

LOCATION: 97 Leslie Road, London, N2 8BH

REFERENCE: F/00016/12

Received: 22 December 2011

Accepted: 01 February 2012

WARD(S): East Finchley

Expiry: 28 March 2012

Final Revisions:

APPLICANT: Mr Wilkner

PROPOSAL: Single storey rear extension.(Amended plans and description)

RECOMMENDATION: Approve Subject to Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Site and Location - 03; Plan No's: Existing plans and elevations; Proposed plans Revision A received 02/03/2012.

Reason:

For the avoidance of doubt and in the interests of proper planning.

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) unless otherwise agreed in writing by the local planning authority.

Reason:

To safeguard the visual amenities of the building and the surrounding area.

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, without the benefit of the grant of further specific permission in writing from the Local Planning Authority.

Reason:

To ensure that the amenities of the occupiers of adjoining properties are not prejudiced by overlooking.

5. The use of the extension hereby permitted shall at all times be ancillary to and occupied in conjunction with the main building and shall not at any time be occupied as a separate unit.

Reason:

To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties.

6. Before the building hereby permitted is occupied the proposed first floor side window facing 95 Lesley Road 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, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties.

INFORMATIVE(S):

1 The reasons for this grant of planning permission or other planning related decision are as follows: -

i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Unitary Development Plan (UDP) (2006).

In particular the following policies are relevant:

Adopted Barnet Unitary Development Plan (2006): GBEnv1, GBEnv2, D1, D2, D4, D5, H18, H27 and Barnet Design Guidance Note No. 5 – Extensions to Houses.

Core Strategy (Submission version) 2011:

Relevant policies: CS5.

Development Management Policies (Submission version)2011:

Relevant Policies: DM01, DM02.

ii) The proposal is acceptable for the following reason(s): -

The proposal would comply with the Council policies that seek to preserve the characters of areas and individual properties. Consideration has been given to the impact of the extension on neighbouring occupiers and it is considered that this extension will not harm the amenity of neighbouring occupiers. **Approval** is recommended.

1. MATERIAL CONSIDERATIONS

Relevant Unitary Development Plan Policies: Adopted UDP (2006): GBEnv1, GBEnv2, D1, D2, D4, D5, H18 and H27.

Supplementary Planning Guidance: Barnet Design Guidance Note 5 – Extensions.

Core Strategy (Submission Version) 2011: CS5

The Planning and Compulsory Purchase Act 2004 reformed the development plan system replacing the Unitary Development Plan (UDP) with the Local Development Framework (LDF). The LDF will be made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Until the LDF is complete, 183 policies within the adopted UDP remain. The replacement of these 183 policies is set out in both the Core Strategy and Development Management Policies DPD.

The Core Strategy will contribute to achieving the vision and objectives of Barnet's Sustainable Community Strategy and will help our partners and other organisations to

deliver relevant parts of their programmes. It will cover the physical aspects of location and land use traditionally covered by planning. It also addresses other factors that make places attractive and distinctive as well as sustainable and successful.

Relevant Core Strategy Policies:

The Development Management Policies document provides the borough wide planning policies that implement the Core Strategy. These policies will be used for day-to-day decision making.

The Council submitted its LDF Development Management Policies Submission Stage document in September 2011. Therefore weight can be given to it as a material consideration in the determination of planning applications.

Relevant Development Management Policies:

CS5, DM01, DM02.

Relevant Planning History:

None relevant.

Consultations and Views Expressed:

Neighbours Consulted: 9
Neighbours Wishing To 2
Speak

Replies: 7

There was one letter of support received - in favour of the proposed extension.

The 3 objections raised may be summarised as follows:

- The planning application has solely been made for number 97 but should also include 99 Leslie Road, as the proposed work will involve both properties. Both properties are owned and lived in by the same person who I am led to believe is a property developer.
- Loss of access at the rear of the properties. Access has been available since the original building of the houses in the early 1900s. This access is vital for cases of emergency such as fire, blocked sewers and/or drains and for maintenance to the rear of this terrace of purpose-built Edwardian maisonettes. There is no other access for mechanical or heavy lifting equipment to the rear of the properties, apart from the essential access that can only be gained between the gates linking 97, 99, 101 and 103 Leslie Road. Direct access to the road is only available at 97. On the plan there is only 0.4m between fence at 103 and the proposed lateral wall of the extension at 97. No room to open any gate or to gain access.
- Health and Safety as previous work done on 99 Leslie Road (above 97 and owned by the same person as at 97) did not have building regulations for previous work done which involved removing all walls in the living space.
- loss of privacy and light.
- Concern for future use of the flat roof of the extension as, if this was developed into a roof terrace of any description - directly overlooked which is extremely obtrusive and very concerning.
- No other work involving extensions has been done on any of the properties in the row

of terraced houses from numbers 97 to 143. If this work is allowed it will set a precedent for others to follow suit destroying the integrity of the houses and the loss of the character and period features.

