

Location **22 Rankin Close London NW9 6SR**

Reference: **22/2905/HSE** Received: 31st May 2022
Accepted: 1st June 2022

Ward: Colindale South Expiry: 27th July 2022

Case Officer: **Emily Palmer**

Applicant: Mr Tamer Colakoglu

Proposal: Two storey side 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:

Site Location Plan

2205 B 1

200401 S1

200401 S2

200401 S3

220202 P1

220202 P2

220202 P3

Arboricultural Survey to BS5837:2012 dated 10 January 2023

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 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the hereby approved development.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and G5 and G7 of the London Plan 2021.

- 6 a) No site works or development (including any temporary enabling works, site clearance and demolition) shall take place until a dimensioned tree protection plan in accordance with Section 5.5 and a 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) have been submitted to and approved in writing by the Local Planning Authority.

b) No site works (including any temporary enabling works, site clearance and demolition) or development shall take place until the temporary tree protection shown on the tree protection plan approved under this condition has been erected around existing trees on site. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas at any time. The development shall be implemented in accordance with the protection plan and method statement as approved under this condition.

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 G7 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. 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.
- 2 Tree and shrub species selected for landscaping/replacement planting shall provide long term resilience to pest, diseases and climate change. A diverse range of species and variety will help prevent rapid spread of any disease. In addition to this, all trees, shrubs and herbaceous plants must adhere to basic bio-security measures to prevent accidental release of pest and diseases and must follow the guidelines below:

An overarching recommendation is to follow BS 8545: Trees: From Nursery to independence in the Landscape. Recommendations and that in the interest of Bio-security, trees should not be imported directly from European suppliers and planted straight into the field, but spend a full growing season in a British nursery to ensure plant health and non-infection by foreign pests or disease. This is the appropriate measure to address the introduction of diseases such as Oak Processionary Moth and Chalara of Ash. All trees to be planted must have been held in quarantine.

To ensure the replacement trees meet bio-security standards they should be purchased from a DEFRA accredited supplier that can be found here: <https://planthealthy.org.uk/certification>

OFFICER'S ASSESSMENT

1. Site Description

The application site is located at 22 Rankin Close consisting of a two-storey terraced dwellinghouse with front and rear amenity space. The area surrounding proposed site is mainly residential consisting of similar two-storey semi-detached dwellinghouses with front and rear amenity spaces. The site is located within the Colindale South 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: 17/1714/FUL

Address: 22 Rankin Close, London, NW9 6SR

Decision: Refused

Decision Date: 16 May 2017

Description: Erection of a two storey dwelling. Associated parking, refuse and recycling, cycle store

Reason for refusal:

The proposed two storey dwelling, by reason of its design and siting would be out of keeping with the established character of Rankin Close and the existing terraced nature of development within the cul-de-sac. This would have an adverse effect on the character and appearance of the streetscene and wider locality, contrary to the London Plan (2016) Policy 3.5, the Barnet Local Plan (Adopted 2012) Core Strategy Policy CS5 and Development Management Policies DM01, the Council's Residential Design Guidance (Adopted October 2016).

Reference: 17/4034/FUL

Address: 22 Rankin Close, London, NW9 6SR

Decision: Approved at Committee

Decision Date: 28 September 2017

Description: Erection of a two storey end of terrace dwelling. Associated parking, refuse and recycling, cycle store

Reference: 18/2050/HSE

Address: 22 Rankin Close, London, NW9 6SR

Decision: Approved subject to conditions

Decision Date: 29 May 2018

Description: Installation of scooter store. Installation of access ramps and associated handrails to main house

3. Proposal

Two storey side extension.

The proposed ground floor side extension will measure a width of 3.5 metres and a depth of 7.8m. It has a maximum height of 2.5 metres. The side extension would be set back from the front building line by 0.8 metres.

At first floor level, the proposed side extension is 2.4 metres in width, and would measure a depth of 7 metres. The eaves height measures 4.8 metres and the proposed maximum height is 7 metres. It will be set back from the front elevation by 0.8 metres and will be set down from the main roof ridge by 0.50 metres.

4. Consultation

Public Consultation

Consultation letters were sent to 28 neighbouring properties. 5 letters of objection have been received and can be summarised below:

- Overdevelopment.
- Detrimental to the visual amenity of the property.
- The proposal would lead to pressure on car parking, and will increase traffic and noise.
- Fears the extension is rented out.
- The proposed extension is more than half the width.
- Outlook.
- Reduced open character in locality.

