

**LOCATION:** 4 Linnell Drive, London, NW11 7LJ  
**REFERENCE:** F/01435/14 **Received:** 21 March 2014  
**Accepted:** 24 March 2014  
**WARD(S):** Garden Suburb **Expiry:** 19 May 2014  
**Final Revisions:**  
**APPLICANT:** Mrs I Georgeaux

**PROPOSAL:** Single storey side extension with rooms in the roofspace following demolition of existing west wing, extension to existing basement with associated lightwells to side and rear and roof extension involving new dormer windows to front and rear elevations. New timber gates, associated alterations to landscaping.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:  
1244/S01; 1244/S02; 1244/S03; 1244/S04; 1244/S05; 1244/S06; 1244/S08; 1244/S09;  
1244/S21; 1244/AP 01H; 1244/AP 02H; 1244/AP 03H; 1244/AP 04H; 1244/AP 05H; 1244/AP 06H; 1244/AP 08H; 1244/AP 09H; 1244/AP21G; 1244/AP31G; 1244/AP32G; 1244/AP41G; 1244/AP43G; 1244/APD01C; 1244/APD02C;  
Design and Access Statement; TWS- Basement Impact Assessment; BTP- Construction Traffic Management Plan  
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 DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (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 policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).
- 4 The hereby approved windows shall match the original windows in material and style.  
Reason:  
To protect the character of the house and the Hampstead Garden Suburb Conservation Area in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012).
- 5 No construction work resulting from the planning permission shall be carried out on the premises at any time on Sundays, Bank or Public Holidays, before 8.00 am or after 1.00 pm on Saturdays, or before 8.00 am or after 6.00pm on other

days.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of adjoining residential properties in accordance with policy DM04 of the Adopted Barnet Development Management Policies DPD (2012).

- 6 Before the development hereby permitted commences on site, details of all extraction and ventilation equipment shall be submitted to and approved by the Local Planning Authority and implemented in accordance with agreed details before the use is commenced.

Reason:

To ensure that the proposed development does not prejudice the enjoyment or amenities of occupiers of adjoining residential properties in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

- 7 Before this development is commenced details of the location, extent and depth of all excavations for drainage and other services in relation to trees on the site shall be submitted and approved in writing by the Local Planning Authority and the development carried out in accordance with such approval.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 8 No site works or works on this development shall be commenced before temporary tree protection has been erected around existing tree(s) in accordance with details to be submitted and approved in writing by the Local Planning Authority. This protection shall remain in position until after the development works are completed and no material or soil shall be stored within these fenced areas.

Reason:

To safeguard the health of existing tree(s) which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 9 No siteworks or works on this development shall be commenced before a dimensioned tree protection plan in accordance with Section 5.5 and a method statement detailing precautions to minimise damage to trees in accordance with Section 6.1 of British Standard BS5837: 2012 Trees in relation to design, demolition and construction - Recommendations are submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with such approval.

Reason:

To safeguard the health of existing trees which represent an important amenity feature in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012), CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 10 Provisions shall be made within the site to ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway.

Reason:

To ensure that the development does not cause danger and inconvenience to users of the adjoining pavement and highway.

- 11 The level of noise emitted from any plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulse (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of a neighbouring residential property.

Reason:

To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties in accordance with policies DM04 of the Adopted Barnet Development Management Policies DPD (2012) and 7.15 of the London Plan 2011.

- 12 The use of the basement accommodation 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 in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

**INFORMATIVE(S):**

- 1 i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.  
ii) In this case, formal pre-application advice was sought prior to submission of the application.

- 2 The Community Infrastructure Levy (CIL) applies to all 'chargeable development'. This is defined as development of one or more additional units, and / or an increase to existing floor space of more than 100 sq m. Details of how the calculations work are provided in guidance documents on the Planning Portal at [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

The Mayor of London adopted a CIL charge on 1st April 2012 setting a rate of £35 per sq m on all forms of development in Barnet except for education and health developments which are exempt from this charge. Your planning application has been assessed at this time as liable for a £40,517.97 payment under Mayoral CIL.

