

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).

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 referred to the committee because of the number of objection received

1. Site Description

The application site is located at 1 Evelyn Road, consisting of a semi-detached dwellinghouse within the East Barnet ward.

The site is an end property within the street, with an alleyway that goes along the site's southeastern boundary.

The surrounding area is characterised by similar two-storey semi-detached residential properties, with some of them having accommodation in the loft space. The site is located within flood zone 1, and with a very low risk of surface water flooding. The site is not located within a conservation area and is not a listed building. There are no onsite Tree Preservation Orders (TPOs).

2. Relevant Site History

Reference: N07062

Address: 1 Evelyn Road Cockfosters Herts

Decision: Approved subject to conditions

Decision Date: 9 December 1981

Description: First floor side extension

Reference: 23/3065/HSE

Address: 1 Evelyn Road, Barnet, EN4 9JT

Decision: Approved subject to conditions

Decision Date: 11 September 2023

Description: Conversion of the existing garage into habitable room, insertion of window to replace the garage door

Reference: 23/3066/HSE

Address: 1 Evelyn Road, Barnet, EN4 9JT

Decision: Approved subject to conditions

Decision Date: 11 September 2023

Description: Single storey rear infill extension

Reference: 23/3067/HSE

Address: 1 Evelyn Road, Barnet, EN4 9JT

Decision: Approved subject to conditions

Decision Date: 4 October 2023

Description: First floor side extension

3. Proposal

The planning application seeks permission for:

Lower ground floor rear extension with new patio area above and relocation of existing external steps (Amended Description)

The proposed lower ground floor rear extension would have a height of 2.15 metres, width of 2.7 metres and depth of 5.2 metres. A new patio area would also be created above the proposed lower ground floor rear extension.

As specified on the proposed lower ground floor plan, the lower ground floor rear extension would be used as a storage room. It should be noted that the existing lower ground floor area is used as a storage, and the proposal would increase the depth of this storage. The existing lower ground floor storage is accessed via the existing external staircase.

The existing external steps are proposed to be relocated centrally.

4. Public Consultation

Consultation letters were sent to 8 neighbouring properties.

6 objection comments were received, which may be summarised as follows:

- + The extension would block the amount of natural light to the neighbouring properties.
- + Noise and building work would be disruptive.

- + It would have a significant impact on the privacy of the neighbouring properties.
- + The new patio will increase the overlooking to the properties on Belmont Avenue, as 1 Evelyn Road is at a higher level.
- + The new patio area would have a potential for lights at night shining over their garden and noise from a young family and their relatives and friends.
- + There is no indication on the plans for privacy screening above the patio area.
- + The existing sliding doors on the existing rear extension invade the privacy of the gardens of the properties on Belmont Avenue.

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 revised on 5th September 2023. 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 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.

5.2 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).

The proposed lower ground floor extension would be located at the rear of the application site and would not be viewable from the front of the property. As such, it is not considered that it would have any impact on the existing street scene of Evelyn Road.

Moreover, it is noted that the proposed lower ground floor extension would have a low level of visibility from the alleyway at the side of the property due to the height of the existing fence. When viewed from the rear of the property, it is considered that the proposed lower ground floor extension would not be prominent due to its siting and scale, and therefore would not have a detrimental impact on the character of the existing house.

For single storey basement extensions, paragraph 14.44 of Barnet's Residential Design Guidance specified that single storey basement extensions should not project more than 3 metres from the rear wall of the house or have a width that is more than half the width of the dwellinghouse beyond each side elevation.

It is noted that the proposed lower ground floor extension would have a width of 2.7 metres beyond the side wall of the house, which is less than half the width of the original dwellinghouse and would be able to meet the requirement set out in the Residential Design Guidance.

The roof of the proposed lower ground floor rear extension would be used as a patio area. Upon review of aerial photography, it is noted that most of the neighbouring properties on the same side of Evelyn Road currently benefit from rear patios that is the full width of the house. It is considered that the new patio area on the proposed lower ground floor rear extension would complete the existing patio to create a full width patio area, which would not appear unique due to the precedents at the neighbouring sites and would also uniform the appearance of the rear gardens on Evelyn Road.

The proposed relocation of the external steps is not considered to be detrimental to the character of the house and the surrounding area as it is a modest change in the rear garden.

Overall, the proposals would preserve the character and context of the site and surrounds, forming a suitable addition to the dwellinghouse. The proposal would be compliant with Local Plan Policy DM01.

- 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.

No. 3 Evelyn Road:

No. 3 Evelyn Road is an adjoining property to the northwest of the application site. It is noted that the proposed Lower ground floor rear extension would be sited towards the southeast boundary of the application site. Also, the existing single storey rear extension would shield no. 3 from the new patio area and therefore would not give rise to any

overlooking or privacy issue towards no. 3. As such, it is not considered that the proposal would give rise to any significant amenity impact towards no. 3.