Internal Consultation

Related policies:

- o BS 5837:2012, Trees in relation to design, demolition and construction - Recommendations
- o Town and Country Planning Act 1990 - Sections 197 and 198
- o Barnet's Local Plan (Core Strategy) - CS5 and CS7
- o Barnet's Local Plan (Development Management Policies) - Policy DM01: Protecting Barnet's character and amenity
- o Barnet's Local Plan (Development Management Policies) - Policy DM16: Biodiversity
- o The London Plan (2021) - Policy G7: Trees and woodlands

Designations

Tree Preservation Orders: None

Conservation Area: No

Description of proposal

Two storey side extension.

Observations

The proposal will necessitate excavations and construction in the general vicinity of 3no trees:

- o T1 western red cedar
- o T2 silver birch
- o 1no ash (abutting the northern site boundary, situated within the grounds of Colindale park)

T3 ash is owned and managed by LBB:

- o The proposal will increase the footprint of the dwelling by 900mm westward towards this tree
- o This constitutes a negligible reduction in the existing clearance between the dwelling and this tree, therefore post-development pressure is not anticipated.

No pruning or removals have been cited within the submitted arb survey (dated 10.01.2023):

- o The proposed site plans appear to indicate that T1 and T2 may be removed
- o Clarification is required and replacement planting is recommended in the event of removal, pursuant to Local Policy DM01.

RECOMMENDATIONS

No objection, subject to satisfactory supporting evidence.

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 published in 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 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 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, DM17

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 (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, semidetached 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 the 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;
- Whether harm would be caused to highways;

5.3 Assessment of proposals

Design and Visual Amenity

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) and D3 (of the London Plan).

Paragraph 14.13 of the Council's Residential Design Guidance SPD advocates that extensions should fit into the street, being consistent with the architectural character, neighbouring properties, and any special nature of the area.

/ulTwo storey side extension

Paragraph 14.14 of the RDG mandates that side extensions to existing buildings can be unacceptably prominent features in the street scene, and where gaps between houses are a common feature of a street, then proposals which close such gaps or create a terracing effect by bringing buildings too close together are likely to be rejected.

The ground floor side extension would measure 3.5 metres in width, plus an additional width of 1 metre for the glass box window. The original width of the property measures 4.8 metres and therefore it is not strictly policy compliant. However, the extension is set back 0.9m from the front of the building and the box window is set back some 4 metres. Also, the application site is an end of terrace property with a uniquely configured garden. Site photos and aerial photography show the garden is wider than the neighbouring properties - tapering to the rear - and is also at the end of a cul-de-sac. As a result of the breadth of the plot at the front and the location of the property, an extension with this width would not be unduly detrimental to the open character of the street scene.

The first-floor side extension element would be half the width of the original property and would therefore comply to paragraph 14.15 of the Residential Design Guidance.

To aid subordination, the Residential Design Guidance mandates that pitched roofs, following the same pitch as the existing roof, and a set down of at least 0.5 metres from the ridge of the main roof are favoured as a way of creating subordination of side extensions, and to maintain congruent development. The proposed roof would be set down from the main roof by 0.50 metres and be commensurate in pitch.

The Residential Design Guidance SPD ideally seeks a set-back from the front building line of 1 metre for side extensions. The forward most section of the building is only single storey, so the recess would be 0.9m from the main front elevation. Although this is marginally below the standard, the difference is negligible and consideration should be given to the property being an end of terrace dwelling.

Paragraph 14.17 of the RDG advises that there should normally be a minimum gap of 2 metres between the flank walls of properties at first floor level (i.e a minimum gap of 1 metre between the boundary and the extension at first floor level for most two-storey extensions). As this is an end-terraced property adjacent to Colindale Park, there are no properties built on the other side of the neighbouring boundary.

Impact on the amenities of neighbouring occupiers:

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.

21 Rankin Close:

There would be no undue amenity impact as a result of this extension. The ground floor element of the side extension would be only 0.9m beyond the rear elevation and the first floor would not project to the rear. The proposal also maintains a considerably separation from the common boundary with No 21 and therefore there no issues relating to loss of privacy, outlook, light or increased sense of enclosure are anticipated.

Highways

The proposal would result in an additional bedroom, but no additional households or change of use. As such, the anticipated parking demand - with regard to Policies T6.1 and DM17 - would remain unchanged.

5.4 Response to Public Consultation

The objections have been mainly addressed in the main body of the report. There is no proposal to rent the extension out either as a self contained dwelling or as part of a House in Multiple Occupation. Nevertheless, both of those changes in use would require express planning consent - and as such, the LPA retains governance. In the event that an unauthorised change of use were to occur, it would be liable for enforcement action.

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.

