

Location **9 Kingswood Park London N3 1UG**

Reference: **23/2211/HSE** Received: 18th May 2023
Accepted: 22nd May 2023

Ward: Finchley Church End Expiry 17th July 2023

Case Officer: **Olivia Becci**

Applicant: Mr and Mrs Greenspan

Proposal: Alterations and extension to roof including creation of a crown roof, increased roof pitch, side and rear dormer windows and 2no front facing rooflights and 1no rooflight to each side elevation (Amended Plans and Description)

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:

SQH2101_L_011 Rev. B
SQH2101_L_020 Rev. B
SQH2101_L_010 Rev. B
SQH2101_L_023 Rev. B
SQH2101_L_013 Rev. B
SQH2101_L_012 Rev. B
SQH2101_L_031 Rev. B
SQH2101_L_021 Rev. B
SQH2101_L_022 Rev. B
SQH2101_L_001 Rev. B Site Location Plan

SQH2101_L_121 Rev. C
SQH2101_L_120 Rev. C
SQH2101_L_123 Rev. C
SQH2101_L_113 Rev. C
SQH2101_L_130 Rev. C
SQH2101_L_131 Rev. C
SQH2101_L_122 Rev. C
SQH2101_L_112 Rev. C

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 Before the building hereby permitted is first occupied the proposed side dormer window(s) in the flank elevation facing no. 7 Kingswood Park 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).

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 comprises a detached dwellinghouse located at 9 Kingswood Park, N3 1UG within the ward of Finchley Church End.

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

2. Site History

Reference: 16/0815/HSE

Address: 9 Kingswood Park, London, N3 1UG

Decision: Approved subject to conditions

Decision Date: 4 April 2016

Description: First floor side extension following removal of existing terrace. Replacement of existing rear dormer and replacement of existing canopy with lean to roofs to front of property

Reference: 21/2815/192

Address: 9 Kingswood Park, London, N3 1UG

Decision: Lawful

Decision Date: 17 June 2021

Description: Roof extension involving side and rear dormer window, 2no front facing rooflights and new side window

Reference: F/04169/14

Address: 9 Kingswood Park, London, N3 1UG

Decision: Approved subject to conditions

Decision Date: 27 February 2015

Description: Extension of raised patio. Reconfiguration of patio staircase. Replacement of timber railings with glazed railings. Installation of raised planters to patio

3. Proposal

The applicant seeks planning permission for alterations and extension to roof including creation of a crown roof, increased roof pitch, side and rear dormer windows and 2no front facing rooflights and 1no rooflight to each side elevation.

The new crown roof extension will extend up to the height of the existing ridge height, which will not increase beyond the existing maximum height.

The proposed rear dormer will measure a height of 1.6 metres, width of 3.6 metres, and a depth of 2.1 metres.

The proposed side dormer will measure a height of 2.5 metres, width of 2.7 metres, and a depth of 2.5 metres.

4. Public Consultation

Consultation letters were sent to 12 neighbouring properties. 6 objection comments were received, as summarised below:

- Concerns regarding loss of light to a number of flats and rear gardens at Primrose Court which will have a detrimental impact on the quality of life of residents
- Concerns that the extent and bulk of the proposed development will be overbearing and obtrusive to the flat-owners of Primrose Court.

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 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 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 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, 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.

5.3 Assessment of proposals

The issues in assessing the application are:

- Impact on character
- Impact on neighbours

- 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).

The new crown roof extension will have a width of 6.3 metres and length of 3.2 metres, with the height to the maximum height of the existing roof ridge. There are a number of crown roofs in the area, notably the neighbouring property at No. 7 Kingswood Park as well as No. 4 Kingswood Park. It is therefore considered that the creation of the crown roof will not result in a negative impact to the character of the area as a result.

The proposed rear dormer will measure half of the total roof width, and it is determined to be a subordinate feature to the dwellinghouse. Similarly, the side dormer is determined to be a subordinate feature to the dwellinghouse due to the scale and position. Due to the scale of the proposed side and rear dormers, and the presence of rear dormers along the streetscape, it is concluded that the proposals will not be out of character within the area.

Thus, overall the proposal is assessed to accord with Policy DM01, having no adverse impact on the character of the property and locality.

- Whether harm would be caused to the living conditions of neighbouring residents.

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. With regard to 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.

It is not found that the proposed alterations and extension to the roof involving a new crown roof, increased roof pitch, 1 no. side and 1no. rear dormer and 2no, front facing rooflights

and 1 no side rooflight would have a detrimental impact on the amenities of the neighbouring properties.

There will be a condition attached to secure obscure glazing for the side dormer extension facing No. 7 Kingswood Park which will ensure the proposal would not result in harmful overlooking.

5.4 Response to Public Consultation

- Concerns regarding loss of light to a number of flats and rear gardens at Primrose Court which will have a detrimental impact on the quality of life of residents
- Concerns that the extent and bulk of the proposed development will be overbearing and obtrusive to the flat-owners of Primrose Court.

The proposed alterations and extensions to the roof are considered to have an acceptable impact on the neighbouring amenities of residents at Primrose Court given that the distance between the eastern flank wall of 9 Kingswood Park and the rear wall of Primrose Court is approximately 18 metres. This significant separation gap between the two properties is not considered to cause a loss of outlook for occupiers at Primrose Court nor create a sense of enclosure. Given that the proposed roof is set no higher than the existing main ridgeline, it is considered to have a negligible impact on the current levels of outlook from the neighbouring site of Primrose Court.

Therefore, it can be concluded that the extensions and associated alterations as a whole would not contravene the Residential Guidelines SPD in relation to residential amenities.

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.

