

**LOCATION:** 14 Poolsford Road, London, NW9 6HP  
**REFERENCE:** H/00216/13 **Received:** 17 January 2013  
**Accepted:** 17 January 2013  
**WARD(S):** Colindale **Expiry:** 14 March 2013  
**Final Revisions:**

**APPLICANT:** Mr Ezekiel  
**PROPOSAL:** Retention and alterations to 2no. outbuildings in rear garden ancillary to dwellinghouse.

**RECOMMENDATION: Approve Subject to Conditions**

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: 215-E/000, 215-E/001, 215-E/102, 215-E/103.

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 The use of the extension 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 The reasons for this grant of planning permission or other planning related decision are as follows: -
  - i) The proposed development accords with strategic planning guidance and policies as set out in The Mayor's London Plan: July 2011 and the Adopted Barnet Core Strategy (2012) and Development Management Policies DPD (2012).

In particular the following policies are relevant:  
Design Guidance Note No.5 on Household Extensions.

Core Strategy (Adopted) 2012:  
Relevant policies: CS NPPF, CS1 and CS5

Development Management Policies (Adopted) 2012:  
Relevant Policies: DM01 and DM02

- ii) The proposal is acceptable for the following reason(s): - 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.

iii) 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.

- 2 The applicant is advised that the proposed works should be done within 3 months otherwise the Council will initiate prosecution against the extant enforcement notice.

## **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.

### Supplementary Planning Documents and Guidance

#### Design Guidance Note No 5 – Extensions to Houses

The Council guide 'Extension to Houses' was approved by the Planning and Environment Committee (The Local Planning Authority) in March 2010. This supplementary planning guidance (SPG) 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 Supplementary Planning Document (SPD) "Sustainable Design and Construction" (June 2007), 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. Part 6 of the SPD relates to generic environmental requirements to ensure that new development within Barnet meets sufficiently high environmental and design standards.

The Council is currently consulting on 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 (consultation draft November 2012) and Sustainable Design and Construction SPD (consultation draft November 2012) are now material considerations.

### Relevant Planning History:

<b>Site Address:</b>	14 Poolsford Road London NW9
<b>Application Number:</b>	W06122
<b>Application Type:</b>	Full Application
<b>Decision:</b>	Approve with conditions

**Decision Date:** 21/06/1979  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Single storey rear extension.**  
**Case Officer:**

**Site Address:** 12-14 Poolsford Road, London, NW9 6HP  
**Application Number:** H/02324/10  
**Application Type:** Retention/ Contin. Use  
**Decision:** Refuse  
**Decision Date:** 12/08/2010  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Retention of three self contained detached residential dwellings and conversion of a single storey storage building into a residential dwelling.**  
**Case Officer:** Graham Robinson

**Site Address:** 14 Poolsford Road, London, NW9 6HP  
**Application Number:** H/01764/12  
**Application Type:** Householder  
**Decision:** Refuse  
**Decision Date:** 24/07/2012  
**Appeal Decision:** No Appeal Decision Applies  
**Appeal Decision Date:** No Appeal Decision Date exists  
**Proposal:** **Retention and alterations to 2no. outbuildings in the rear garden.**  
**Case Officer:** Graham Robinson

#### Consultations and Views Expressed:

Neighbours Consulted: 50 Replies: 8 and letter with 32 signatories  
Neighbours Wishing To Speak 2

- Outbuildings are used as rented accommodation
- Impact of traffic, access and parking
- Buildings should be demolished in line with enforcement notice
- Impact on water drainage and utilities
- Buildings were built without planning permission
- Developer would continue to use buildings as bedsits/flats
- Development is not suitable for the area

## **2. PLANNING APPRAISAL**

#### Site Description and Surroundings:

The site is the rear garden of a semi-detached dwelling on the south-east side of Poolsford Road. The surrounding area is residential in character consisting of two storey semi-detached dwellings. This particular part of Poolsford Road is orientated around a small green.

To the east of Poolsford Road is Colindale Primary School.

The gardens of the property are fairly level and at a slightly lower level than the dwellings themselves.

At present, three single storey buildings have been constructed across the gardens of 12 and 14 Poolsford Road, with there being an additional storage building furthest rearwards towards New Way Road. These are all subject to an enforcement notice.

The applicant has submitted a planning application relating to the two outbuildings closest to no.14. (A separate application seeks permission for the retention of those nearest no.12.)

An enforcement notice against the development has been served and an appeal against this dismissed.

#### Dimensions:

The proposals are for retention and alterations to 2no. outbuildings in rear garden ancillary to dwellinghouse.

