof with a height at 2.6m -3.5m will similarly not therefore be overbearing for this property - reducing outlook significantly or causing overshadowing of the habitable rooms. The two-storey additions are on the far side and will not be able to be viewed from this property.

No. 9 Parkside Gardens is the non-attached neighbour. The existing relationship is that the host property sits some 3.7m away from this property. The two-storey side extension adds an additional storey to the host property. Whilst the proposal will increase the height of the existing flank wall of the host site, it will not be constructed higher than the existing dwelling against which it would be read.

There are no principal windows in the side elevation of No 9, though there are roof lights to the ground floor side extension. The two storey element would also not project beyond the rear of No 9. As such - and given the separation distance - it is not considered that the proposal would give rise to an undue loss of outlook or increase in overshadowing.

In order to prevent any potential for overlooking via the opposing roof lights, a condition is proposed to obscure the windows in the flank elevation and to prevent further windows.

The proposed porch will extend a further 0.6m than what is in situ. This is considered to be negligible in depth and together with its siting and modest height, would not result in an adverse impact to either neighbour.

For these reasons it is considered the proposed extensions would not harm the amenity of neighbouring occupiers and remains consistent with the expectations of Policy DM01.

5.4 Response to Public Consultation

Loft extension, presumably as a "permitted development". The loft conversion can be done under permitted development without submitting an application to the LPA.

Two-storey side extension with a gable-end roof would result in an overbearing mass, out of character, overly large and overbearing, Size of the porch is also not consistent, negative impact on neighbouring amenity, destroying the openness Addressed in the main body of report.

The roof ridge line would be double that of the original house. This is incorrect with regard to the plans submitted

A single-storey side extension would be more in keeping The LPA can only determine the application as made

Compromise could perhaps be for the proposed two-storey extension's roof to have a hip-end instead The proposed roof reflects the gable end in situ

The proposed addition of a 2-storey side extension is simply not necessary The LPA can not assess the necessity of the proposal and must determine the application as made

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

