

**Location**                                **11 Gloucester Drive London NW11 6BH**

**Reference:**                            **20/3446/HSE**                                Received: 28th July 2020  
Accepted: 29th July 2020

Ward:                                        Garden Suburb                                Expiry 23rd September 2020

**Case Officer**                            **Emily Bell**

Applicant:                                Mr. Shahab

Proposal:                                    First floor rear extension. Roof extension involving side and rear dormer windows with 5no skylights to roof. New pitched roof to existing front porch

### **OFFICER'S RECOMMENDATION**

Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control 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 their 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:  
SK-01B incl. Site location plan  
SK-02  
SK-03C  
SK-04 B  
SK-05 B  
SK-06 B  
SK-07 C  
SK-08 E

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 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 nos. 10 and 12 Gloucester Drive.

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).

- 5 Before the building hereby permitted is first occupied the proposed rooflights in the flank elevation facing no. 10 Gloucester Drive and the proposed side dormer windows facing no. 12 Gloucester Drive shall be fixed shut and glazed with obscure glass up to a point 1.7m above internal floor level and shall be permanently retained as such thereafter.

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 October 2016).

### **Informative(s):**

- 1 In accordance with paragraphs 38-57 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**

The application has been called to committee by Councillor Marshall for the following reason:

"I am surprised that the number of people that the Council says have objected to the application is dwarfed by the number who think that they have objected. The proposal is much greater than any approved in this road and should therefore be considered by the Area planning committee as it could be seen as setting a precedent."

### **Site Description**

The application site is located at 11 Gloucester Drive, NW11 6BH, consisting of a two-storey detached dwellinghouse with rear amenity space and parking facilities to the front. The area surrounding the site is predominantly residential consisting of similar two-storey detached dwellinghouses. The site is located within the Garden Suburb ward.

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

## **2. Site History**

Reference: F/04133/14

Address: 11 Gloucester Drive, London, NW11 6BH

Decision: Prior Approval Required and Refused

Decision Date: 27 August 2014

Description: Single storey rear extension with proposed maximum depth of 6.707 metres from original rear wall, eaves height of 2.8 metres and maximum height of 3 metres, following partial demolition of existing side/rear extension.

Reference: F/02873/14

Address: 11 Gloucester Drive, London, NW11 6BH

Decision: Prior Approval Required and Refused

Decision Date: 31 July 2014

Description: Single storey rear extension with proposed maximum depth of 7.111 metres from original rear wall, eaves height of 2.8 metres and maximum height of 3 metres, following partial demolition of existing side/rear extension.

Reference: F/02897/14

Address: 11 Gloucester Drive, London, NW11 6BH

Decision: Approved subject to conditions

Decision Date: 27 August 2014

Description: Part single, part two-storey rear extension. Extension to roof including formation of 1no.side dormer, 3no. rear facing roof lights and 2no. front facing roof lights to facilitate a loft conversion.

Reference: C10298B/02

Address: 11 Gloucester Drive, London, NW11 6BH

Decision: Refused

Decision Date: 13 December 2002

Description: First floor rear extension. Alterations to roof including side and rear dormer windows.

### **3. Proposal**

First floor rear extension. Roof extension involving side and rear dormer windows with 5no skylights to roof. New pitched roof to existing front porch.

The proposed first floor rear extension was amended throughout the lifetime of the application to measure a depth of 2.5 metres and a width of 9 metres.

### **4. Public Consultation**

Consultation letters were sent to 8 neighbouring properties. 4 letters of objection have been received, summarised below:

- o The house already has several extensions
- o The proposed extension would dominate the original building
- o Impact light to neighbouring property at no. 13 and no. 12
- o A previous application was refused at the property C/10298B/02 for a first floor extension. Application F/02897/14 was approved but was smaller than the present proposal
- o Juxtaposing against the current precedent of the residential properties in the neighbourhood
- o Creation of heightened sense of enclosure
- o Drawings are misleading as properties were originally built on same line. The size of the existing ground floor extension at the application site is much larger than that at neighbouring property
- o Overshadowing of neighbouring property
- o Loss of outlook
- o Overlooking and loss of privacy from side dormer
- o 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 amended on 19 February 2019. 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 draft New London Plan is at an advanced stage. In December 2019, the Mayor issued the "Intend to Publish" version of the emerging New London Plan. After considering that Plan, on 13 March 2020 the Secretary of State for Housing, Communities and Local Government wrote to the Mayor making a series of eleven Directions to the Plan. The Mayor cannot publish the New London Plan until the Directions have been incorporated, or until alternative changes to policy to address identified concerns have been agreed. Those policies affected by the Directions carry moderate weight, whilst those with no modifications can carry significant weight.