The London Borough of Barnet adopted a CIL charge on 1st May 2013 on residential and retail development in its area of authority. All other uses and ancillary car parking are exempt from this charge. Your planning application has therefore been assessed at this time as liable for a £156,283.59 payment under Barnet CIL.

Liability for CIL will be recorded to the register of Local Land Charges as a legal

charge upon your site payable should you commence development. Receipts of the Mayoral CIL charge are collected by the London Borough of Barnet on behalf of the Mayor of London; receipts are passed across to Transport for London to support Crossrail, London's highest infrastructure priority.

You will be sent a 'Liability Notice' that provides full details of the charge and to whom it has been apportioned for payment. If you wish to identify named parties other than the applicant for this permission as the liable party for paying this levy, please submit to the Council an 'Assumption of Liability' notice, which is also available from the Planning Portal website.

The Community Infrastructure Levy becomes payable upon commencement of development. You are required to submit a 'Notice of Commencement' to the Council's CIL Team prior to commencing on site, and failure to provide such information at the due date will incur both surcharges and penalty interest. There are various other charges and surcharges that may apply if you fail to meet other statutory requirements relating to CIL, such requirements will all be set out in the Liability Notice you will receive. You may wish to seek professional planning advice to ensure that you comply fully with the requirements of CIL Regulations.

If you have a specific question or matter you need to discuss with the CIL team, or you fail to receive a 'Liability Notice' from the Council within 1 month of this grant of planning permission, please email us at: [cil@barnet.gov.uk](mailto:cil@barnet.gov.uk).

#### Relief or Exemption from CIL

If social housing or charitable relief applies to your development or your development falls within one of the following categories then this may reduce the final amount you are required to pay; such relief must be applied for prior to commencement of development using the 'Claiming Exemption or Relief' form available from the Planning Portal website: [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil).

You can apply for relief or exemption under the following categories:

##### 1. Charity

If you are a charity, intend to use the development for social housing or feel that there are exception circumstances affecting your development, you may be eligible for a reduction (partial or entire) in this CIL Liability. Please see the documentation published by the Department for Communities and Local Government.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6314/19021101.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6314/19021101.pdf)

##### 2. Residential Annexes or Extension

You can apply for exemption or relief to the collecting authority in accordance with Regulation 42(B) of Community Infrastructure Levy Regulations (2010), as amended before commencement of the chargeable development.

### 3. Self Build

Application can be made to the collecting authority provided you comply with the regulation as detailed in the [legislation.gov.uk](http://legislation.gov.uk)

Visit:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> for further details on exemption and relief.

## 1. MATERIAL CONSIDERATIONS

### National Planning Policy Framework

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 27 March 2012. 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 London Plan is recognised in the NPPF as part of the development plan.

The NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

NPPF retains 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 July 2011:

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 2031. It forms part of the development plan for Greater London.

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.

### Relevant Local Plan (2012) Policies:

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11th September 2012

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM06

## Supplementary Planning Documents and Guidance

The Council has adopted the following two supporting planning documents to implement the Core Strategy and Development Management Policies DPDs. These are now material considerations.

- The Residential Design Guidance SPD (2013) and
- Sustainable Design and Construction SPD (2013)

The Council Guide 'Hampstead Garden Suburb Conservation Area Design Guidance' as part of the Hampstead Garden Suburb Character Appraisals was approved by the Planning and Environment Committee (The Local Planning Authority) in October 2010. This leaflet in the form of a supplementary planning guidance (SPG) sets out information for applicants on repairs, alterations and extensions to properties and works to trees and gardens. It has been produced jointly by the Hampstead Garden Suburb Trust and Barnet Council. This leaflet was the subject of separate public consultation.

