

LOCATION:	9 Beech Walk, London, NW7 3PJ,
PROPOSAL:	Single storey rear extension with a proposed depth of 8 metres from original rear wall, eaves height of 2.4 metres and maximum height of 3.7 metres.

KEY DATES	
Statutory Expiry:	15th April 2020
Recommendation:	9th March 2020
Ex. of time (if applicable):	
Site Visit (if applicable):	30th March 2020

Case Officer:	Amy Lee
Area Team:	Hendon Area Team
Applicant:	Mrs Khalique
Ward:	Hale
CIL Liable?	

OFFICER'S ASSESSMENT

Site Description

The application site contains a two-storey detached single family dwellinghouse located on the north-western side of Beech Walk. 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.

Relevant Planning History

Reference: 20/0003/HSE

Address: 9 Beech Walk, London, NW7 3PJ

Decision: Withdrawn

Decision Date: 14 February 2020

Description: Part single, part two storey side and rear extension. Roof extension involving rear dormer window

Reference: 20/1622/HSE

Address: 9 Beech Walk, London, NW7 3PJ

Decision: Pending Consideration

Decision Date: No Decision Made.

Description: Part single, part two storey side and rear extension. Roof extension involving rear dormer window and 1no front facing rooflight

The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended

Class A - enlargement, improvement or other alteration of a dwellinghouse

Permitted Development:

A. The enlargement, improvement or other alteration of a dwellinghouse.

Development not permitted:

A.1 Development is not permitted by Class A if-

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);
- (b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- (c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;
- (d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;
- (e) the enlarged part of the dwellinghouse would extend beyond a wall which
 - (i) forms the principal elevation of the original dwellinghouse; or
 - (ii) fronts a highway and forms a side elevation of the original dwellinghouse;
- (f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and-
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
- (g) until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and-
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
 - (ii) exceed 4 metres in height;
- (h) the enlarged part of the dwellinghouse would have more than a single storey and-
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of the dwellinghouse;
- (i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;
- (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would-
 - (i) exceed 4 metres in height,
 - (ii) have more than a single storey, or

(iii) have a width greater than half the width of the original dwellinghouse; or

(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

(k) it would consist of or include-

- (i) the construction or provision of a verandah, balcony or raised platform
- (ii) the installation, alteration or replacement of a microwave antenna,
- (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
- (iv) an alteration to any part of the roof of the dwellinghouse.

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if-

(a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

(b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

(c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

(d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).

A.3 Development is permitted by Class A subject to the following conditions-

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

(b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be-

- (i) obscure-glazed, and
- (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

(c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Proposal

Single storey rear extension with a proposed depth of 8 metres from original rear wall, eaves height of 2.4 metres and maximum height of 3.7 metres.

CIL Liable?

N/A

Public Consultations

Consultation letters were sent to 12 neighbouring properties, 9 objections were received. The objection can be summarised as follows:

- Overbearing

- Intrusion of privacy
- Possibility of HMO Conversion
- Loss of sunlight/ daylight
- Pressure on off street parking

Appraisal

Due to receipt of the objection(s), prior approval is required under Section (5) of paragraph A4 and the Local Planning Authority is required to assess the impact of the proposed development on the amenity of any adjoining premises.

At present, the host property does not benefit from any extensions. Other houses along the street benefit from single storey rear extensions. However, the extensions vary in height and depth along the street. The adjoining properties at Nos 7 and 11 Beech Walk only benefit from modest rear projections. The rear of No 11 is roughly in line with the existing rear projection at No 9. No 7 projects slightly further to the rear.

The proposed rear extension would project a maximum distance of 8 metres in depth from the original wall of the dwellinghouse. According to Barnet SPD guidelines, extensions similar to the proposed project no more than 4 metres from the established rear wall of a neighbouring site as to protect neighbouring amenity. Given the absence of any form of significant extension at the neighbouring properties and the proximity to the boundaries on either side, the proposed development would result in significant harm principally the loss of outlook and increased sense of enclosure arising from the projection of a 8m deep rear extension, together with overshadowing to No 7.

Notwithstanding the above:

The proposed addition would extend beyond the original side elevation and would extend/replace the single storey rear projection, the side walls of which are part of the original side elevation. The proposal would be the full width of the house and therefore the application would not comply with Class A.1(j) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, as the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwellinghouse.

Response to Public Consultation

- The possibility of HMO conversion is irrelevant to planning consideration.

Conclusion

It is recommended that prior approval is **REQUIRED AND REFUSED**

OFFICER'S RECOMMENDATION / PREVIEW OF DECISION

Prior Approval Required and Refused

1 The proposed single storey rear extension by reason of its size, siting and rearward projection will have an adverse impact on the visual and residential amenities of the neighbouring occupiers at Nos 7 and 11 Beech Walk, including a harmful sense of enclosure, loss of light and outlook to the detriment of the amenities of the occupants of that neighbouring property, contrary to policies CS1 and CS5 of the Barnet Core Strategy 2012, policy DM01 of the Development Management Policies DPD 2012 and the Barnet Residential Design Guidance SPD 2016.

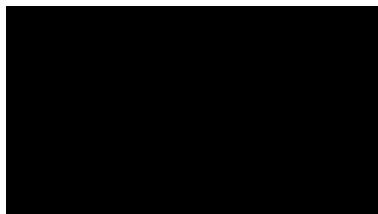
2 Prior Approval is hereby required and refused for the proposal under section A.4(3) of the Town and Country Planning (General Permitted Development) Order 2015. This is because the development does not comply with the requirements of sections A.1(j) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, as the enlarged part of the dwellinghouse would extend beyond a wall featuring a side elevation.

Informative(s):

1 The application comprises of the following plans;

Site location plan
9BEECHWLK/REAR EXTN/1
9BEECHWLK/REAR EXTN/2
9BEECHWLK/REAR EXTN/3
9BEECHWLK/REAR EXTN/4

**Signature of Officer
with Delegated
Authority**



Mark Springthorpe, Principal Planning Officer (Deputy Planning Manager)