### 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.

### Barnet's Local Plan (Reg 18) 2020

Barnet's Local Plan -Reg 18 Preferred Approach was approved for consultation on 6th January 2020. The Reg 18 document sets out the Council's preferred policy approach together with draft development proposals for 67 sites. It is Barnet's emerging Local Plan. The Local Plan 2012 remains the statutory development plan for Barnet until such stage as the replacement plan is adopted and as such applications should continue to be determined in accordance with the 2012 Local Plan, while noting that account needs to be taken of emerging policies and draft site proposals.

### 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**

It is noted that the site photographs that have been used to make an assessment of this application were provided by the applicant.

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

Any scheme for the site will need to respect the character and appearance of the local area, relate appropriately to the sites context and comply with development plan policies in these respects. This will include suitably addressing the requirements of development plan policies such as DM01 which states that all proposals should preserve and enhance the local character of the area, as well as policies CS05 (both of the Barnet Local Plan), 7.4 and 7.6 (both of the London Plan).

Policy DM01 requires that all proposals should preserve and enhance the local character of the area. This proposal relates to a first floor rear extension which would measure a depth of 2.5 metres extending across the full width of the property. The Residential Design Guidance states that two storey rear extensions which are closer than 2 metres to a neighbouring boundary and project more than 3 metres in depth are not normally considered acceptable. Further, first floor rear extensions should ensure that they do not lead to a detrimental loss of light, and outlook or have an overbearing impact. The extension would be set in from the common boundary on both sides by approximately 1 metre, and throughout the lifetime of the application, the depth of the first floor rear extension was reduced from 3 metres to 2.5 metres. The host property gained approval for a previous application for first floor rear extension under application reference F/02897/14. This included a first floor rear extension measuring 2.5 metres in depth, extending across

the full width of the property and this was deemed to be acceptable. The current proposal has been reduced in line with the previous approval at the site and therefore is considered to have an acceptable impact on the character and appearance of the site and surrounding area.

The residential design guidance states that flat roofs on two storey rear extensions are not normally acceptable because they do not relate sympathetically to the house. This proposal's roof design is pitched and relates sympathetically to the dwelling and surrounding area.

Rear and side dormers:

The application also involves the addition of 1no. rear and 1no. side dormer. The Residential Design Guidance states that dormer roof extensions should normally be subordinate features on the roof slope and should not occupy more than half the width or half the depth of the roof slope. The rear dormer is considered acceptable in terms of character due to a number of surrounding properties along Gloucester Drive and adjoining Connaught Drive benefitting from rear dormers, including the immediate neighbours at no. 10.

The side dormer is set off the adjoining flank wall and its scale and proportion is consistent with the residential design guidance. A smaller side dormer was deemed acceptable under a previous application F/02897/14. Although the proposed side dormer in this case is larger, it has been amended to a smaller size throughout the lifetime of the application and is not considered to adversely impact the streetscene.

New pitched roof to front porch:

Following a review of aerial photography, it was noted that houses along Gloucester Drive benefit from porches with a mixture of flat and pitched roof designs. Therefore, it is considered that the new pitched roof will not detract from the character and appearance of the dwelling and streetscene.

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

It is important that any scheme addresses the relevant development plan policies (for example policy DM01 of the Barnet Local Plan and policy 7.6 of the London Plan) in respect of the protection of the amenities of neighbouring occupiers. This will include taking a full account of all neighbouring sites.

The previous approval at the site for a first floor rear extension of the same depth proposed in the current scheme was found to be satisfactory as the depth and height would not demonstrably impact the amenity of the occupants of the adjoining dwellings. It is noted that the extension will align with the rear first floor projection of no. 10 Gloucester Drive, and the development was found to not result in an overbearing impact on the neighbouring occupiers at no. 12 which officers also find with the current scheme. The reduced depth approximately 1.8 metres from the flank wall of no. 12 is not considered to result in an overbearing impact.

The side dormer will be set off the flank wall of no. 12 Gloucester Drive by approximately 2 metres and will not result in any overshadowing or loss of outlook. The plans indicate that the side dormer window will serve a boiler and staircase and will not serve a habitable room, however, a condition will be attached requiring obscured glazing in the dormer window, to prevent overlooking and to ensure privacy of the neighbouring occupiers is

protected. The rear dormer is set in sufficiently from the common boundaries and as such will not be overbearing. The rear dormer will provide additional outlook from the subject dwelling out over the rear garden rather than into neighbouring properties.