Relevant Planning History:  
None

### Consultations and Views Expressed:

Neighbours Consulted:	29	Replies:	6
Neighbours Wishing To Speak	1		

The objections raised may be summarised as follows:

- proposal does look more in keeping
- out of scale
- overbearing
- too wide
- over-development
- not in character
- oversized
- unbalances dwelling
- increased over looking
- loss of privacy
- loss of amenity
- impact of basement on water table
- front landscape proposals out of character
- noise and disturbance from construction

### Internal /Other Consultations:

HGS CAAC - No objection

Date of Site Notice: 03 April 2014

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site is the first property located on the southern side of Linnell Drive, within Area 4 of the Hampstead Garden Suburb Conservation Area. The existing building on site is a locally listed, detached, two-storey residential dwelling with rooms in the roofspace and basement accommodation.

The adopted Conservation Area Character Appraisal notes;

*"Linnell Drive contains seven large houses built between 1908 and 1923 by a number of distinguished architects. The houses facing the Heath Extension are in very large plots and have been substantially extended. There have been changes to tiles, windows and garage extensions and additions which detract from the original character and proportions of the houses. This makes for a less coherent streetscape than that of Linnell Close, somewhat spoilt by over-development. Nonetheless, they are attractive houses, mostly drawing on Neo-Georgian influences and displaying deep roofs, prominent chimneys, hipped dormers with casement windows and sash windows on the main floors. No. 10 has two gables on its west elevation which have chimneys extending to ground level flanked by tile hung bays. No. 6 by Guy Dawber is a particularly good house, given the appearance of a Tudor house extended and refronted in the 18th century. It was used in the early promotional literature for the Suburb as an example of the sort of top-class house Unwin wanted to encourage."*

#### Proposal:

The application seeks consent for single storey side extension with rooms in the roofspace following demolition of existing west wing, extension to existing basement with associated lightwells to side and rear and roof extension involving new dormer windows to front and rear elevations. New timber gates, associated alterations to landscaping.

The scheme following extensive pre-application discussions prior to the formal submission.

It should be noted that the original proposal to convert the property into two self contained flats has been omitted from the final scheme.

Other amendments following objections include;

- the addition of single car garage to side extension, with internal mechanical car lift
- reduction in glazing to side elevation of re-built side extension, now showing single glazed door with side windows and corner bay window
- alterations to landscaping, retaining four mature trees which provide screening between application property at 2 Hampstead Way
- a reduced parking area to front

#### Planning Considerations:

The main issue in this case is whether or not the alterations would be visually obtrusive forms of development which would detract from the character and appearance of the street scene and this part of the Hampstead Garden Suburb Conservation Area and have an adverse and visually obtrusive impact upon the

amenity of the occupiers of the neighbouring property.

The supplementary planning guidance for the Suburb is the Hampstead Garden Suburb Design Guidance which has been the subject of public consultation and Local Planning Authority approval. The guidance says:

Hampstead Garden Suburb is one of the best examples of town planning and domestic architecture on a large neighbourhood or community scale which Britain has produced in the last century. The value of the Suburb has been recognised by its inclusion in the Greater London Development Plan, and subsequently in the Unitary Development Plan, as an “Area of Special Character of Metropolitan Importance”. The Secretary of State for the Environment endorsed the importance of the Suburb by approving an Article 4 Direction covering the whole area. The Borough of Barnet designated the Suburb as a Conservation Area in 1968 and continues to bring forward measures which seek to preserve or enhance the character or appearance of the Conservation Area.

The ethos of the original founder was maintained in that the whole area was designed as a complete composition. The Garden City concept was in this matter continued and the architects endeavoured to fulfil the criteria of using the best of architectural design and materials of that time. This point is emphasised by the various style of building, both houses and flats, in this part of the Suburb which is a ‘who’s who’ of the best architects of the period and consequently, a history of domestic architecture of the period of 1900 – 1939.

The choice of individual design elements was carefully made, reflecting the architectural period of the particular building. Each property was designed as a complete composition and design elements, such as windows, were selected appropriate to the property. The Hampstead Garden Suburb, throughout, has continuity in design of doors and windows with strong linking features, giving the development an architectural form and harmony. It is considered that a disruption of this harmony would be clearly detrimental to the special character and appearance of the Conservation Area. The front of the properties being considered of equal importance as the rear elevation, by the original architects, forms an integral part of the whole concept.