- Extension will block daylight and right to light.
- Extension will change outlook.
- Part of the garden at the application site is leased from London Underground - thus extension will cause an overdevelopment and detrimental to the rest of the properties.
- Application is causing stress and upset.
- Viewed the new plans and nothing has changed regarding the dimensions of the proposed extension.
- Gate added for access but as the extension will be built over put right of way we would not be able to get through the gate anyway.
- The planning application has solely been made for number 97 but should also include 99 Leslie Road, as the proposed work will involve both properties.
- No planning regulations were applied for previous works to No. 99 Leslie Road – new works will cause damage to neighbouring properties.
- Vital access required right of way - emergency services and maintenance access will not be possible if the extension is allowed.
- Sewers and water pipes run at the rear – issues with access.
- Invasion of privacy and light.

It was decided at the April East Area Planning Sub Committee that the application should be deferred for a site visit. The recommendation remains as pre the original report.

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application property is an end of terrace dwelling which is split into two maisonettes 99 and 97 Leslie Road. The property is in a predominately residential area and does not fall within a conservation area.

The property currently has an external first floor staircase which provides access into the rear garden, this is a common feature amongst most properties located on Leslie Road. There is also a side gate which provides secondary access into the rear garden.

Proposal:

The application relates to a single storey rear extension. This will measure 3 metres in depth closest to the boundary with 101 Leslie Road and 4.2 metres in depth closest to the boundary with 95 Leslie Road. It will be 2.8 metres in height with a flat roof and 6.8 metres in width.

The application was originally submitted with an extension to the first floor external staircase and handrail, however this has now been omitted from the application and the current external first floor staircase will be blocked up. The access into the garden for the first floor maisonette will now be solely via the side gate.

Planning Considerations:

The council is committed to protecting, and where possible enhancing the character of the borough's residential areas and retaining an attractive street scene. Extensions to houses, both individually and cumulatively can have a profound effect on the appearance of neighbourhoods and of the street scene and on the amenities enjoyed by the occupiers of adjoining properties. Extensions to properties should reflect the design of the original building, have regard to the character of the area and amenity enjoyed by your neighbours. This means making sure the extension does not disrupt the neighbours' enjoyment of their own home, garden or neighbourhood.

The extension as proposed is considered to be an acceptable and appropriate form of development which would harmonise well with the existing property. The site is considered large enough to accommodate the extension proposed without resulting in overdevelopment. The extension is in keeping with the character and appearance of the area and is not considered to be disproportionate addition to this property.

The single storey rear extension is not considered to result in a loss of light or outlook nor would it be overbearing or visually obtrusive to either of the neighbouring occupiers as the height of the proposed extension measures 2.8 metres. It would also be set 0.4 metres away from the boundary with number 101 and 1.8 metres from the boundary with number 95.

The application has been amended to ensure the proposed extension will not result in any harm to the surrounding residential occupiers. The blocking up of the external staircase and access into the garden via the side gate is considered to be acceptable. Due to the distance to No. 95 Leslie Road it is not considered that there will be issues of overlooking or loss of privacy to adjoining neighbouring occupiers subject to a condition requiring the new first floor side window to be obscure glazed.

The proposed development respects the proportions of the existing house. It is not considered that the extension is overbearing or unduly obtrusive and therefore there would not be any significant impact on privacy, loss of light, loss of outlook or overbearing in relation to neighbouring properties. As such, policies in Barnet's UDP would be complied with, in particular D2 in respecting its character and appearance, D5 in '*allowing for adequate daylight, sunlight, privacy and outlook for adjoining and potential occupiers and users*' and H27 as it has no significant effect on the amenity of neighbouring occupiers.

It is not considered that the proposed single storey rear extension will be harmful to the character of the area or the amenities of the neighbouring, the application is recommended for **approval**.

3. COMMENTS ON GROUNDS OF OBJECTIONS

It is considered that the planning related concerns raised on this application are not sufficient to constitute a reason for refusal.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

The proposal would comply with Council policies that seek to preserve the character of areas and individual properties. The design and sitting of the extension is such that it would not have a detrimental impact on the amenity of neighbouring properties. The application is therefore recommended for **APPROVAL**.

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