

**Location**                      **39 Woodstock Road London NW11 8ES**

**Reference:**                    **16/1416/HSE**                      Received: 3rd March 2016  
Accepted: 3rd March 2016

Ward:                              Childs Hill                              Expiry 28th April 2016

Applicant:                        Mr Charles Lossos

Proposal:                         First floor rear extension

**Recommendation:** Approve subject to conditions

- 1     The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan; WR-15-101-PL (existing layouts and elevations); WR-15-101-PL (proposed layouts and elevations);

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     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 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).

- 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.

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 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 the side elevation(s), of the extension(s) hereby approved, facing 37 and 41 Woodstock Road.

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. 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 host property is a semi-detached single family dwelling situated on the the west side of Woodstock Road.

The property is not listed and is not listed in a conservation area.

The surrounding area is characterised by a mixture of two and some three storey buildings containing dwelling houses and flats. Some of these have been extended considerably.

### **2. Site History**

Reference: 15/01882/191

Address: 39 Woodstock Road, London, NW11 8ES

Decision: Lawful

Decision Date: 27 March 2015

Description: Use as 1 no. single family dwelling house

Reference: 15/06220/PNH

Address: 39 Woodstock Road, London, NW11 8ES

Decision: Prior Approval Required and Refused

Decision Date: 18 November 2015

Description: Single storey rear extension with a proposed maximum depth of 6 metres measured from the original rear wall, eaves height of 3 metres and maximum height of 3 metres

Reference: 15/06526/192

Address: 39 Woodstock Road, London, NW11 8ES

Decision: Lawful

Decision Date: 19 November 2015

Description: Roof extension involving rear dormer windows and hip to gable

Reference: 15/07744/PNH

Address: 39 Woodstock Road, London, NW11 8ES

Decision: Prior Approval Not Required

Decision Date: 19 January 2016

Description: Single storey rear extension with a proposed maximum depth of 5.67 metre from original rear wall, eaves height of 3 metres and maximum height of 3 metres

Reference: C16407B/06

Address: 39 Woodstock Road, London, NW11 8ES

Decision: Approved subject to conditions

Decision Date: 4 May 2006

Description: Enlargement of existing two rear dormer windows.

Reference: C16407A/05

Address: 39 Woodstock Road, London, NW11 8ES

Decision: Refused

Decision Date: 20 January 2006

Description: New vehicular access and hardstanding. New dormer window to front elevation. Enlargement of existing two rear dormer windows.

### **3. Proposal**

The applicant seeks permission for a first floor extension.

The extension would have a depth of 3.3 metres and a width of 6.2 metres. It would have a crown roof with a height of 6.4 metres to the eaves and maximum height of 7 metres.

### **4. Public Consultation**

Consultation letters were sent to 8 neighbouring properties.  
6 responses have been received, comprising 6 letters of objection.  
No. of Speakers: 1

The objections received can be summarised as follows:

- overbearing/obstrusive
- loss of outlook
- sense of enclosure
- scale/architectural style
- character
- protudes beyond the building line
- side windows overlooking
- overdevelopment

### **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 2015

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 2050. 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**

#### Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality

The neighbouring property at no.37 at first floor level extends approximately in line with the ground floor rear extension under the prior approval (Ref: 15/07744/PNH) being constructed at the site property. The first floor extension would not extend as far rearwards as this at a depth set forward of 2m from the first floor rear wall of no.37.

Concerns have been raised that the construction of a first floor rear extension at this location would harm the character and appearance of the area and would be out of keeping with the appearance of the rear of the properties. There are a number of rear extensions on Woodstock Road, which extend beyond the original building line.

The proposed extension would have a crown roof extension of relatively low height. Although ideally in order to strictly accord to Residential Design Guidance the extension would have a higher pitched roof, this would appear awkward against the dormers on the main roof.

The extension would be of limited visibility, being sited at the rear of the house and obscured by the rear wall of no.37.

Furthermore, the design of the roof would be similar to no.47 Woodstock Road which is considerably more visible being on a corner.

Whilst the width of the extension does extend across the majority of the house, this again would be obscured to the south-east and would not significantly harm the character and appearance of the area.

The proposal is similar to other developments in the area and due to the size of the property and site plot it is considered to be a proportionate addition and not overdevelopment of the site.

It is considered that the proposed development would not detract from the scale and form of the host property. The hipped roof of the proposed extension would complement the host property. The proposed extension would appear as a subordinate addition to the host property and would have an acceptable impact on the character and appearance of the existing building and street scene.

#### Whether harm would be caused to the living conditions of neighbouring residents

Within Barnet's Residential Design Guidance it sets out that two storey rear extensions should not result in the 'loss of light to, and outlook from, windows and glazed doors positioned close to the extension' or lead to an 'unacceptable sense of enclosure to house and garden' and also not cause 'harm to the character or appearance of the property and area'. Four objections have been received in relation to the loss of light and outlook that would result from the construction of the first floor rear extension.

From No.41 Woodstock Road the proposed first floor extension would be located 2m from the adjacent shared boundary. There is an existing projecting rear bay window located at the rear of No.41. Taking into account the separation between the proposed extension and

the boundary, it is considered that the proposed first floor extension would not have a significant adverse impact on the light and outlook afforded to the rear of No.41 to warrant the refusal of the application. It is also considered that the setback between the proposed extension and the boundary would ensure the extension does not appear overbearing or create unacceptable sense of enclosure.

The proposed plans do not show any side windows and there is no concerns regarding the privacy of neighbours. A condition has also been added restricting any side windows. It is noted that although the CGI drawing shows a side window, this is not on the plans to be formally approved and no side windows had been approved. The CGI document is only for illustrative purposes.

The proposed extension would be 1 metre away from the side boundary with no. 37 and 2.1 metres from the flank wall of this neighbouring property. It is also noted that this neighbouring property extends some 5.3m beyond the original rear wall of the site property. The extension would extend across secondary windows which serve a living/dining area at no.37. These also have the benefit of south-west facing windows which serve this room. It is therefore not considered that the impact of the extension on this window would harm the amenities of neighbouring occupiers through outlook or light received. It is not considered that the impact on the access or pathway would be harmful in terms of loss of outlook or enclosure.

Given the proportions and the relationship between the proposal and the neighbouring properties, it is not considered that this scheme would be detrimental to the amenities of the occupants of any neighbouring property.

#### **5.4 Response to Public Consultation**

Addressed in the main report.

The design of the extension is considered to be acceptable taking into account the design of the existing house, the relationship to neighbouring buildings and the character of the area.

The height of the eaves of the extension would not exceed those of the existing house, and the roof would be relatively low in height.

The extension would have windows facing the rear garden, these would only overlook the existing rear garden.

#### **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.