The smaller of the 2 outbuildings will be retained for 'storage of garden tools'. The pitched roof will be removed so that the building is no more than 2.5m in height.

The second building is currently 6.6m deep on one side and 11.5m deep on the other. This building will be reduced significantly in size so that it is 5m deep and it will be used as a 'study'.

#### 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 living conditions of neighbouring residents;*

The proposals involve reducing the size of the outbuildings converting the outbuildings for use ancillary to the main dwelling at no.14. The buildings are generally sited away from neighbouring boundaries and it is not considered that they would unduly impact the outlook, light or privacy enjoyed by neighbouring occupiers.

It is not considered that the use of the buildings as ancillary to the main use of the house as a single family dwelling would harm the amenities of neighbouring occupiers.

*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 applicant proposes to make the existing buildings on site smaller so that they have a less harmful impact on the character and appearance of the general locality. It should be noted that normally it is possible to construct outbuildings of up to 50% of the garden area up to 2.5m in height without planning permission.

The proposals involve creating a kitchen and dining area linked to the main house, as well as a playroom.

The buildings as retained would be used for purposes incidental to the main dwelling and this is considered compatible with the character of the area. A condition would be attached to ensure that this is the case.

As proposed, it is not considered that the outbuildings would have a harmful impact on the character of the area.

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

Generally addressed in main report

The fact that development was initially undertaken without permission is not reason to withhold permission for an alternative development.

It cannot be assumed that the developer would not implement this planning permission if granted.

The use of the outbuildings for ancillary purposes is not considered likely to generate significant additional highways impact or impact on water pressure.

### **4. EQUALITIES AND DIVERSITY ISSUES**

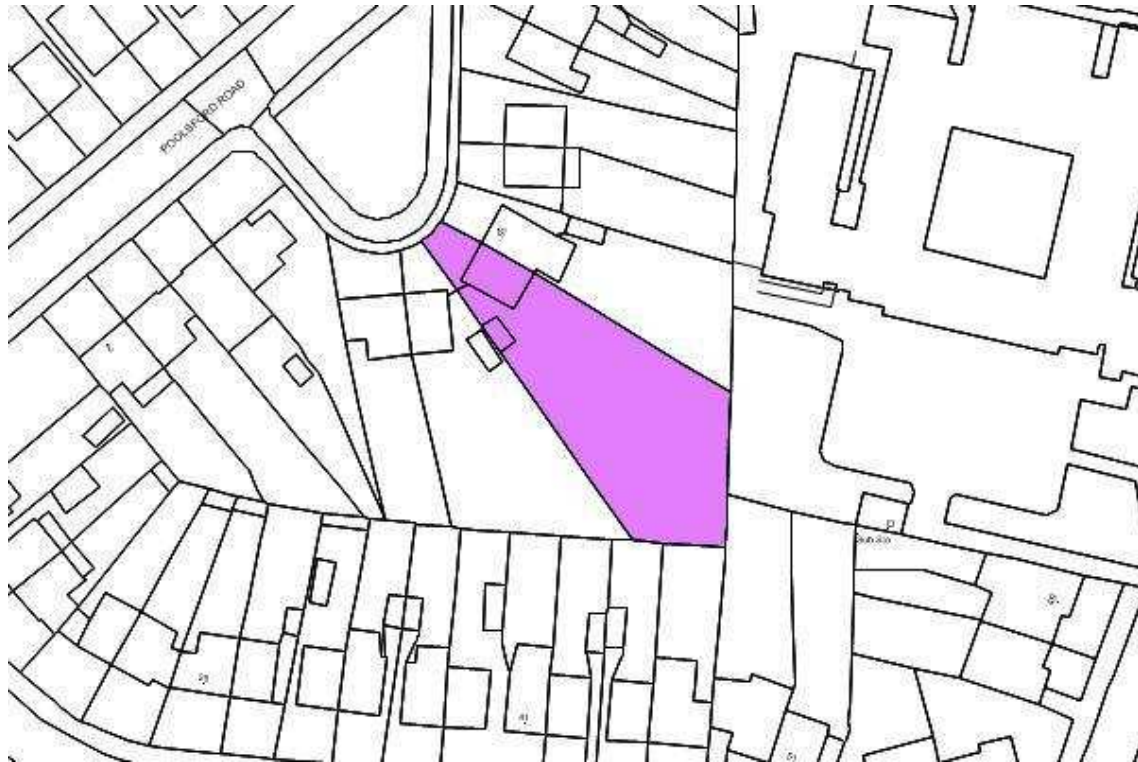
The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

### **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:** 14 Poolsford Road, London, NW9 6HP

**REFERENCE:** H/00216/13



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