New pitched roof to front porch:

The porch will retain existing dimensions and as such the new pitched roof would not impact the amenities of neighbouring occupiers.

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

o A previous application was refused at the property C/10298B/02 for a first floor extension. Application F/02897/14 was approved but was smaller than the present proposal - *application C/10298B/02 proposed a depth of 3 metres. The current proposal was reduced in depth in order to reflect the smaller previously approved application.*

o Drawings are misleading as properties were originally built on same line - *the drawings show the host property to have a larger ground floor rear extension than the neighbouring property. New plans were submitted which indicate the first floor rear building line of both neighbouring properties. Site photos have been submitted which show the relationship between the two properties and officers have assessed this on site.*

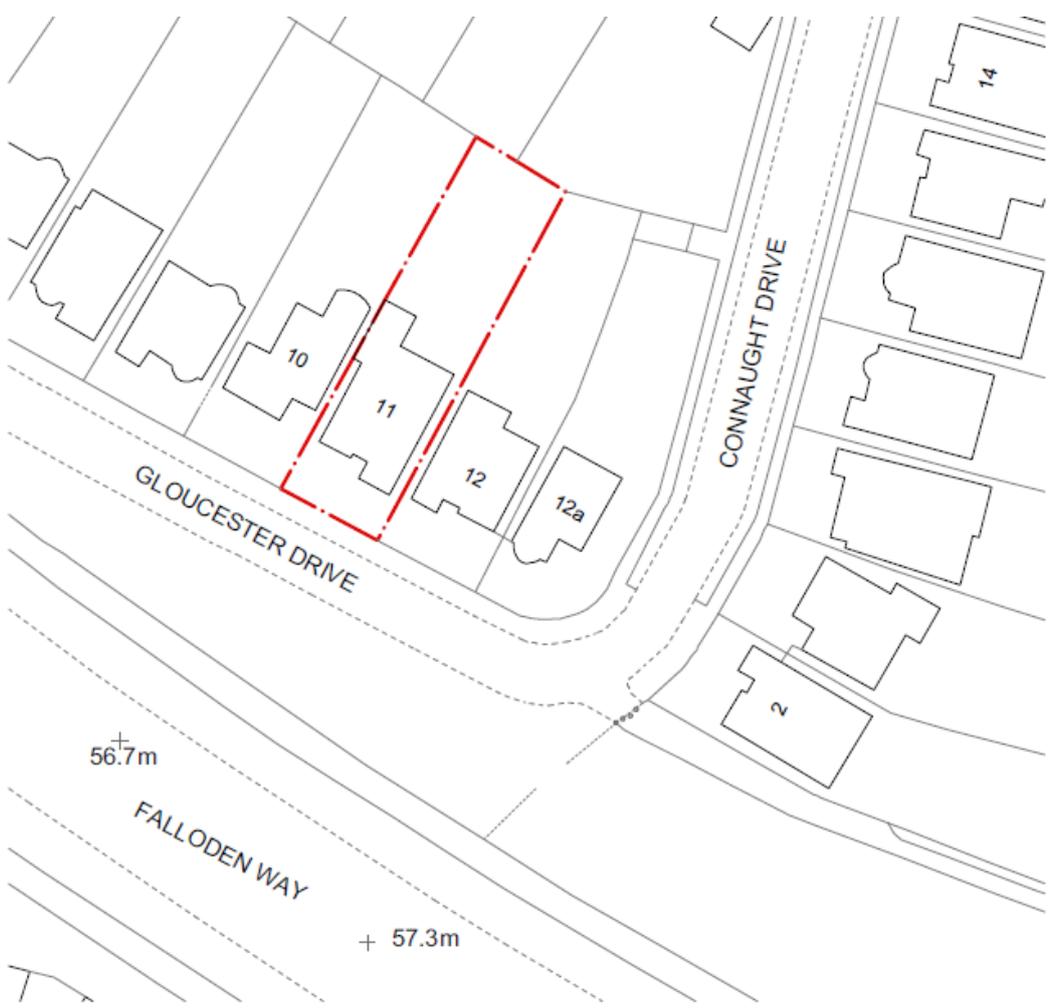
The remaining issues have been discussed in the main body of the report.

#### **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.



1 PROPOSED BLOCK PLAN  
SK-01 1:500@A3