Nos. 83-91 Belmont Avenue:

Nos. 83-91 Belmont Avenue are neighbouring properties to the southeast of the application site. Upon site visit, it is noted that there is a shared driveway that separates the application site and nos. 83-91 Belmont Avenue. When measured from the maps, it is noted that there would be a distance of approx. 5.4 metres between the edge of the proposed new patio area and the rear boundary of the gardens of nos. 83-91 Belmont Avenue. Moreover, it should be noted that would also be a distance of approx. 20 metres between the edge of the new patio area and the nearest habitable room window of no. 89 Belmont Avenue.

Given the distance between the new patio area and the neighbouring gardens and habitable rooms, it is not considered that the new patio area would give rise to any significant overlooking or loss of privacy issue towards nos. 83-91 Belmont Avenue.

While due to the siting of the proposed lower ground floor rear extension being at the lower level, it is not considered it would overshadow the neighbouring properties at nos. 83-91 Belmont Avenue and would also not appear overbearing when viewed from these properties.

5.4 Response to Public Consultation

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

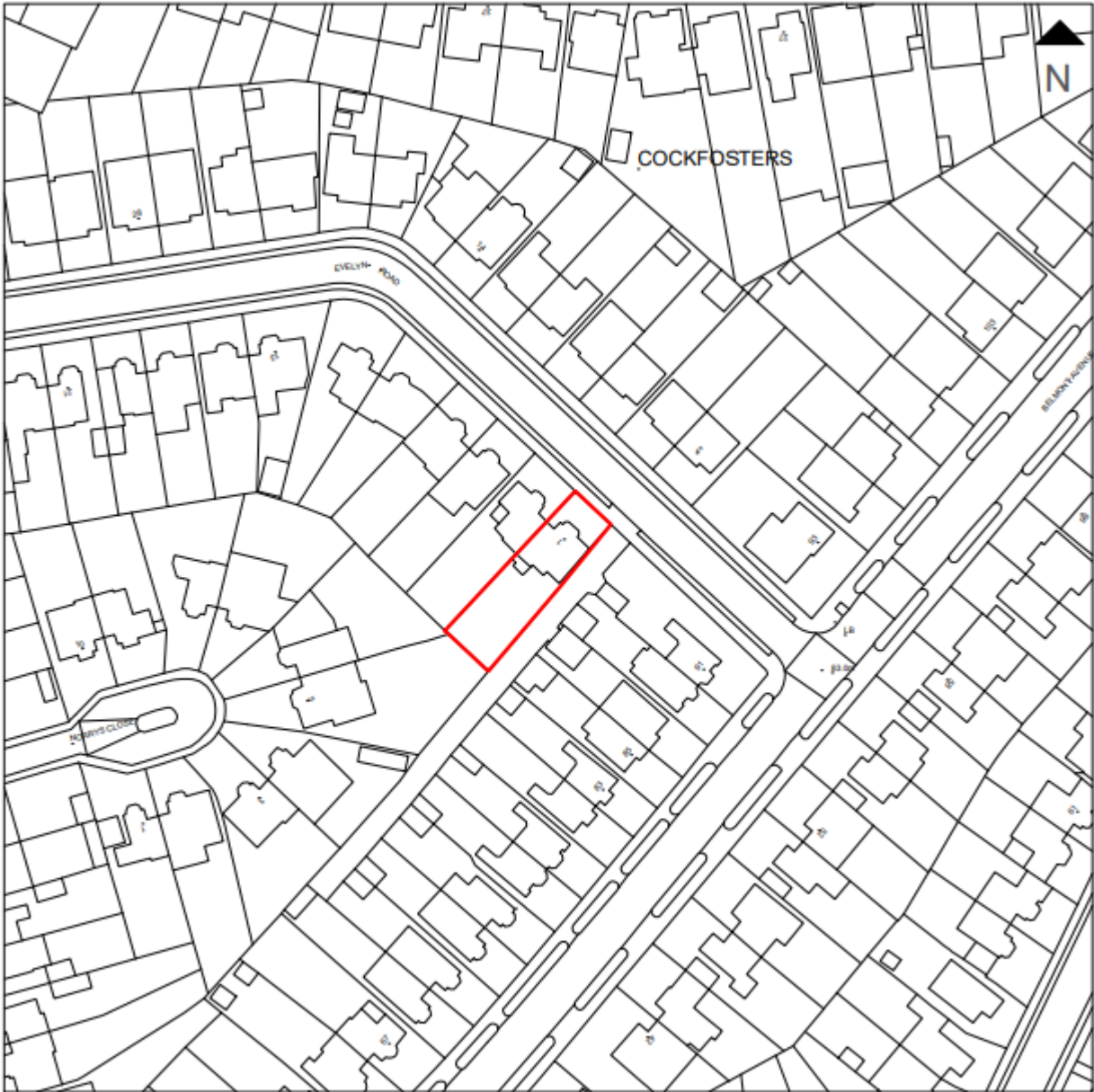
Regarding the comments concerning noise and building work would be disruptive, it should be noted that this is not a planning consideration in this application.

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.



©Crown Copyright and database rights 2023 OS Licence no. AC0000849896

LOCATION PLAN