

Location **222 East End Road London N2 8AX**

Reference: **23/2051/HSE** Received: 11th May 2023
Accepted: 25th May 2023

Ward: East Finchley Expiry 20th July 2023

Case Officer: **Kate Foster**

Applicant: Yamina Bheekhun

Proposal: Single storey side and rear infill extension with 5no. rooflights and new access steps to rear

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:

B181171-01-1100 Rev A, B181171-01-3100 Rev A, B181171-01-3000 Rev A, Site Location Plan, Planning Fire Safety Strategy (dated May 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 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 shall be placed at any time on the western elevation(s), of the extension hereby approved, facing no. 220 .

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. 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 called before the Committee by Cllr Farrier for the following reason:

I would like to call this application in to a planning committee for decision, due to the harm the proposed extension may cause to the amenity of the neighbours at 224 East End Road.

1. Site Description

The application site contains a two-storey, semi-detached dwellinghouse, situated at 222 East End Road, London, N2 8AX, within the East Finchley ward.

The surrounding area is predominantly residential comprising of a mixture of semi-detached, terraced and detached properties of a similar architectural style and scaling. Properties along the southern side of East End Road typically benefit from two-storey front facing bay windows and front gable features. Dwellinghouses also have two-storey outriggers to the rear, within the private rear amenity space. The host site has off-street parking within the forecourt of the property.

The site is not locally/statutorily listed, nor is it located within a conservation area. There are no TPOs on site or in the surrounding proximity of the property.

2. Site History

Reference: 23/2052/192

Address: 222 East End Road London N2 8AX

Decision: Lawful

Decision Date: 06 July 2023

Description: Roof extension including side and rear wraparound dormer windows with juliette balcony, 2no. flat rooflights and 3no. front facing rooflights

3. Proposal

The planning application seeks permission for:

Single storey side and rear infill extension with 5no. rooflights and new access steps to rear.

The proposal would appear as a wrap-around extension extending 3.50 metres in depth beyond the rear building line, extending a full depth of 8.40 metres diagonal along the boundary with no. 222 East End Road. The proposed extension would have a lean-to roof along the boundary with no. 224 with an eaves height of 3.00 metres, the rest of the extension would have a flat roof with a maximum height of 3.85 metres.

Due to the natural sloping of the garden, new access steps will be provided to the rear of extension measuring a height of 0.46 metres, a width of 4.64 metres and a depth of 0.87 metres.

4. Public Consultation

Consultation letters were sent to 6 neighbouring properties. 4no objections were received from 3no contributors.

The objection comments can be summarised as follows:

- Loss of sunlight to neighbouring property no. 222
- Loss of outlook
- Sense of enclosure
- Noise nuisance
- Impact on neighbouring property value
- Quality of life/ neighbouring occupiers' ability to enjoy their rear amenity space.

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 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).

According to the Residential Design Guidance, proposed extensions should be consistent with the form, scale and architectural style of the original building. Further, extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant.

The Residential Design Guidance (14.21) stipulates that the depth of a single storey rear extension normally considered acceptable for semi-detached properties is 3.50 metres. The proposed extension would not protrude beyond the rear building line of the existing outrigger, and as such would have a depth of 3.50 metres, which is compliant with the SPD 2016. The side extension element of the proposal would extend a length of 8.40 metres along the diagonal boundary with no. 220, however this extension would be set 0.79 metres from this neighbouring boundary and would not protrude beyond the rear building line of the existing outrigger. Furthermore, according to the SPD (14.15), side extensions should not be more than half the width of the original house, the ground floor side element, measuring a width of 2.80 metres, would not exceed the 3.35 metre limit in relation to the original house width, and thus would be compliant.

The proposed side extension would protrude 1.63 metres in height above the lowest point of the existing side garage extension which has a pitched roof, and as such would be visible from the front elevation of the dwellinghouse. However, it is worth noting that this element would be set back 4.74 metres, behind the existing garage, from the front building line. In addition to this, whilst a parapet wall with a maximum height of 3.85 metres will extend along the western flank wall, the side extension would have a pitched roof design, sloping up from an eaves height of 2.83 metres. This would therefore soften the visual impact of the proposal on the street scene of East End Road. Given that the proposal is sufficiently set back, it is not considered that the proposal would be harmful to the character of the surrounding area.

A review of aerial imagery and historic planning records indicate that numerous properties along East End Road benefit from single storey rear and/or side extensions, including no. 230, and no. 257 and 259 directly opposite, as such the proposal would be in keeping with existing development in the area, adhering with policy DM01.

Officers therefore consider that the proposal would not be detrimental to the established character and appearance of the existing dwelling and the general locality would not be affected, as such, this proposal is recommended for approval on the grounds of character.

- 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 and policies D3 and 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.

The Residential Design Guidance (14.22) states that single storey rear extensions to the original house need to ensure that the depth and/or height of the extension does not cause a significant sense of enclosure, or loss of outlook from, or light to, principal windows of habitable rooms of neighbouring properties.

