

Location **80A Westbury Road London N12 7PD**

Reference: **18/1802/HSE** Received: 21st March 2018
Accepted: 22nd March 2018

Ward: West Finchley Expiry 17th May 2018

Applicant: Mr PAUL ALTERMAN

Proposal: Part demolition of existing garage and conversion into habitable room. Single storey rear extension with new terrace area following demolition of existing conservatory. New front porch. New front boundary fence. New hardstanding to front to provide two off street parking bays. New render to front elevation. Changes to fenestration. Roof extension involving raising the roof height, 1no front and 1no rear dormer window, 1no front roof light and 2no rear roof light over ground floor extension.

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Head of Development Management or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 1254-EX01, 1254-EX-02, 1254-EX-03, 1254-EX04, 1254-EX05, 1254-EX-06, 1254-EX-07, 1254-EX-08, 1254-PL-01E, 1254-PL-02B, 1254-PL03C, 1254-PL-04C, 1254-PL-05D, 1254-PL06D, 1254-PL-07E, 1254-PL-08E, 1254-PL-051

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 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 pm 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 Development Management Policies DPD (adopted September 2012).

- 4 a) A scheme of hard and soft landscaping, including details of existing trees to be retained and size, species, planting heights, densities and positions of any soft landscaping, together with details of hard surfacing, shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted is commenced.

b) All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.

c) Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.

Reason: To ensure a satisfactory appearance to the development in accordance with Policies CS5 and CS7 of the Local Plan Core Strategy DPD (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012), the Sustainable Design and Construction SPD (adopted October 2016) and 7.21 of the London Plan 2016.

- 5 The materials to be used in the external surfaces of the roof and rear extension shall match those used in the existing building.

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).

- 6 Before the building hereby permitted is first occupied the proposed windows in the first floor elevation facing north 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 Development Management Policies DPD (adopted September 2012) and the Residential Design Guidance SPD (adopted 2016).

- 7 a) No development other than demolition works shall take place until details of the materials to be used for the external surfaces of the refuse store and the front boundary wall hereby approved have been submitted to and approved in writing by the Local Planning Authority.

b) The development shall thereafter be implemented in accordance with the materials as approved under this condition and maintained as such thereafter.

Reason: To safeguard the character and visual amenities of the site and wider area and to ensure that the building is constructed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012), Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies 1.1, 7.4, 7.5 and 7.6 of the London Plan 2016.

Informative(s):

- 1 In accordance with paragraphs 186-187, 188-195 and 196-198 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 site is currently occupied by a two storey detached residential property with off street front parking area. To the rear there is a garden of between 32 metres and 39 metres deep which extends to the rear boundary of property in Courthouse Road. The existing house is currently unoccupied. The application site is located on the eastern side of Westbury Road halfway between Argyle Road and Nethercourt Avenue. The property is not listed nor in a conservation area. The property was built in the early 1960s in a functional style with a simple pitched roof.

2. Site History

Reference: 17/6749/FUL

Address: 80A Westbury Road

Decision: Appeal dismissed

Decision Date: 25.05.2017

Description: Demolition of existing dwelling and erection of a two storey building with rooms in roofspace to provide 3no self-contained flats. Associated vehicular access, parking, cycle storage, refuse and recycling and landscaping and amenity space.

Reference: 18/1803/192

Address: 80A Westbury Road

Decision: Lawful

Decision Date: 18.04.2018

Description: Single storey rear extension with 2no. Roof lights, following demolition of existing conservatory. Replacement of existing garage door. New front porch. New hardstanding to front to provide off street parking. New front boundary fence

3. Proposal

Part demolition of existing garage and conversion into habitable room. Single storey rear extension with new terrace area following demolition of existing conservatory. New front porch. New front boundary fence. New hardstanding to front to provide off street parking. New render to front elevation. Changes to fenestration. Roof extension involving raising the roof height, 1no front and 1no rear dormer window, 1no front roof light and 2no rear roof light over ground floor extension.

The scheme was amended to reduce the width of the front and rear dormer windows, make alteration to the roof form, changes to front parking layout and bin store.

The dimension of the new works are as follows:

Rear conservatory: Existing 3.6m deep x 5.1m wide x 3.0m max high
Proposed: 4.0m deep x 8.3m wide x 3.6m max high

Front dormer window: 1.53m wide x 1.3m high x 1.7m deep
Rear dormer window: 2.4m wide x 1.6m high x 1.8m deep

Increase ridge height by 1 metre

New front boundary fence 1.5 metres

4. Public Consultation

Consultation letters were sent to six neighbouring properties. Seven responses were initially received, comprising seven letters of objection.

The objections received can be summarised as follows:

- the design is ugly and not in keeping
- The dormer windows are not characteristic
- The mass is excessive and over development
- Loss of light and outlook
- Excessive front area parking
- An attempt to convert to flats at a later date
- The proposal will have a negative effect on the area.

