

Location **35 Windsor Road, London, N3 3SN**

Reference: **F/05874/14**

Received: Dominic Dear

Accepted: 28th October 2014

Ward: Finchley Church End

Expiry 23rd December 2014

Applicant: Mr Liad Shabado

Proposal: Part single, part two storey side and rear extension. Single storey front extension. New lower ground floor rear basement extension with associated new steps and hand rail. Alteration/extension to roof including construction of 2no.dormer windows to each side elevation and insertion of 4no. roof lights to one side and 3no. roof lights to the other side of roof slope to facilitate a loft conversion. New window to front elevation and removal of chimney stack.

Recommendation: Approve subject to conditions

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

- No. HD773/1000, HD773/1001 and location plan (received: 28/10/14).

- No. HD773/3000, HD773/3001 A, (received : 17/12/14)

- No. HD773/3002 B, HD773/3003 B, HD773/3004 B and HD773/3005 B (Received: 19/12/14).

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).

2 Before the building hereby permitted is occupied the three proposed 1st floor window(s) in the side elevation facing Deansbrook 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.

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).

- 3 Before the building hereby permitted is occupied the two side facing dormer windows shall be obscure glazed and top opening only at 1.7m above finish floor level.

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).

- 4 The roof of the single storey ground floor rear and ground floor front 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).

- 5 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.

- 6 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).

- 7 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 either side elevation.

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 186 and 187 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. A pre-application advice service is also offered. 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 relates to a semi-detached single family dwelling house located to the south of Windsor Road.

The site is unique for two reasons. First, in terms of overall height it is significantly lower than the other half of the semi-detached house (No. 33 Windsor Road). Second, it was the first house to be built on the street where the primary aspect faced east. All subsequent houses constructed on the same side of the road face north.

The site is not a listed building and is not within a conservation area.

2. Site History

Reference: F/04063/14

Address: 35 Windsor Road, London, N3 3SN

Decision: Approved subject to conditions

Decision Date: 29 September 2014

Description: Single storey front extension. Two-storey side & rear extension with lower ground level to the rear. Extension to roof including 1no. side dormer window, 2no rooflights and 3no. rooflights on both side roofslopes to facilitate a loft conversion.

3. Proposal

The current application is almost identical to that granted permission under application F/04063/14 with the following changes:

- 1 x side dormer window (w: 3.0m, h: 1.7m, d: 1.8m)
- Re positioning of roof lights
- Increase size of the single storey front extension (w: 5.3m, h: 3.4m, d: 1.5m)

4. Public Consultation

The application is reported to committee at the request of Councillor Thomas.

21 consultation letters were sent to neighbouring properties.

4 responses have been received, comprising 4 letters of objection.

The objections received can be summarised as follows:

- Front, side and rear dormers do not fit in with the character of the area.
- Side dormers present a fire and safety risk
- The chimneys do not show in the plans
- Front bay should not extend beyond that of No.33
- Squaring off of the first floor to the rear would impact privacy
- There should be no balcony above the ground floor bay window
- Party wall issues raised
- Chimney stacks should be retained

- Issues over raising of the roof and position of windows to the front elevation

5. Planning Considerations

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 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 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.

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.

Supplementary Planning Documents

Residential Design Guidance SPD (adopted April 2013)

- 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 April 2013)

- 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.

5.3 Assessment of proposals

The majority of the elements proposed already have planning permission.

Side dormer window

The proposed side dormer meets the criteria set out in Barnet's Residential Design Guidance which states that 'Dormer roof extensions should normally be subordinate features on the roof and should not occupy more than half the width or half the depth of the roof slope'. There are also several examples of side dormers in close proximity to the application site. Furthermore these dormers are set back from the street and would do little to harm the character of the area.

In order to reduce the potential for overlooking and maintain a certain level of privacy, both dormer windows will be obscure glazed and top opening only at 1.7m above finished floor level.

Re positioning of roof lights

In order to reduce the potential for overlooking and maintain a certain level of privacy the three roof lights facing 33 Windsor Road will be obscure glazed and permanently fixed shut.

Increase size of the single storey front extension

The difference in area between the previously approved front extension and the current proposal is 1.44m². This addition is not considered to affect the amenities of neighbouring occupiers.

With regard to the character of the area, attention has been paid to the occupiers of No. 33 Windsor Road who benefit from a full width ground floor front extension. The proposed infill would therefore add a certain degree of symmetry to the pair of semi-detached houses and maintain the character of the area.

5.4 Response to Public Consultation

Front, side and rear dormers do not fit in with the character of the area: Through negotiations with the applicant the front dormer has been removed from the proposed plans.

The side dormer has been discussed in 'assessment to proposals' above.

Side dormers present a fire and safety risk: Although these are a valid concerns they are not considered to be a reason for refusal of planning permission.

The removal of chimney stacks do not show in the plans: The removal of the chimney is shown on the plans.

Front bay should not extend beyond that of No. 33: Assessed above.

Squaring off of the first floor to the rear would impact privacy: Through negotiations with the applicant the infill section has been removed from the proposed plans.

There should be no balcony above the ground floor bay window: A condition has been attached stating that the roof of the single storey front extension should only be used for maintenance purposes and not as a balcony.

Party wall concerns raised: Party Wall concerns are not planning concerns and therefore not assessed as part of this application.

Chimney stack should be retained: Chimney stacks can be removed through permitted development and therefore do not require planning permission.

Concerns over raising of the roof and position of windows to the front elevation: Raising of the roof was previously granted permission under application F/04063/14. The changes to the ground floor front extension have been discussed above.

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 street scene and the locality. The development is not considered to have an adverse impact on the amenities of neighbouring occupiers. This application is therefore recommended for approval.



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