No. 224 East End Road is the adjacent neighbouring property located to the east of the host site, this neighbouring dwelling is split into a ground and first floor flat. During the public consultation period of this application, objections were received from this neighbouring property regarding the amenity impact of the proposal, with a particular focus on loss light and outlook, a sense of enclosure, impact on property value, and the neighbouring occupier's ability to enjoy their rear amenity space. The proposed extension would extend 3.50 metres beyond the rear building line, within the recommended depth as set by the SPD 2016. In addition to this, the proposal incorporates a sloping roof element, which extends along the shared boundary with no. 224 with an eaves height of 3.00 metres (a relative height of just 2.5m from the cill level of the door in the rear of No 224 with regard to the plans), and a maximum height of 3.85 metres, to reduce any amenity impact. As a result of this, officers do not consider that the proposal would appear unduly overbearing or result in an unacceptable increase to the sense of enclosure experienced from within.

It should also be noted that - as a single dwellinghouse - 3m of the proposed 3.5m could otherwise be built pursuant to permitted development rights.

Furthermore, given that the host site benefits from an existing two storey rear outrigger which is set 2.36 metres from the shared boundary, it is considered unlikely that the proposal would result in any further significant overshadowing or loss of outlook in comparison to the existing situation with the rear outrigger. Though the greater proximity is acknowledged, a large part would be read against the backdrop of the two storey outrigger.

The neighbouring property also benefits from approximately 105 square metres of rear amenity space, as such the proposed 3.50 metre deep extension would not be considered to detrimentally impact the amenity of the main rear garden space beyond the existing outrigger. Therefore, given that the depth of the proposed extension is policy compliant, and incorporates a lean-to roof, officers deem that the proposal would not unduly harm the amenity of the neighbouring occupiers at no. 224.

The Residential Design Guidance (14.20) states that side extensions should ensure that the visual and residential amenities of neighbouring properties are not significantly affected. The proposed side extension would extend a length of 8.20 metres along the boundary with neighbouring property no. 220 East End Road, located to the west of the host site. However, the proposal would be set in 0.79 metres from this neighbouring boundary and would only protrude 3 metres in depth beyond the rear building line of no. 220 - although 2.26 metres of this depth is occupied by an existing shed at no.220 which extends along the shared boundary. As such it is not deemed that the proposal would appear unduly overbearing or result in any significant loss of light to this neighbouring property, notwithstanding the height and greater proximity that existing. Given that no side windows would be inserted on the flank wall of the proposed extension facing no. 220, officers also do not consider that the proposal would result in any loss of privacy or overlooking, therefore there would be no amenity impact.

Therefore, the proposal would not be considered to cause any undue adverse impact to neighbouring amenities in terms of appearing overbearing or causing significant levels of loss of light or outlook.

5.4 Response to Public Consultation

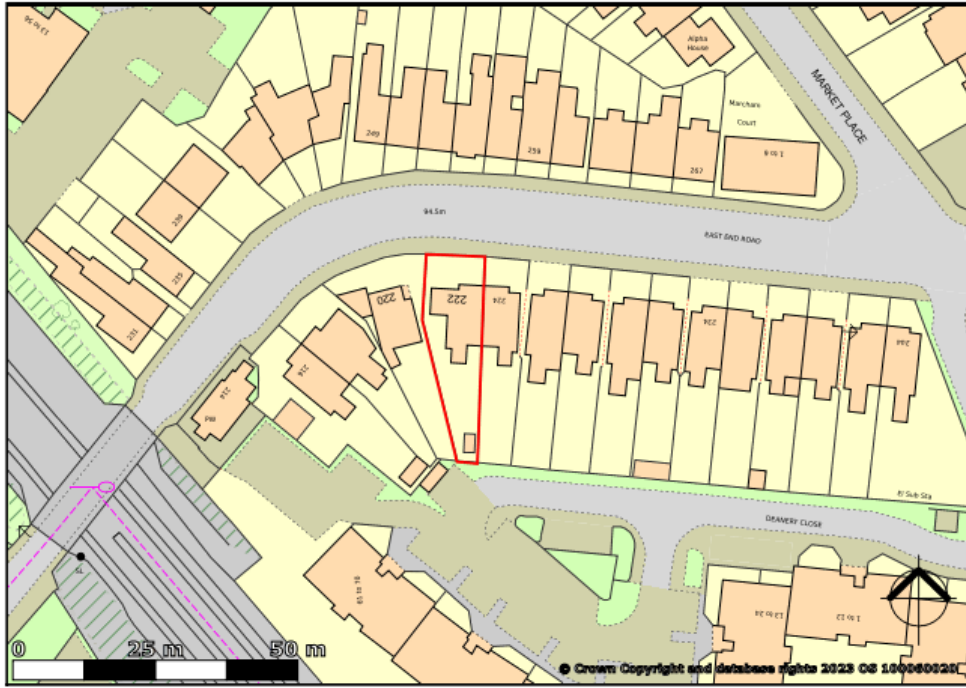
The planning considerations regarding neighbouring amenity have been addressed in section 5.3.

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 subject to conditions.



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Plotted Scale - 1:1,250