The application was presented to committee on 23rd July but deferred by Members request for a site visit. The opportunity was taken to request further alterations to the scheme, in particular to the design of the front area. The area will be redesigned to accommodate only two vehicle spaces together with a deeper tree and shrub planting area behind the front boundary fence and relocate the bin store to the rear.

Neighbours have been consulted about the amended plans and a further two letters have been received. The concerns highlighted are:

- The dormer window to the front remains
- The scheme is an over development
- The relocated refuse position is not an improvement

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 24th July 2018. 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 2016

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.

The London Plan is currently under review. Whilst capable of being a material consideration, at this early stage very limited weight should be attached to the Draft London Plan. Although this weight will increase as the Draft London Plan progresses to examination stage and beyond, applications should continue to be determined in accordance with the adopted London Plan

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 October 2016)

- 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 October 2016)

- 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

Properties in Westbury Road are either detached or semi-detached houses with gaps in-between to emphasise the spacious quality and layout, and between Argyle Road and Westbury Grove they are entirely two storey with pitched roofs, and a mix of gable and eaves frontages. There is no strict building style and typology but the scale, height, building line and materials present a harmonious street.

The existing building at 80A is something of an anomaly in terms of its height, form and scale. There is no objection to the alterations in height to the roof. The further amendments have introduced a partial hip form which is present in several adjacent properties. Whilst the alteration gives the building greater presence, the retention of the original house gives limited room for changes. Objectors have referred to the scale of the proposal and how it will dominate the remaining house at 80b. However, these two houses are the two post war properties that were originally under scaled when compared to their neighbours. The proposal for 80a will increase its mass and scale to a building closer to most of its neighbours. Notwithstanding this, the increase in the roof height will be only one metre.

Dormer windows to the front are not a common feature on Westbury Road but the adjacent houses at 78 and 80 which form a pair have front dormer windows. The dormer window to 80A has been reduced in width and since this property, with its immediate adjacent neighbour at 80B, is not characteristic of the inter war properties that define the street, it is not considered to be harmful. The objectors state that a dormer window would be out of keeping but it's the properties at 80a and 80b themselves that are exceptional in terms of the predominantly interwar designs that set the context of the street. To the rear, dormer windows are more prevalent and once again, the dormer in this case has been reduced in width and is not considered harmful.

The proposed single storey rear extension with a hipped roof would replace an unattractive glass and brick conservatory. Although it would be almost full width, it would be of similar height and depth to the present structure and not out of character with the additional work to the building. Rear extensions exist at neighbouring properties and there is no coherent style. The existing extension is 3.6m deep x 5.1m wide x 3.0m max high and the proposed will be 4.0m deep x 8.3m wide x 3.6m max high.

The front area will be opened by removing the garage and clearing shrubbery. New permeable paving will be laid down and the area landscaped with a mix of grass and planters. The area would provide parking for two vehicles with the front boundary defined by a 1.5-metre-high fence and planted with shrubs and trees. The enclosed refuse store would be relocated to the side of the rear terrace

The existing rear garden is 38 metres deep taken from the rear wall of the existing conservatory. The proposed ground floor rear extension would only infill 42sqm of open terrace and would encroach no further into the garden. The terrace and retaining wall would remain in the same position with only the location of the access steps to the lawn altered.

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

One of the Council's key objectives is to improve the quality of life for people living in the Borough and therefore development that results in unacceptable harm to neighbour's amenity is unlikely to be supported. Good neighbourliness is a yardstick against which proposals can be measured.

The alterations to the roof form will increase the height of the property by approximately one metre. The footprint, and therefore the depth of the main body of the house will remain the same, so there will be no material loss of light or outlook to neighbouring property. Two new windows will be introduced at first floor level but this will be of opaque glazing.

The proposed rear extension will be no deeper than the present one and although almost full width with a hipped roof, there will be no material increase in loss of light or outlook to the adjacent properties.

The application site lies in an area with a PTAL level of 2 and is 5-8 minutes' walk from West Finchley (Northern Line).

Whilst the application does not create any additional units, the proposal will provide two off street car parking spaces which accords with parking policy.

An enclosed bin store for refuse will be located to the side of the rear terrace.

5.4 Response to Public Consultation

The proposed alterations to this single dwelling house at both roof level and to the rear will not lead to a material loss of amenity to adjacent occupiers.

Several amendments have been carried out to the proposal including a reduction in off street parking provision and a reduction in the size of the front and rear dormer windows.

Some objections concern the enlargement of the property and that this will lead to an application for a sub division at a later date. This application is not for flats and each application is determined on its own merits and in regard to appropriate policies.

It is not considered that the present proposal is an overdevelopment of the property.

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.

