

**LOCATION:** 11 Wilton Road, London, N10 1LX

**REFERENCE:** B/03761/14

**Received:** 14 July 2014

**Accepted:** 14 July 2014

**WARD(S):** Coppetts

**Expiry:** 08 September 2014

**Final Revisions:**

**APPLICANT:** Ms Tugwell

**PROPOSAL:** Part single part two storey side and rear extension at ground floor and lower ground floor level including raised timber terrace with steps to rear garden and associated privacy screen. Extension to existing basement to side and rear including lightwell to the front elevation.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 0425/BR01 E, 0425/BR02D.

**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 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, other than those expressly authorised by this permission, shall be placed at any time in the flank elevation, of the extension hereby approved, facing No. 9 Wilton Road.

Reason:

To safeguard the privacy and amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 5 Before this development is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to adjoining land and highway(s) and any other changes proposed in the levels of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To ensure that the development is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, the safety and amenities of users of the site, the amenities of the area and the health of any trees or vegetation in accordance with policies DM01 and DM04 of the Adopted Barnet Development Management Policies DPD (2012), CS NPPF, CS1, CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.4, 7.5, 7.6 and 7.21 of the London Plan 2011.

- 6 Before the development hereby permitted commences, details of screening along the side of the decking adjacent to the boundary with No.9 Wilton Road shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and the approved screening shall be permanently retained.

Reason: To safeguard the residential amenities of the neighbouring occupiers.

## **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.

## **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 Government's 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, is indivisible from good planning, and should contribute positively to making places better for people". 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 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 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.

The Mayor's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

Relevant London Plan (2011) Policies: 7.4 and 7.6

#### 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 11 September 2012.

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

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

#### Supplementary Planning Documents and Guidance

The Council's Residential Design Guidance SPD was adopted by Cabinet in April 2013. This 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.

Included advice 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.

In respect to amenity, 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.

The Council adopted a Sustainable Design and Construction SPD in April 2013, following public consultation. This SPD provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

#### Relevant Planning History:

**Site Address:** Ground Floor Flat 11 Wilton Road London N10 1LX  
**Application Number:** N14442/04  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 07/01/2005  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Single storey side extension with timber decking in rear garden.**

**Site Address:** Ground Floor Flat 11 Wilton Road London N10 1LX  
**Application Number:** N14442A/05  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 01/04/2005  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Amendments to planning permission N14442/04 (single storey side extension with timber decking in rear garden).**

**Site Address:** 11a Wilton Road London N10 1LX  
**Application Number:** N14442B/07  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 12/10/2007  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Creation of basement and lightwell to front. Ground floor rear extension.**

**Site Address:** Ground Floor Flat, 11 Wilton Road, London, N10 1LX  
**Application Number:** 02183/10  
**Application Type:** Full Application  
**Decision:** Approve with conditions  
**Decision Date:** 03/08/2010  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Extension to the time limit for implementing planning permission N14442B/07 granted 11/10/07 for "Creation of basement and lightwell to front. Ground floor rear extension."**

#### Consultations and Views Expressed:

Neighbours Consulted: 16 Replies: 7 (5 comments of objection, 1

Councillor objection, 1 comment of support)  
Neighbours Wishing To Speak 2

## **2. PLANNING APPRAISAL**

### Site Description and Surroundings:

The application site contains a semi-detached two storey dwelling, located on the northern side of Wilton Road. The host property has previously been converted into two flats at ground floor and first floor level. There are considerable changes in levels experienced on site, with the land towards the rear of the property lower than that towards the main road. The rear of the properties along this stretch of Wilton Road are characterised by two storey rear projections. Neighbouring property No. 9 Wilton Road Contains a part single, part two storey rear projection.

### Dimensions:

The application proposes a part single, part two storey side and rear infill extension with a rear raised decking area, and the creation of a basement level including the construction of a lightwell to the front elevation. The extension would have a height of 5.3 metres to eaves level when viewed from the rear and a maximum height of 6.4 metres with a dual pitched roof. The extension would sit flush with the rear wall of the existing building and would have a width of 2.5 metres infilling the existing gap between the rear projections at No. 11 Wilton Road and No. 9 Wilton Road. The extension would include a raised rear decking area, projecting 1 metre in depth from the rear of the extension, with a width of 2.5 metres adjoining the existing decking area.

The proposed basement would have a similar footprint to that of the existing house and the proposed side and rear extension. The proposed lightwell would project approximately 1 metre forward of the existing bay window.

### Planning Considerations:

The main issue in this case are considered to be covered under two main areas:

- The living conditions of neighbouring residents;
- Whether harm would be caused to the character and appearance of the area and street scene, having regard to the size and siting of the proposal.

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 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 that development

makes a positive contribution to the borough. The development standards set out in Policy DM02: Development Standards are regarded as key for Barnet to deliver the highest standards of urban design.

The Council's SPD 'Residential Design Guidance' states that extensions should normally be subordinate to the original house, respect the original building and should not be overly dominant.

Given that the extension would be extending only 2.1 metre beyond the rear ground floor wall of No. 9 Wilton Road and there are no windows facing No. 11 Wilton Road, the proposal is not considered to result in a loss of light to neighbouring property No. 9 Wilton Road.

The proposed decking has been reduced in depth to 1 metre on the side facing No. 9 Wilton Road and would include a privacy screen of 1.8 metres from above the decking. The decking is therefore not considered to result in loss of privacy or overlooking to No. 9 Wilton Road. The decking on the side facing No. 13 Wilton Road would remain as existing.

The host flat is already a 2 bedroom flat and the application does not propose to increase the amount of bedrooms or create additional units at the property. Therefore, the proposal is not considered to result in the over-intensification of the use of the site or increase parking issues within the area. The outlook from the proposed bedroom in the basement with a lightwell is not considered to be a sufficient enough reason for refusing the application.

The proposals would comply with the aforementioned policies and Council Residential Design Guidance and would be a proportionate addition to the dwellinghouse. It would have an acceptable impact on the character and appearance of the streetscene, site property, general locality and the residential amenity of neighbouring occupiers.

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

Objections can be summarised as follows:

- The development will result in overlooking.
- It will result in overdevelopment.
- It will result in over intensification of the use of the property.
- Increase parking stress.
- The proposed basement rooms will not have sufficient daylight.
- Risk of structural collapse.
- Increase risk of flooding.
- It will result in loss of light.
- Result in unacceptable sense of enclosure.
- The development may be used for commercial purposes in the future.
- The proposal will result in 3 flats.
- It will increase security risk of who is coming to the property.
- Unacceptable noise from construction.

- Extension is too large
- Out of character.
- Concerns about resulting costs to the property.

Comments addressed in appraisal above.

The site is not located within a flood zone and therefore flooding is not considered to be an issue.

The application does not propose the use of the property to be used for commercial purposes.

All other objections are not a material planning consideration.

#### **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, it is considered that subject to compliance with the attached conditions, this proposal complies with the Adopted Barnet Local Plan policies and guidance and would be in keeping with the character and appearance of the surrounding area. It is not considered to have a detrimental impact on the residential amenities of neighbouring occupiers. This application is therefore recommended for APPROVAL.

**SITE LOCATION PLAN:** 11 Wilton Road, London, N10 1LX

**REFERENCE:** B/03761/14



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