Council’s policies and guidelines in respect of alterations to residential properties seek to ensure that they respect the scale, character and design of any building on which they are to be placed and are compatible with the character of the locality. Alterations will not be permitted if they do not have regard to the amenities enjoyed by neighbours.

Policy DM01 of the Development Management Policies (Adopted) 2012 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.

Policy DM06 of the Development Management Policies (Adopted) 2012 states that



development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet.

The proposed demolition of the existing side extension which current houses two double garages and its replacement with larger side extension is considered to be acceptable. The replacement extension measures an additional 0.035m, so cannot be considered to offer an overbearing addition to the locally listed host property when compared to the existing built form. As amended, a single garage has been reinstated to the front elevation and the amount of fenestration facing the rear of 2 Hampstead Way has been reduced to lessen any potential perception of overlooking and loss of privacy. At the rear a feature lightwell is proposed with arches and direct access into the basement accommodation from two sets of stairs. The arches will have small glazed sections in place of some of the bricks to allow for additional light. This is similar to that approved in the retaining wall of the rear terrace at 6 Linnell Drive (approved under reference F/04545/12 dated January 2013).

It is proposed to extend the existing basement accommodation. The only external manifestations of the basement accommodation will be the feature lightwell detailed above, and five flush glass lightwells in the rear terrace. There are no significant concerns with the proposal to increase the basement as there already exists a small basement on site, another property has been given consent to increase its basement in the same road (6 Linnell Drive reference F/04545/12 dated January 2013), and the site is located on London Clay which is not considered to give rise to any water table issues.

There is no objection to the insertion of dormer window to the front elevation. A number of other properties along Linnell Drive has this feature and therefore it is not considered to appear out of character in the street scene.

The proposed front landscaping alterations, as amended are considered to offer acceptable alterations to the character and appearance to the setting of the locally listed host property. As existing the front of the site appears barren and stark with no green features found. The introduction of landscaping to soften this is welcomed and supported.

These proposed alterations, as amended are considered to ensure that this proposal would not detrimentally impact on the qualities of the building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. As conditioned, they would preserve the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area and area of special character.

### **3. COMMENTS ON GROUNDS OF OBJECTION**

The comments made by objectors are noted. However, the objections to increases in width, and the proposed replacement side extension being out of scale are contended as the increase in width is only 0.035m. It is therefore not considered to result in an out of scale addition to the existing dwelling house.

The concerns raised in regards to overlooking are noted. However, there is a distance of over 10.5 m between these new windows and the site boundary, in line

with the Local Plan's guidance on overlooking distances. In addition, it is noted that there are existing non obscure glazed windows closer than the proposed new windows facing the objectors.

The concerns raised in regards to the front landscaping proposals are noted. However, the amount of parking has been reduced since originally proposed and the landscaping works are considered to better enhance the significance of the locally listed host property which is considered as existing to be very stark to the front of the site, without the benefit of any green features. The landscaping proposals help to create a more pleasant setting to this locally listed property.

In regards to objections to the scale of the basement accommodation, the only above ground manifestation of this include flush, walk-on glazed rooflight windows and a feature lightwell beneath the extension in the form of archways into which small glazed bricks will be instered. This feature is similar in detail, in terms of the slit-glazing into the basement, to that approved further along at 6 Linnell Drive. It must be remembered that the application site already benefits from basement accomodation, as does 6 Linnell Drive, which also got consent to extend its basement, under reference F/04545/12 dated January 2013.

#### **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**

Having taken all material considerations into account, the proposals would not detrimentally impact on the qualities of the locally listed building and protect the character of this part of the Hampstead Garden Suburb Conservation Area. The proposed alterations are such that, as conditioned, it preserves the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area, and area of special character.

**APPROVAL** is recommended

**SITE LOCATION PLAN:** 4 Linnell Drive, London, NW11 7LJ

**REFERENCE:** F/01435/14

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