

Location 15 The Hook Barnet EN5 1LG

Reference: 23/5222/HSE Received: 5th December 2023
Accepted: 5th December 2023

Ward: Barnet Vale Expiry 30th January 2024

Case Officer: Rebecca Murunga

Applicant: Mr Hadi Barawi

Proposal: Part single, part two storey side and front extension following demolition of the existing garage. Single storey rear extension. Creation of side passage to garden. Roof extension involving hip to gable, rear dormer and 3no. front facing rooflights

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 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.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

202312/15TH/SR/S1
202312/15TH/SR/S2
202312/15TH/SR/01 Rev C

202312/15TH/SR/02a Rev C
202312/15TH/SR/02b Rev C
202312/15TH/SR/03 Rev C
202312/15TH/SR/04 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).

- 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 window(s) in the south side elevation facing No.14 The Hook shall be glazed with obscure glass only upto 1.7m above floor level 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).

- 5 The flat 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).

- 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 north and/or south side elevation(s) of the extensions hereby approved.

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 comprises of a two-storey semi-detached dwellinghouse. The property's integral garage on the south of the site is linked with the neighbouring property No.14.

The application site is not located within a conservation area, nor does it contain any listed buildings.

2. Site History

Reference: 23/3962/HSE

Description: Part single, part two storey side and rear extension following demolition of the existing garage. Creation of side passage to garden. Roof extension involving hip to gable, rear dormer and 3no. front facing rooflights.

Decision: Refused

Decision Date: 08/11/2023

Reference: 23/2333/192

Description: Roof extension involving rear dormer and 3no. front facing rooflights

Decision: Lawful

Decision Date: 13/06/2023

3. Proposal

This application seeks permission for a Part single, part two storey side and front extension following demolition of the existing garage. Single storey rear extension. Creation of side passage to garden. Roof extension involving hip to gable, rear dormer and 3no. front facing rooflights

The proposed rear single storey extension would be flat roofed, measuring at 8.4meters (m) in width, 3.5m in depth from the existing rear wall and a maximum height of 2.7m. The proposed single storey side element would measure at 3m in width, 15.5m in maximum depth. The first floor side/rear element would have a gable roof, measuring at 3m in width and 6.9m in depth. In total the side storey extension would have a 4.3m eaves height and a maximum height of 6.7m.

It is noted the roof extension involving hip to gable, rear dormer and 3no. front facing rooflights were approved permitted development (Ref: 23/2333/192). The rear dormer extension will have a height of 2.3m, a depth of 4m, and a width of 5.4m. The 3no. front facing rooflights would not project more than 0.15 metres beyond the plane of the slope of the original roof.

The material would match the existing material palette.

4. Public Consultation

Consultation letters were sent to 8 neighbouring properties.

7 comments have been received: 7 objecting.

The comments are summarised as follows:

- o Window overlooking neighbouring site
- o Parking issues
- o Property used as HMO
- o Shared chimney not illustrated on the submitted plans
- o No additional parking proposed
- o Retained side access

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 December 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 New Local Plan (Reg 24)

Barnet's Draft Local Plan - Reg 24: The Reg 22 version of the draft new Local Plan was approved by the Council on 19th October 2021 for submission to the Secretary of State. Following submission, the Local Plan underwent an Examination in Public (Reg 24). The Reg 22 document sets out the Council's draft planning policy framework together with draft development proposals for 65 sites.

As part of this stage (Reg 24), the Inspector in his Interim Findings and Next Steps letter of August 17th has set out how the Council can through making Main Modifications to the Local Plan address issues of legal compliance and deficiencies in soundness. These interim findings are a clear indication of what the Local Plan and the policies and site proposals within will look like at adoption, subject to making the Inspector's suggested Main Modifications. Whilst the Council moves forward to formal consultation on the Main Modifications (expected to commence in January 2024) the Interim Findings and Next Steps letter of August 17th shall be considered, in the interim, a relevant material consideration in the Council's decision making on planning applications.

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.
- Highways and parking.

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 is a revised scheme of the previously refused application reference 23/3962/HSE. In terms of character and appearance the reason for refusal was, "The

proposed first floor side and rear extensions, by reason of their size, siting and design would introduce a terracing effect within the streetscene of The Hook and together with the rear dormer window would appear as disproportionate additions to the property and an overdevelopment of the site, which would detract from the character and appearance of the property, the pair of semi-detached properties and the wider locality."

The current proposed two storey side extension due to its scale, size and design complies with the residential design guidance and would appear subservient to the dwellinghouse. The roof extension involving hip to gable, rear dormer and 3no. front facing rooflights was deemed lawful in the recent application referenced 23/2333/192. The main difference to the refused scheme is that the first floor rear extension is no longer proposed and due to its scale, design and size it is considered that the current reduced proposals would preserve the character and appearance of the host dwelling. Following the revised plans, the extensions would maintain a 1 metre gap to the shared boundary with No.14 The Hook. One of the comments received noted the retention of the side access is positive.

The front single storey extension would be visible to the streetscene of The Hook. The street scene features similar front extensions protruding beyond the front principle with windows or garage doors. Therefore, the front extension would be of an acceptable design, scale, and design to respect the character and appearance of the streetscene.

In terms of external appearance, the proposed finishing materials would match the existing and neighbouring properties.

The LPA discussed the representative comment regarding the chimney not being illustrated on the plans with the applicant. The amended plans illustrate the chimney on both the application property and the adjoining property No.16 The Hook. The existing chimney will be retained.

Overall, the proposal would be in keeping with the character and appearance of the dwellinghouse and streetscene.

- 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.

The application site shares its southern boundary with No.14 The Hook and the northern boundary with No.16 The Hook to which it is structurally connected to.

The previous reason for refusal in terms of neighbouring impact stated, "the proposed first floor side and rear extensions by reason of their siting, depth, size and scale, would result in an overbearing impact and result in a harmful loss of outlook, to the detriment of the amenities of the neighbouring occupiers at No.14 The Hook...". The proposed first floor extension has significantly reduced, given the first floor rear element is no longer proposed and as such is not considered to materially impact the amenity of the neighbouring properties.

The single storey rear extension would protrude 3.5m beyond the existing rear wall and due to its maximum height of 2.8m, it would preserve the amenities of the neighbouring

properties.

Following amended plans, the proposed extension on the side elevation would be located 1m from the boundary shared with No.14. This set off is considered acceptable to respect the amenity of the neighbouring property. Representative comments were raised regarding the side window overlooking No.14 The Hook. The applicant submitted amended plans which obscure glaze the first floor side window, this can be secured by condition to mitigate any harmful overlooking. The room is also served by front and rear facing windows.

The proposal due to its orientation, design and size would not give rise to harmful shading, loss of light or loss of privacy to both neighbouring properties. It is considered the proposed scheme would comply with the Residential Design Guidance 2016.

- Highway Impact

The proposal would result in the loss of the garage to create an extension to a guest room. The proposal would create an additional bedroom in the loft, resulting in 5 bedrooms.

The site has a PTAL Rating of 2.

With regard to Policy T6.1 of the London Plan (2021), a 3+ bed dwelling in an outer London area of PTAL 2 should provide up to 1 space. As such, the site would continue to provide the necessary amount of off-street parking.

Representative comments were raised regarding lack of additional parking provided on site. The current proposal seeks to make changes to a family home for residential purposes. It is observed the existing layout and driveway on site would be retained. As such the proposal is considered to maintain the existing highway safety and adequate parking on site.

5.4 Response to Public Consultation

Several objections raised have been dealt with in the main body of this report, other concerns will be addressed below:

- Concerns regarding the use of the property as HMO is not a planning matter of consideration in this case. Any future use as such would require a separate permission.

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 streetscene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers or the highway. This application is therefore recommended for APPROVAL.

